

# CHAPTER 4

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## Environmental Setting, Impacts, and Mitigation Measures

This Draft EIR has been prepared in accordance with the California Environmental Quality Act (CEQA), as amended (Public Resources Code § 21000, *et seq.*), and the CEQA Guidelines (Title 14, California Code of Regulations § 15000 *et seq.*). This chapter focuses upon the significant environmental effects of Project Site development, and its various components, which are described in Chapter 3, *Project Description*. The analysis of Project Site development’s environmental effects contained in this chapter focuses not only on the changes to existing physical conditions in the affected area caused by proposed Project Site development, but also on any significant environmental effects that Project Site development would cause by bringing development and people into the area (CEQA Guidelines Section 15126.2).

This chapter describes the existing physical environmental setting (also referred to as “baseline”) for each environmental topic, and the impacts that would result from Project Site development. As discussed in Chapter 3, *Project Description*, existing federal, state, and local regulations also will shape the way Project Site development occurs; therefore, this chapter provides a discussion of the regulatory setting that is pertinent to each resource area. Finally, this chapter identifies feasible mitigation measures to reduce the impacts of Project Site buildout.

This chapter provides an overview of the scope of the analysis included in this Draft EIR, organization of the sections, and the methodology used for determining whether impacts are significant.

### Environmental Topics

The following sections in this chapter analyze the environmental topics as listed below and presented in the Table of Contents at the front of this document:

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|-------------------------------------|--|
| 4.A Aesthetics and Visual Resources | 4.I Land Use and Planning Policy                 |
| 4.B Air Quality                     | 4.J Noise and Vibration                          |
| 4.C Biological Resources            | 4.K Population and Housing                       |
| 4.D Cultural Resources              | 4.L Public Services                              |
| 4.E Geology, Soils, and Seismicity  | 4.M Recreational Resources                       |
| 4.F Greenhouse Gas Emissions        | 4.N Traffic and Circulation                      |
| 4.G Hazards and Hazardous Materials | 4.O Utilities, Service Systems, and Water Supply |
| 4.H Hydrology and Water Quality     | 4.P Energy Resources                             |

Under CEQA, EIRs should focus their discussion on significant impacts, and may limit discussion of other impacts to a brief explanation of why the impacts are not significant. The original Notice of Preparation prepared for Baylands development in 2006 determined that impacts in relation to Agricultural and Forestry Resources and Mineral Resources would be less than significant and would not be addressed in the EIR. That conclusion was carried forward in the updated NOPS in 2010 and 2012. As discussed in Chapter 6, *Significant Unavoidable Impacts, Growth Inducement, Cumulative Impacts, and Other CEQA Considerations*, under Section 6.4, *Effects Found Not to Be Significant*, development of the Project Site would have no effect on Agricultural and Forestry Resources since the site is composed primarily of artificial fill placed at the margins of San Francisco Bay, does not contain lands zoned or used for agriculture, does not contain any state-designated farmland, and does not contain or abut forest resources. In relation to Mineral Resources, the Project Site is located in a developed urban area that has no known existing mineral resources. In addition, the Project Site has been classified by the California Department of Mines and Geology as “MRZ-1,” an area where adequate information indicates a low likelihood of significant mineral resources. Therefore, CEQA does not require further detailed evaluation of these topics. Consistent with CEQA Guidelines Section 15128, details of the no impact determination for these two topics are briefly discussed in Chapter 6, *Significant Unavoidable Impacts, Growth Inducement, Cumulative Impacts and Other CEQA Considerations*, under Section 6.4, *Effects Found Not to Be Significant*. Determinations of no Project impact also were made for certain significance criteria related to the environmental topics listed above. These determinations and the accompanying analysis are presented as part of the impact assessments within the individual resource sections.

## **Format of Environmental Topic Sections, Impact Statements, and Mitigation Measures**

Each environmental topic section generally includes four main subsections:

- *Introduction*, which outlines what the section will address.
- *Environmental Setting*, which provides a description of existing physical environmental conditions within and in the vicinity of the Project Site. Each environmental topic provides a description of the baseline physical conditions by which the City, as Lead Agency, determines whether an impact is significant.
- *Regulatory Setting*, which describes federal, state, and local regulations that govern certain aspects of Project Site development. The individual resource sections in this EIR discuss these requirements as they pertain to the individual resource topics.
- *Impacts and Mitigation Measures*, which identifies and discusses the impacts of Project Site development and feasible mitigation measures to reduce or eliminate significant impacts. This section also describes the thresholds of significance/significance criteria used and the impact assessment methodology.

This EIR identifies all impacts with an alpha-numeric designation that corresponds to the environmental topic addressed in each section (e.g., “4.G” for Section 4.G *Hazards and*

*Hazardous Materials*). In the “Impacts and Mitigation Measures” section, the topic designator is followed by a number that indicates the sequence in which the impact title occurs within the section. For example, “Impact 4.G-1” is the first (i.e., “1”) hazardous materials impact identified in the EIR. All impact titles are presented in bold text.

The impact classification (discussed below) of Project Site development’s effects prior to implementation of mitigation measures is stated in a text box next to the impact statement. The text box identifies the impact classification, before mitigation, for each Project Site development scenario described in Chapter 3, *Project Description* (i.e., DSP, DSP-V, CPP, and CPP-V).

Similarly, each mitigation measure is numbered to correspond with the impact that it addresses. Where multiple mitigation measures address a single impact, each mitigation measure is numbered sequentially. For example “Mitigation Measures 4.G-1a, 4.G-1b, and 4.G-1c” address a single impact (i.e., “Impact 4.G-1”). All mitigation measure statements are presented in bold text.

## Thresholds of Significance/Significance Criteria

CEQA Guidelines Section 15382 defines a significant effect on the environment as “*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.*”

The “Significance Criteria” subsections provide thresholds of significance by which impacts are judged to be significant in this EIR. These include identifiable quantitative or qualitative standards or sets of criteria pursuant to which the significance of a given environmental effect may be determined. Exceedance of a threshold of significance normally means the effect will be determined to be significant (CEQA Guidelines Section 15064.7(a)). However, an iron-clad definition of significant effect is not always possible because the significance of an activity may vary with the setting (CEQA Guidelines Section 15064(b)). Therefore, a Lead Agency has the discretion to determine whether to classify an impact described in an EIR as “significant,” depending on the nature of the area affected. The thresholds of significance used to assess the significant of impacts are based on those provided in Appendix G of the CEQA Guidelines.

## Impact Classifications

The following classifications are used throughout the impact analysis in this EIR to describe the level of significance of environmental impacts:

- **No Impact (N)** – No adverse effect on the environment would occur, and mitigation measures are not required.
- **Less than Significant (LTS)** – The impact does not reach or exceed the defined threshold/criterion of significance. Therefore, no mitigation is required.

- **Significant but Mitigable (SM)** – The impact reaches or exceeds the defined threshold/criterion of significance and mitigation is therefore required. Feasible mitigation measures, including standard conditions of approval, when implemented, will reduce the significant impact to a less-than-significant level.
- **Significant and Unavoidable (SU)** – The impact reaches or exceeds the defined threshold/criterion of significance, and mitigation is therefore required. However, application of feasible mitigation measures and standard conditions of approval would not reduce the impact to a less-than-significant level.

Determinations of impact significance after the incorporation of mitigation are made independently for each proposed Concept Plan scenario. Additionally, a text box next to each proposed mitigation measure lists all Concept Plan scenarios and indicates which scenario(s) are subject to the measure.

## Environmental Setting/Baseline

The “Environmental Setting” subsections describe current conditions with regard to the environmental resource area reviewed. CEQA Guidelines Section 15125 states that *“An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, from both a local and regional perspective. The environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.”*

The CEQA Guidelines and case law recognize that the date for establishing an environmental baseline cannot be rigid (see CEQA Guidelines Sections 15146, 15151, and 15204). In some instances, information is presented in the environmental setting that differs from the precise time of the Notice of Preparation (NOP). This information is considered representative of baseline conditions. Furthermore, environmental conditions may vary from year to year, and in some cases it is necessary to consider conditions over a range of time periods.

The Notice of Preparation was originally published in 2006. A revised Notice of Preparation was published in 2010 to reflect changes to the draft Baylands Specific Plan as proposed by the applicant and to reflect the inclusion of the CPP and CPP-V for analysis within the EIR. A subsequent NOP was published in 2012 to reflect the addition of the proposed water transfer agreement as described in EIR Section 3.10 as an additional Project component. Except as specified otherwise within the document, any reference to “existing” conditions throughout this EIR refers to the baseline condition as of December 2010. Where technical studies or other baseline information refer to a date other than December 2010, an explanation of the validity of the baseline information in relation to December 2010 baseline conditions is provided.

The baseline conditions relevant to the resource areas being analyzed are described within each resource area section in this chapter. In some cases (such as in Section 4.A, *Aesthetics and Visual Resources*), discussion of baseline conditions is also provided in the impacts analyses to provide context for the impact in the most reader-friendly format and organization.