Section 3.12

Public Services, Utilities, and Recreation

Summary

Table 3.12-1 below provides a summary of the potential impacts of the Proposed Project related to public services, utilities and recreation. Services and utilities discussed in this section include: schools, police and fire protection, solid waste, wastewater treatment, water supply, gas and electricity, communications, and parks.

Table 3.12-1. Summary of Public Services, Utilities, and Recreation Impacts

Impact	Level of Significance before Mitigation	Mitigation Measures	Level of Significance after Mitigation
Impact PUB-1: Increased Demand for Utilities	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-2: Increased Demand for School Facilities	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-3: Increased Demand for Police and Fire Protection	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-4: Increased Demand for Parks	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-5: Increased demand for Solid Waste Collection and Disposal Capacity	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-6: Increased Demand for Wastewater Treatment and Sewage Capacity	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-7: Increased Demand for Water Supply	Less Than Significant	Mitigation not required	Less Than Significant
Impact PUB-8: Interference with Emergency Access Routes or Adopted Emergency Access Plans	Less Than Significant	Mitigation not required.	Less Than Significant
Impact PUB-9: Construction-Related Service Disruptions	Less Than Significant	Mitigation not required.	Less Than Significant

Introduction

This section provides information on the public services, utilities, and recreation facilities located in the Proposed Project area. The regulatory setting and potential impacts of the Proposed Project on services, utilities, and recreation facilities are identified, and mitigation measures are proposed to reduce impacts to a less-than-significant level where possible.

Sources of Information

The key sources of data and information used in the preparation of this section are as follows.

- Union City 2002 General Plan
- Water Supply Assessment for Union City Transit-Oriented Development Project
- Engineer's Report for Landscape Lighting Maintenance District No.3

Regulatory Setting

This section discusses the state and local policies and regulations that are relevant to the analyses of public services and utility impacts of the Proposed Project.

State

California Integrated Waste Management Act

In 1989, Assembly Bill 939 (AB 939), known as the Integrated Waste Management Act, was passed into law. Enactment of AB 939 established the California Integrated Waste Management Board (CIWMB), and set forth aggressive solid waste diversion requirements. Under AB 939, every city and county in California is required to reduce the volume of waste sent to landfills by 50 percent, through recycling, reuse, composting, and other means. AB 939 requires counties to prepare a Countywide Integrated Waste Management Plan (CIWMP). In 2003 the Alameda County Waste Management Authority adopted the Alameda County Integrated Waste Management Plan (ACIWMP), which contains a summary plan that includes goals and objectives, a summary of waste management issues, programs, infrastructure, and problems identified in the incorporated and unincorporated areas of the county existing and proposed solid waste facilities, and an overview of specific steps that will be taken to achieve the goals outlined in the components of the CIWMP.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) regulates privately owned telecommunications, electric, natural gas, water, railroad, rail transit, and passenger transportation companies. CUPC is responsible for assuring California utility customers have safe, reliable utility service at reasonable rates, protecting utility customers from fraud, and promoting the health of California's economy. CPUC establishes service standards and safety rules, and authorizes utility rate changes as well as enforcing the California Environmental Quality Act (CEQA) for utility construction. CPUC also regulates the relocation of power lines by public utilities under its jurisdiction, such as Pacific Gas & Electric (PG&E). CPUC works with other state and federal agencies in promoting water quality, environmental protection, and safety.

Government Code Section 66477 (The Quimby Act)

Government Code Section 66477, commonly called the Quimby Act, was established by the California legislature in 1975 to provide parks for the growing communities of the state. The Quimby Act authorizes local agencies to establish an ordinances requiring new development to pay a fee or dedicate land for park and recreation facilities.

Local

Union City General Plan

Several elements of the Union City General Plan (General Plan) include goals, policies, and implementation programs that address the provision of public facilities and services necessary to meet the demand created by existing and future development in Union City. These goals and policies are as follows.

Public Services and Facilities Element

Goal PF-A.1 To ensure the timely development of public facilities and the maintenance of adequate service levels for these facilities to meet the needs of existing and future city residents.

Policy PF-A.1.1 The City shall ensure through the development review process that adequate public facilities and services are available to serve new development when required. The City shall not approve new development where existing facilities are inadequate to support the project unless the applicant can demonstrate that all necessary public facilities (including water service, sewer service, storm drainage, transportation, police and fire protection services) will be installed or adequately financed and maintained (through fees, special taxes, assessments, or other mean).

Policy PF-A.1.2 The City shall require all new development and major modifications to existing development to construct necessary on-site infrastructure to serve the project in accordance with City standards.

Policy PF-A.1.3 When reviewing applications for land use designation changes (i.e., zone change, General Plan Amendment, specific plan amendment), the City shall analyze the impacts of the proposed land use designation changes on all aspects of the infrastructure system within the city and require mitigation as legally appropriate. This shall include consultation with other service providers, such as the Alameda County Water District (ACWD) and the Union Sanitary District (USD), who have infrastructure within the city.

Policy PF-A.1.4. The City shall ensure that the provision of streets, sewer, water, drainage and other needed infrastructure is coordinated in a logical manner between adjacent developments so as to reduce design, construction and maintenance costs.

Policy PF-A.1.5 The City shall ensure through the development review process that public facilities and infrastructure are designed and constructed to meet ultimate capacity needs, pursuant to a master plan, to avoid the need for costly retrofitting. This does not apply to any infrastructure requirements of the ACWD and the USD.

Goal PF-C.1 To ensure that there will be a safe and reliable water supply sufficient to meet the future needs of the city.

Policy PF-C.1.1 The City shall coordinate its review of development proposals with the ACWD to ensure that new development can be adequately served by the District's water supply system.

Policy PF-C.1.3 The City shall only approve new development where an adequate public water supply and conveyance system exists or will be provided by the ACWD.

Policy PF-C.1.4 The City shall promote efficient water use and reduced water demand by:

a. Requiring water-conserving design and equipment in new construction;
b. Encouraging water-conserving landscaping and other conservation measures;
c. Encouraging the retrofitting of existing development with water-conserving devices;
d. Providing public education programs;
e. Distributing outdoor lawn watering guidelines; and

Goal PF-D.1 To ensure adequate wastewater collection, treatment, and disposal.

Policy PF-D.1.1 The City will coordinate its review of development proposals with the USD to ensure that new development can be adequately served by the sewage collection and treatment system.

Policy PF-D.1.2 The City shall only approve new development where it will be served by a public sewer system.

Goal PF-E.1 To collect and dispose of stormwater in a manner that minimizes inconvenience to the public, minimize potential water-related damage, and enhances the environment.

Policy PF-E.1.3 The City shall promote sound soil conservation practices and carefully examine the impact of proposed urban developments with regard to water quality and effects on drainage courses.

Policy PF-E.1.4 The City shall improve the quality of runoff from urban and suburban development through use of appropriate and feasible mitigation measures including, but not limited to, artificial wetlands, grassy swales, infiltration/sedimentation basins, riparian setbacks, oil/grit separators, and other best management practices.

Policy PF-E.1.5 New development shall have surface drainage disposal accommodated in one of the following ways:

a. Positive drainage to a City-approved storm drain, stream, creek, or other natural water course.
b. On-site drainage that is retained within the development.

Goal PF-F.1 To ensure the safe and efficient disposal or recycling of solid waste generated in Union City in an effort to protect the public health and safety and reduce impacts on landfills.

Policy PF-F.1.6 The City shall strive to maintain the diversion of 50 percent of all waste generated citywide for recycling and strive to increase the diversion of waste for recycling to 75 percent by 2010.

Policy PF-F.1.8 The City shall encourage the recycling of construction debris.

Goal PF-I.1 To provide adequate law enforcement services to deter crime and to meet the growing demand for services associated with increasing populations and commercial/industrial development in the city.

Policy PF-I.1.1 The City Police Department should strive to increase its staffing ratio to be consistent with the current average of cities within Alameda County. Staffing levels for 2001 are 2.1 (1.4 sworn officers and .7 non-sworn support staff) per 1,000 population.

Policy PF-I.1.2 The City Police Department should strive to achieve an average response time of four (4) minutes or less for Priority 1 calls, critical life threatening emergencies.

Policy PF-I.1.3 The City should provide police facilities, equipment and personnel sufficient to maintain the above service standards and using new law enforcement technologies.

Goal PF-J.1 To protect the residents of and visitors to Union City from injury and loss of life and to protect property from fires.

Policy PF-J.1.2 The City Fire Department shall strive to respond to all Priority 1 emergency calls in 5 minutes or less and strive to respond to all Priority 3 service calls in 9.5 minutes (9 minutes and 30 seconds). The Department shall seek all new efficiencies in operations to improve these response times.

Policy PF-J.1.3 The City shall require new development to build or fund its fair share of fire protection facilities, personnel, operations, and maintenance that, at minimum, maintains the above service level standards.

Policy PF-J.1.6 The City Fire Department should strive to increase its staffing ratio to 1 full-time equivalent personnel per 1,000 population to be consistent with urban/suburban fire department staffing levels.

Natural and Historical Resources Element

Goal NHR-D.1 To provide for a continuous system of open spaces for the preservation, enhancement and protection of open space land.

Policy NHR-D.1.10. The City shall require new development to incorporate nearby and distant open space views into the project design. Landscaped open space shall be included in new developments, including in commercial and industrial areas and along streets and trails. Use of drought-tolerant landscaping shall be encouraged in site development review. Specimen trees and significant stands of existing trees will be protected to the extent possible in the design of new development.

Policy NHR-D.1.13. The City shall strive to separate incompatible uses in new developments with open space. Incompatible uses include residential and industrial uses. Open space may be in the form of a park, landscaped greenbelt, or natural corridor.

Community Design Element

Goal CD-B.1.To develop and design the Station District at a level of quality commensurate with its role as a major transit hub, business center, and residential address and to design the Station District so as to signify Union City's rising status as the "Gateway to Silicon Valley."

Policy CD-B.1.21. The City shall ensure that the Station District has clear connections to the citywide network of open spaces.

Policy CD-B.1.30. The City shall require that multi-family housing be designed for the safety and security of children, and provide amenities for children, such as playgrounds, within the complex.

Intermodal Station District Plan

The Intermodal Station District and Transit Facility Plan (Station District Plan), is a comprehensive document that outlines the proposed future development of the Union City Bay Area Rapid Transit (BART) station and surrounding land uses into a series of commercial, retail, and residential transit-oriented facilities, collectively called the Station District. The Station District Plan does not include policies intended to guide project design; rather, it includes design recommendations related to key building and design elements.

The Station District Plans offers no recommendations regarding the provision of emergency services to the Station District area; however, it does states that "fire service and other public safety needs for the Station District should be planned in conjunction with the public service needs of the surrounding areas."

Environmental Setting

Table 3.12-2 Public Services, Utilities, and Recreation Providers in the Project Area

Public Services and Utilities	Provider
Communication Services	SBC, AT&T, Verizon, Comcast
Electricity and Natural Gas	Pacific Gas & Electric Company (PG&E)
Education	New Haven Unified School District (NHUSD)
Fire Protection	Alameda County Fire Department
Parks	Union City
Police	Union City Police Department
Solid Waste	Union City (franchises Allied Waste Services)
Water	Alameda County Water District (ACWD)
Wastewater	Union Sanitary District

Communication Services

AT&T (merged with SBC) provides telecommunication and Internet service in Union City. Cable television and Internet services are provided by Comcast (City of Union City 2008a).

Electricity and Natural Gas

Electricity and natural gas in Union City are provided by Pacific Gas & Electric (PG&E). PG&E currently owns and operates all electricity and natural gas infrastructure in Union City (City of Union City 2008a).

Schools

The New Haven Unified School District (NHUSD) serves approximately 13,000 K-12 students at 12 schools in Union City and south Hayward, including the Proposed Project area. Of the seven elementary schools (K-5) within the District, six serve Union City: Alvarado, Delaine Eastin, Guy Emanuele, Jr., Pioneer, Searles, and Tom Kitayama Elementary Schools. NHUSD plans to operate two middle schools (6-8) including Alvarado and Cesar Chavez Middle Schools. NHUSD has one high school (9-12), James Logan High School which is located approximately 0.5 miles from the Proposed Project site. In addition, NHUSD provides one continuation/ alternative education high school, Conley-Caraballo (New Haven Unified School District, 2008).

NHUSD currently imposes a school district development impact (in-lieu) fee on all new development. This fee is assessed at a standard rate per square feet of living space. As of June 22 , 2010, the fee was assessed at a rate of $3.26 per square feet of living space (Tangeet Stevens, NHUSD staff, pers. comm. 2010).

Fire Protection

The City of Union City recently contracted with the Alameda County Fire Department for fire protection services effective July 1, 2010. The four existing fire stations are listed below. Each fire station will continue to staff one (1) three person fire apparatus. Station 1 houses the multi-purpose Quint apparatus (75' aerial device, pump, water, hose, and ground ladders). The remaining stations staff one (1) triple combination pumper. All apparatus are staffed with at least one (1) Paramedic for delivery of Advanced Life Support (ALS) and one (1) Battalion Chief is on duty locally to provide command and control of large incidents. The fire stations and apparatus are strategically located to provide adequate concentration and distribution of fire suppression and emergency services throughout Union City at a 2008 population and density.

- Fire Station No. 1, Central Union City-33555 Central Avenue
- Fire Station No. 2, Alvarado District-31600 Alvarado Boulevard
- Fire Station No. 3, Decoto District-33942 7th Street (approximately 0.5 miles from the Proposed Project site)
- Fire Station No. 4, South/West Union City-35000 Eastin Court

These fire stations will remain operational and there will be no disruption or reductions to service. Consistent with current UCFD operations, the Alameda

County Fire Department will function as an all-risk fire department and will provide services in Fire Suppression, Heavy Rescue, ALS Emergency Medical Services, Fire Prevention, Hazardous Materials Response at the Specialist level, Public Education, Community Emergency Response Team (CERT), and Disaster Mitigation.

The Alameda County Fire Department will provide approximately 36 full-time fire personnel to cover Union City's operations which translate to 13 on duty firefighters staffing the four (4) companies and the Battalion Chief position. Over the last 3 years, UCFD responded to approximately 5200 calls annually, on average. It is projected that additional daily staffing will be required to serve the Proposed Project prior to completion due to increased service demand, elevated living space, and the complexity of the property. The Council adopted 2008 Standards of Cover report recommended staffing a dedicated, three (3) person, Truck Company (100 feet aerial device, ground ladders, and specialized support equipment) by 2013 due to the increased risk that this high density, high rise project presents. Increased levels of built in fire protection are also anticipated to offset current and future staffing levels to ensure public fire safety and safe egress.

The closest fire station to the project site is Station No. 3, located approximately 0.30-miles north of the proposed site. Construction of this fire station was completed in 2008 and was constructed as a green building. Fire Station #3 was sized to accommodate one additional company to address the anticipated demand created by the Intermodal Station as the area builds out.

All of the new residential units will be annexed into a Community Facilities District (CFD) that requires payment of a yearly fee to pay for, among other things, additional Fire Department Personnel to accommodate increased demand. The current CFD fee is $220.00 per unit. The fee automatically goes up two percent per year to accommodate inflation. The estimated contribution to the CFD at project build-out will be approximately $214,060 per year (in 2010 dollars). It should be noted that the CFD fee automatically goes up two percent per year to adjust for inflation so the actual contribution will be more at time of build-out. As the project builds-out, the City Council will assess the need for additional fire department staffing.

Parks/Open Space

The City currently operates 33 parks which include: traditional playgrounds, ball fields, senior and community centers, picnic areas and the Union City Sports Center, which is comprised of a state-of-the-art fitness center, aerobics room, child care center, locker room, and gymnasium (City of Union City, 2008).

Parks within 1-mile of the Proposed Project site include:

- Charles F. Kennedy Park, which includes a World War II memorial, one playground, a basketball court, an amphitheater, community center, teen center, and four reservable picnic areas;
- Decoto Plaza Park, which includes a children play area and decorative water fountains;
- Pride Rock Park, which includes a children's play structure and a picnic area;
- Seven Hills Park, which includes a basketball court, children's play structures, a picnic area, a ballfield, and a large passive use area; and
- Arroyo Park, which includes baseball, softball, basketball, and tennis facilities, two children's play areas, and two picnic sites.
- The City is currently developing a new open space amenity adjacent to the Project site that was created by undergrounding an existing flood control channel.

The City currently requires new residential development associated with a subdivision to provide 3 acres of parkland or an in-lieu fee for every 1,000 new residents. The fee is assessed at 120 percent of the cost of the land to be developed (Sprotte pers. comm. 2008). For rental units, a one-time park Facilities Fee of $2,200 per unit is required to be paid.

Police Services

The Union City Police Department (UCPD) is based at the Police Administration Center, located at William M. Cann Memorial Civic Center, 34009 Alvarado-Niles Road, and provides full-service law enforcement for the City. UCPD's Field Operations and Support Services Divisions consist of the following sections and units: patrol, investigations, traffic, canine unit, community policing, personnel and training, dispatch/records unit, property unit and animal control (Union City Police Department, 2010).

UCPD is comprised of 75 police officers supported by over 31 full-time and part-time non-sworn professional staff (Estrada pers. comm. 2010). It is anticipated that additional staffing will be required to serve the Proposed Project at some point in the future. All of the new residential units will be annexed into a Community Facilities District that requires payment of a yearly fee to pay for, among other things, additional Police Department Personnel to accommodate any increased demand.

The estimated contribution to the CFD at project build-out will be approximately $214,060 per year (in 2010 dollars). It should be noted that the CFD fee automatically goes up two percent per year to adjust for inflation so the actual contribution will be more at time of build-out. As the project builds-out, the City Council will assess the need for additional police department staffing.

Solid Waste

The City has a franchise agreement with Allied Waste Services for the collection, transfer and disposal of residential and commercial solid waste. Allied Waste is also contracted as the City's recycling hauler for commercial properties. The City contracts with Tri-Ced to perform residential recycling hauling and residential green waste (Union City, 2008b).

Mixed solid waste (MSW), yard waste, and recycling from the City are transported to the Fremont Recycling and Transfer Station (FRTS) located at 41149 Boyce Road in Fremont, CA. Materials accepted include: trash/solid waste, green/yard waste, concrete/asphalt, clean non-contaminated soil, tires, demolition debris and appliances (BLT Enterprises, 2008).

At the FRTS, a minimum of 12 percent of the City's MSW is diverted for recycling, and the remainder is transported to the Tri-Cities Landfill (Alonzo pers. comm.). Although the landfill has been closed to the public since June 30, 2007 (City of Fremont 2008a), it continues to accept waste hauled from the FRTS and other private sources. As of July 2007, the landfill was approaching its maximum permitted height of 150 feet above mean sea level (msl) and was preparing for closure (City of Fremont, 2008b).

After the eventual closure of the Tri-Cities landfill, waste from the FRTS will be transported to the Altamont Landfill in Livermore (Alonzo pers. comm. 2008). The Altamont Landfill has a permitted capacity of 62,000,000 cubic yards, with approximately 45,720,000 cubic yards of landfill space remaining (California Integrated Waste Management Board, 2008a). Based on the annual fill rate of 1,951,402 tons recorded at the Altamont Landfill in 2001, Alameda County Waste Management Authority (ACWMA) estimated that the facility had approximately 34 years of capacity remaining in 2003 (Alameda County Waste Management Authority, 2003). Additionally, the ACWMA estimated that if waste from the Tri-Cities Landfill were diverted to Altamont, "the current [2003] permitted life of the landfill would be reduced to approximately 30 years."

Based on jurisdictional waste stream recent data from the California Integrated Waste Management Board (CIWMB), Union City diverted approximately 58 percent of its solid waste in 2004, the most recent data available (California Integrated Waste Management Board, 2008b). As such, the City is currently in compliance with the minimum waste reduction goals established by AB 939.

Wastewater (Sewer)

The Proposed Project area is provided with wastewater treatment services by the Union Sanitary District (USD). USD provides wastewater collection, treatment, and disposal services to the residents of the City as well as residents of neighboring cities of Fremont and Newark. Wastewater is ultimately sent to the District's Alvarado Treatment Plant in Union City for treatment and disposal. The District's plant has a current permitted capacity of 33 million gallons per day

(mgd) (average dry weather flow). The 2009 average dry weather flow was 24.49 mgd (Rollie Arbolante pers. comm., 2010).

Water Supply

The Proposed Project area is supplied with water by the Alameda County Water District (ACWD). ACWD's service area includes Union City, Fremont, and Newark. ACWD provides water primarily to urban customers: approximately 70 percent of supplies are used by residential customers, with the balance (approximately 30 percent) utilized by commercial, industrial, institutional, and large landscape customers. ACWD's planned future water supplies include recycled water. ACWD anticipates implementing a recycled water program to provide up to 1,600 acre/feet (AF) per year for non-potable uses (i.e, irrigation and industrial uses) by the year 2020 (Alameda County Water District, 2008).

Total ACWD water distribution system use (excluding system losses) was approximately 49,900 acre-feet (AF), or an average of 44.5 million gallons per day (mgd) in fiscal year 2006-2007. The ACWD primary sources of supply come from the California State Water Project (SWP), the San Francisco Regional Water System, and local supplies from the Alameda Creek Watershed and Niles Cone Groundwater Basin (underlying the ACWD service area) (Alameda County Water District, 2008).

California Water Code Section 10910 requires that a water supply assessment (WSA) be provided to cities and counties for a project that is subject to CEQA, and which surpasses a threshold for the number of housing units and/or square feet of commercial/industrial buildings. The cities and counties are mandated to identify the public water system that might provide water supply to the project and then to request a water supply assessment. The water supply assessment documents sources of water supply, quantifies water demands, evaluates drought impacts, and provides a comparison of water supply and demand that is the basis for an assessment of water supply sufficiency (Alameda County Water District, 2008).

ACWD prepared the *Water Supply Assessment (WSA) for the Union City Transit-Oriented Development Project* (Proposed Project) for the City to document existing and future water supplies for the ACWD service area and compare them to the area's future water demands, including the Proposed Project (refer to Appendix J, Water Supply Assessment). The ACWD Board adopted the *Water Supply Assessment for the Union City Transit-Oriented Development Project* on May 15, 2008. ACWD provided an updated estimate of water demand in 2010 for the project (the project proposed in 2010 is smaller in scale than the project assessed by ACWD in 2008). (Niesar, pers. comm..)

Since completion of the WSA, revised water supply information has been published by the Department of Water Resources (DWR) reflecting multiple biological opinions for the management of endangered and threatened species in the Sacramento-San Joaquin Delta. ACWD has also updated its water demand forecast (2009 Forecast) to reflect changes in local planning, current and on-

going water demand effects from economic and housing issues in the region, as well as trends in improved water usage efficiency.

Impact Analysis

Thresholds of Significance

Based on standard professional practice, State CEQA Guidelines Appendix G, and policies in the Union City 2002 General Plan, the Proposed Project would have a significant impact on public services, utilities, and recreation if it would:

- require a substantive expansion of the existing school system that could not be mitigated by plan policies and/or state mandates;
- result in a substantive increase in demand for law enforcement and fire protection services or require the need for additional fire protection infrastructure (other than improvements already planned) to maintain acceptable levels of service (as measured by response times);
- require substantial expansion of the existing parks and recreation facilities that is not addressed in existing plan or policies;
- produce substantive solid waste increase in excess of landfill capacity that cannot be responded to be existing plans;
- require the substantive extension of sewer mains and capacity, and expansion of treatment facilities that cannot be responded to by existing plans or policies;
- result in a substantive increase in demand for domestic water supplies that cannot be responded by existing plans or policies;
- fail to provide adequate access per fire department requirement and interfere with emergency access routes;
- result in an infrastructure demand greater than the city's existing capacity; and,
- result in prolonged service disruption to water supply, wastewater, sewage, gas and/or electric.

Impacts and Mitigation Measures

Impact PUB-1: Increased Demand for Utilities

As previously discussed, gas and electricity in the Proposed Project area are provided by PG&E. Communication services are provided by AT&T.

The Proposed Project would hook up to existing PG&E and AT&T utility lines that currently serve the general area. These existing utility lines have been designed to accommodate the anticipated level of development in the Station

District. (Farooq Azim pers. comm., 2008). As such, the Proposed Project would not require substantial expansion of existing utility or service system infrastructure, nor would it require the provision of new infrastructure beyond what is currently existing or planned. This impact is therefore considered less than significant.

Impact PUB-2: Increased Demand for School Facilities

To determine the approximate number of students generated by the Proposed Project, demographic data was obtained from the Bay Area Census (Bay Area Census, 2008). According to the Census, approximately 16.5 percent of Union City's population in 2006 was comprised of persons between the ages of 5 and 17, or the age range that is roughly equivalent to that of school-aged children. Applying this same percentage to the Proposed Project, it is anticipated that approximately 468 school-aged children would be generated by the Project at buildout. Given the NHUSD's challenge of a decline in student enrollment (Campbell, pers. comm., 2008), it can be anticipated that the number of students at project buildout would be beneficial to the school district. Therefore, impacts related to increased demand for school facilities would be beneficial to NHUSD.

Impact PUB-3: Increased Demand for Police and Fire Protection

As described in the Project Description (Chapter 2.0), the Proposed Project includes construction and operation of up to 973 new dwelling units, which would house an estimated 2,834 residents. This would result in an increased need for police and fire protection services, which could in turn result in the need for new or expanded fire or police facilities. However, a new UCPD substation would be included in the design of the Intermodal Transit Facility within a portion of the commercial space located in the new development. Thus, the Project would not require the construction of new police facilities beyond those that are already planned, nor would it require the expansion of existing facilities, to maintain acceptable service levels.

UCFD has also indicated that the new fire station at 7th Street and Decoto Road would be sufficient to serve the Project Area, and that no additional facilities would be needed to maintain acceptable levels of service with the Project in place.

As such, the Proposed Project would not require new or altered police or fire facilities beyond those currently existing or planned in order to maintain acceptable service levels. Therefore, impacts related to increased demand for police and fire protection are considered less than significant.

Impact PUB-4: Increased Demand for Parks

The Proposed Project would be served by existing parks and recreation facilities in the City. These include: Charles F. Kennedy Park, Decoto Plaza Park, Pride

Rock Park, Seven Hills Park, and Arroyo Park, all of which are located within 1 mile of the Proposed Project site. In addition, the Proposed Project includes landscaped space on top of the podium with sitting areas and recreation facilities including a dog run, pool/spa, and an outdoor fire pit, which would assist in reducing the effects of Project-related growth on other facilities. As discussed above, the City also requires new residential development (either subdivided or non-subdivided) to provide parkland or pay fees associated with the provision of parkland. As part of the Project Approval process, the Applicant is required to pay park in-lieu fees to off-set the impacts of the Proposed Project. The Proposed Project is therefore expected to have a less-than-significant impact with respect to the need for new or upgraded parks and recreational facilities or the expansion of existing facilities in the project vicinity.

Impact PUB-5: Increased Demand for Solid Waste Collection and Disposal Capacity

The solid waste disposal needs of the Proposed Project would be adequately served by the FTRS, the Tri-City Landfill, and the Altamont Landfill and Resource Recovery Facility. The project will generate additional waste but, it would be a small percentage of the total amount of solid waste generated and transported by the City to the Altamont landfill. Additionally, it assumed that a portion of the waste would be diverted for recycling at the FTRS before being transported to the landfill, so the actual volume of waste reaching the landfill would be less than what is generated by the Project. As such, it is not likely that this volume of solid waste would exceed landfill capacity. Furthermore, in order to ensure continued County compliance with the requirements of AB 939, the project would be required to comply with the County's existing recycling and waste diversion programs. Given the FRTS's diversion of MSW from the City's waste stream, the amount of remaining capacity in existing landfill facilities, and the City's overall requirement to comply with local recycling and waste diversion programs, the Proposed Project is expected to have a less-than-significant impact with respect to the need for new or upgraded disposal facilities or the expansion of existing facilities.

Impact PUB-6: Increased Demand for Wastewater Treatment Capacity

The Proposed Project would increase the demand for wastewater treatment and sewage infrastructure. On July 28, 2010, the Union Sanitary District (USD) re-confirmed that existing sewer infrastructure in the Project vicinity is adequate and the sewage treatment plant has adequate capacity to handle and process the wastewater generated by the Proposed Project (Rollie Arbolante pers. comm., 2010). No new or expanded wastewater facilities beyond what is currently existing or planned would result from the Proposed Project. Therefore, impacts related to increased demand for wastewater treatment capacity are considered less than significant.

Impact PUB-7: Increased Demand for Water Supply

The Water Supply Assessment completed by ACWD in 2008 was for a larger project than is currently being proposed. The 2008 assessment identified a water demand of 375 acre-feet (AF). As shown in Table 3.12-3 below, the current project demand is estimated as 330 AF (Niesar 2010). Since this amount is less than that in the 2008 assessment, the 2008 assessment findings still hold for the current project.

The ACWD 2006-2010 Urban Water Management Plan assumed an extra 2,550 high density housing units for the City for Smart Growth demands. As a high density residential development located at a mass-transit hub, the Proposed Project is considered a Smart Growth development. Given that the Proposed Project closely matches the Association of Bay Area Governments (ABAG) description of Smart Growth, the "unallocated" demands for the City can be applied. Therefore 100 percent of the water demands estimated for the Proposed Project are considered to be included in the 2006-2010 UWMP.

Under normal year conditions, ACWD's water supplies are projected to be sufficient to meet the future demands in the service area, including the Project's demands. These supplies are projected to be sufficient in either SWP supply reliability assumption (with and without the Wanger Decision pumping restrictions) (ACWD 2008).

Table 3.12-3 Proposed Project Estimated Water Demand (by ACWD)

Land Use Category	Planning Unit		Transit –Oriented Development Land Use[1]	Unit Demand[2]	Project Demand (gpd)
	Description	Sub-Category			
Single Family Residential	Dwelling Units	Townhouses	3 Project only	230	690
Multifamily Residential	Dwelling Units	n/a	970 Project Only (1127 Including Block 4)	150	145,500
Commercial	Building Area (sq. ft)	Office	950,000 sq. ft (6,200 sq. ft proposed business condominiums)	0.104	98,800
	Building Area (sq. ft)	Retail	100,00 sq. ft	0.282	28,200
				Subtotal	273,190
				Distribution system losses[3] (8%)	21,855
				Total Projected Demand (gpd)	295,045
				Total Projected Demand (mgd)	0.3
				Total Projected Demand (AF/YR	330

[1] Transit-Oriented Development Project information provided by the City of Union City on January 23, 2008, revised on March 13, 2008, and updated Alameda County Water District, July 27, 2010.

[2] Unit Demands were developed by ACWD as part of the demand forecast for the District's 2006-2010 Urban Water Management Plan, and reflect the average unit demand within the ACWD service area for each of the land use categories.

[3] Distribution system losses are calculated as the difference between total production and total measured consumption and include water for firefighting suppression, distribution system flushing, distribution system and service line leaks, etc.

Source: Niesar, Thomas, Alameda County Water District. 2010. Update to Water Supply Assessment for Union City Transit-Oriented Development Project.

According to the Proposed Project WSA, potential future water shortages are anticipated under severe drought conditions. ACWD would look to secure additional supplies through a DWR drought water bank or similar water purchase/transfer program under these severe drought conditions. ACWD may also implement a drought contingency plan, which includes provisions for ACWD customers to cut back on water use, the magnitude of which would depend on the severity of the shortage. Because the Project's demands are already included in the 2006-2010 UWMP, the development of the Project will not result in increased shortages from that which is already factored into ACWD's planning. During a severe drought, the ACWD anticipates to cut back on the water supply provided to the Proposed Project and the rest of its customers. The amount of water supply cut back would depend on the severity of the drought.

Each of the Project' proposed residential units would be equipped with water-efficient plumbing fixtures that may include high efficiency toilets, washers, water heaters, showerheads, faucet aerators, etc. Additionally, as part of the City's site development review process, the Project Applicant would be required

to submit a landscape plan to the City, which would incorporate water-efficient landscape features in accordance with the City's Water Efficient Landscape Ordinance. With these provisions in place, it is anticipated that sufficient supplies from existing entitlements would be available to serve the Proposed Project, even during severe droughts and the project's demand is anticipated by current planning for normal years and drought years. Furthermore, the Proposed Project is subject to review by ACWD prior to approval of the final subdivision, who will review the project and verify that the final water demand is met by water supply planning. As such, impacts related to increased demand for water supply are considered less than significant.

Impact PUB-8: Interfere with Emergency Access Routes or Adopted Emergency Access Plans

The Proposed Project is required to comply with guidelines set forth in the 2007 California Fire Code (CFC). No existing emergency access routes would be removed by the Proposed Project or would be otherwise affected during construction. The Proposed Project will actually add additional streets that will increase emergency access in the area. Final project plans are subject to review and revisions by the Fire Department prior to construction.

Therefore, impacts related to interference with emergency access routes or adopted emergency access plans are less than significant.

Impact PUB-9: Construction-Related Service Disruptions

The Proposed Project could result in the disruption of utilities during construction activities. However, in accordance with standard construction practices, any utility relocation or protection in place of existing utilities would include consultation with utility operators to avoid or minimize the potential for disruptions of service. Furthermore, should a disruption be anticipated to occur, adequate construction notification would be provided to those affected utility consumers. Since no long-term disruptions are anticipated, the Proposed Project would not result in significant impacts to the existing utility service systems or infrastructure, and impacts are considered less than significant.

Cumulative Impacts

The Proposed Project would result in incremental increases in the demand for public services, utilities, and recreational facilities. However, the anticipated demands for service are within the existing and planned capacities of the respective service providers. Future projects would be required to comply with applicable park in-lieu fees, school impact fees, and other development fees administered by the City. Therefore, cumulative public services, utilities, and recreation impacts are not considered to be cumulatively considerable.