

Chapter 5 Other CEQA Considerations

This chapter addresses other California Environmental Quality Act (CEQA) considerations that are required as part of an Environmental Impact Report (EIR).

5.1 Introduction

In addition to identifying the potential for physical effects of the proposed Project and measures to mitigate any identified significant effects (Chapter 3, Environmental Impact Analysis), the CEQA Guidelines also require evaluation of the following topics:

- Significant Irreversible Environmental Changes (CEQA Guidelines Section 15126.2 [d])
- Environmentally Superior Alternative (CEQA Guidelines section 15126.6)
- Growth-Inducing Impacts (CEQA Guidelines Section 15126 [e])
- Significant and Unavoidable Impacts (CEQA Guidelines Section 15126.2 [c])

Section 5.6 also provides an Environmental Justice assessment of the proposed Project and a findings determination.

5.2 Significant Irreversible Environmental Changes and Irretrievable Commitments of Resources

CEQA Guidelines Section 15126.2(d) requires that an EIR must identify irreversible impacts (also referred to as irreversible environmental changes) that may be caused by a project if it is implemented. Further, irretrievable commitments of non-renewable resources should be evaluated to justify current consumption.

Generally, implementation of the proposed Project would not consume a substantial quantity of resources that would deplete current resources and prohibit their future use because work sites would be limited in size and duration. However, as discussed in Section 3.7, Energy, during construction, gasoline, diesel, and electricity, all defined as non-renewable resources, would be consumed to produce and transport construction materials, operate construction equipment, and transport workers to/from the Project study area. As a result, construction of the proposed Project would cause a temporary increase in energy consumption. However, construction-related energy consumption would be overcome by operational energy savings (associated with decreased personal auto use) within four years of the proposed Project's operation (Section 3.7). Further, operation of the proposed Ardenwood Station would represent net energy savings in 2025 and 2040 as compared to the existing Hayward Station, and therefore, would not impact energy resources. Additionally, operation of the proposed Project is expected to result in an overall net reduction in locomotive fuel consumption for Capitol Corridor passenger rail service, based on shorter and more efficient route length, thereby reducing long-term energy consumption of the Capitol Corridor passenger service. Therefore, the proposed Project would not result in significant environmental effects due to wasteful, inefficient, or unnecessary consumptive use of energy.

Regarding the potential for loss of mineral resources, another non-renewable resource, as discussed in Section 3.13, no valuable or locally-important mineral resources or active mining operations are present within the Project footprint. As a result, the potential for mineral resources to be disturbed is low.

Finally, the proposed Project would require approximately 7.4 million gallons of water during construction, but coordination with EBMUD, HWS, and ACWD would allow for most of the water required to come from recycled sources, sparing potable water. Coordination with these agencies would further allow avoidance of irretrievable commitment of expenditures when water resources are scarce, as in dry years. As discussed in threshold b under Utilities and Service Systems (Section 3.20.6.2), operational water use is expected to be less than the use of an average household in Alameda County. As such, no irretrievable use of water resources is expected. Section 3.20, Utilities and Service Systems, also addresses solid waste and wastewater treatment. Neither of these resources are expected during construction or operations to require any irretrievable investment of resources.

Therefore, no significant irreversible environmental changes nor irretrievable commitments of resources would result from implementation of the proposed Project during construction or operations.

5.3 Environmentally Superior Alternative

CEQA Guidelines Section 15126.6 [e](2) requires that an “environmentally superior” alternative be selected among the alternatives that are evaluated in the EIR. The environmentally superior alternative is considered to be the Project alternative that has the least environmental impact and would be expected to generate the fewest adverse environmental impacts. Further, CEQA Guidelines Section 15126.6 [e](2) states that “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives”.

As described in Chapter 2, Alternatives Description, after an extensive alternatives screening process, consideration of public input received during the scoping process, and continued modifications to the proposed Project during conceptual design, CCJPA defined the Project Alternatives as:

- Proposed Project
- No Project Alternative

Chapter 2 also includes information on other alternatives considered but eliminated from evaluation in the EIR, based on established screening criteria. During assessment of environmental impacts by resource area in Chapter 3, comparisons of the level of impacts under the proposed Project and No Project Alternative considered in this EIR are provided. In many instances, the proposed Project would result in impacts that would not occur under the No Project Alternative. Among others, these include construction impacts from noise and vibration (Section 3.14), impacts to biological resources (Section 3.5), recreation (Section 3.17), hydrology and water quality (Section 3.11), air quality (Section 3.4), and greenhouse gas emissions (GHG; Section 3.9).

However, with implementation of identified mitigation measures, all of these impacts would be rendered less than significant after mitigation and would be limited to the period of construction.

Finally, proposed Project operations would result in a net benefit of an annual reduction of between 20,000 and 40,000 VMT and improved GHG emissions (Section 3.9, Greenhouse Gas Emissions) as a result of forecasted increases in passenger rail ridership that would result from Project implementation.

Because construction (short-term) impacts will be reduced to less than significant after mitigation is incorporated and the significant operations (long-term) benefits of the proposed Project, the proposed Project has been identified as the environmentally superior alternative.

5.4 Growth-Inducing Impacts

CEQA requires an EIR to discuss any growth-inducing impacts that would result from the proposed Project. Section 15162.2(d) of the CEQA Guidelines states that “an EIR shall discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Based on this statement, the proposed Project would be considered to have growth-inducing impacts if it directly or indirectly fosters economic growth, population growth, or the construction of additional housing beyond which is forecasted and planned for in city and county general plans. Section 15162.2(d) also states that growth-inducing impacts would also be due to other activities that could significantly impact the environment which are encouraged and facilitated by the proposed Project.

The proposed Project objectives (Chapter 2, Project Alternatives) are to increase rail ridership of existing trains and allow for better connections between high-demand destinations and job centers in the region, as well as to provide more access to affordable housing locations within Northern California. No increase in the number of Capitol Corridor passenger trains is included in the proposed Project.

The addition of the new Ardenwood Station could encourage more development locally, specifically transit-oriented developments. However, the Project Definition Report (2019), which is located for review [here](#), assessed the anticipated ridership use of the Ardenwood Station and found that the station would be more likely to support passengers changing to other transportation modalities (i.e., passenger rail to local train service), rather than being the home station for passengers, which would be more likely to induce local population growth. The station provides opportunities for rail passengers coming from farther locations to better access existing local transportation options, including buses and shuttles to the San Francisco Peninsula. Providing these connections to high-quality active and mass transportation options at Ardenwood will also be critical to get riders to their ultimate destination.

The proposed Project would not construct additional infrastructure that would expand the already existing road and transportation network. It would also not create any new commercial development that would foster a substantial or unplanned population or economic growth. The employment and economic opportunities presented due to the proposed Project are expected to be filled by residents within Alameda County, which is where the proposed Project is located. In addition, the new Ardenwood Station is within an already suburbanized area and the surrounding parcels are of residential, office, and business uses. While there are some vacant parcels adjacent to the new Ardenwood Station, the type of development that could occur would be governed by the existing land use plan of the City of Fremont where the development would occur. This anticipated

growth of the vacant parcels is already included in the City of Fremont’s General Plan future growth projections.

Additionally, the proposed Project would not foster the construction of additional housing. The majority of the proposed Project improvements would occur within or directly adjacent to the existing UPRR ROW and adjust to a pre-existing transit facility. The proposed Project would not require any full parcel acquisitions of residential zoned property. Thus, there would be no residential relocations required. Moreover, because a majority of the improvements would occur within existing railroad ROW, the proposed Project would not impede or increase the use of existing parks and recreational facilities during operations nor would require the construction of new recreational facilities. Therefore, this would address the “other activities that could significantly impact the environment” per Section 15162.2(d). Because the project would not negatively alter the existing jobs and housing balance, impact existing recreational facilities, necessitate new housing, or be inconsistent with the City of Fremont General Plan and its future growth projections, the growth-inducing impact would be less than significant with no mitigation required.

5.5 Significant and Unavoidable Impacts

CEQA Guidelines Section 15126.2(c) requires an EIR to discuss significant effects, including those that can be mitigated but not reduced to a level of insignificance. The CEQA Guidelines state that:

(w)here there are impacts that cannot be alleviated without imposing an alternative design, their implications, and reasons why the project is being proposed, notwithstanding their effect, should be described.

Table 5-1 summarizes those resource topic areas found to have the potential for significant impacts resulting from the proposed Project, as analyzed in Chapter 3. Significant impacts would occur for the following resource topic areas: aesthetics, air quality, biological resources; cultural resources; geology and soils; hydrology and water quality; noise and vibration; recreation; tribal cultural resources. However, as discussed in detail in the Chapter 3 resource sections and summarized below, all impacts will be mitigated to a less-than-significant level, and no significant and unavoidable impacts are anticipated.

Table 5-1. Potentially Significant Impacts of the Proposed Project

Resource Area	Potential for Significant Impacts from the Proposed Project	Effectively Mitigated to Less than Significant	Significant and Unavoidable Impacts
<i>Aesthetic Resources</i>			
Would the project have a substantial adverse effect on a scenic vista?	✓	✓	—

Table 5-1. Potentially Significant Impacts of the Proposed Project

Resource Area	Potential for Significant Impacts from the Proposed Project	Effectively Mitigated to Less than Significant	Significant and Unavoidable Impacts
Would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the proposed Project is in an urbanized area, would the proposed Project conflict with applicable zoning and other regulations governing scenic quality?	✓	✓	—
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	✓	✓	—
<i>Air Quality</i>			
Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?	✓	✓	—
Would the project expose sensitive receptors to substantial pollutant concentrations?	✓	✓	—
<i>Biological Resources</i>			
Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	✓	✓	—

Table 5-1. Potentially Significant Impacts of the Proposed Project

Resource Area	Potential for Significant Impacts from the Proposed Project	Effectively Mitigated to Less than Significant	Significant and Unavoidable Impacts
Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	✓	✓	—
Would the project have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal pool, coastal etc.) through direct removal, filling, hydrological interruption, or other means?	✓	✓	—
Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	✓	✓	—
Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	✓	✓	—
<i>Cultural Resources</i>			
Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5	✓	✓	—
Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5	✓	✓	—
Disturb any human remains, including those interred outside of formal cemeteries	✓	✓	—

Table 5-1. Potentially Significant Impacts of the Proposed Project

Resource Area	Potential for Significant Impacts from the Proposed Project	Effectively Mitigated to Less than Significant	Significant and Unavoidable Impacts
<i>Geological and Paleontological Resources</i>			
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	✓	✓	—
<i>Hydrology and Water Quality</i>			
Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	✓	✓	—
Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	✓	✓	—
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (iv) impede or redirect flood flows?			
<i>Noise and Vibration</i>			
Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	✓	✓	—
Would the project result in the generation of excessive ground-borne vibration or ground-borne noise levels?	✓	✓	—

Table 5-1. Potentially Significant Impacts of the Proposed Project

Resource Area	Potential for Significant Impacts from the Proposed Project	Effectively Mitigated to Less than Significant	Significant and Unavoidable Impacts
<i>Recreation</i>			
Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment	✓	✓	—
<i>Tribal Cultural Resources</i>			
Would the Project cause a substantial adverse change in the significance of a TCR, defined in PRC Section 21074 that is (a) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k)	✓	✓	—
Would the Project cause a substantial adverse change in the significance of a TCR, defined in PRC Section 21074 that is (b) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision c) of PRC Section 5024.1. In applying the criteria set forth in subdivision c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	✓	✓	—

5.6 Environmental Justice

This section describes the proposed Project's impacts on communities with environmental justice (EJ) concerns (low-income and people of color communities), in accordance with recent California State guidelines. While EJ is a requirement by federal law¹, there is no explicit California Environmental Quality Act (CEQA) requirement at this time. However, in February 2018, the California Attorney General established the Bureau of Environmental Justice. Its mission is "to protect people and communities that endure a disproportionate share of environmental pollution

¹ Federal Actions to Address Environmental Justice in Minority Populations (Executive Order 12898)

and public health hazards.” Under state law, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (Gov. Code, § 65040.12, subd (e)).

The Bureau of Environmental Justice recommends that CEQA be used to study the potential additional burdens on communities with EJ concerns. This section includes a review of the regulatory context and methodology, identification of low-income and people of color communities, assessment of impacts that would affect low-income and people of color communities, and the results of the Project’s EJ analysis.

Regulatory Setting

The proposed Project would comply with all relevant federal, state, and local policies and regulations as it relates to minority populations and low-income populations. These policies are listed in the Environmental Justice technical memorandum (Appendix K). The proposed Project would be required to meet all applicable policies and regulations, which includes compliance with federal Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* and all goals and policies set forth by Alameda County and all respective cities within the study area. These cities include Fremont, Hayward, Oakland, Newark, San Leandro, and Union City.

5.6.1 Methodology for Analysis and Significance Determination

This section defines and describes the methods used to identify communities with EJ concerns within the RSA and to address the potential for the proposed Project to cause disproportionately high and adverse human health and environmental effects on low-income and people of color communities. The communities with EJ concerns were identified in accordance with Federal Transit Administration (FTA) methodology, as described in the August 15, 2012, *FTA Circular 4703.1* which is standard across all U.S. Department of Transportation (USDOT) divisions, including the Federal Railroad Administration.

5.6.1.1 Environmental Justice Resource Study Area

RSAs are the geographic boundaries within which the environmental analyses specific to each resource topic were conducted. As shown in Figure 5-1, the EJ RSA is located in the jurisdictions of Alameda County and the cities of Fremont, Newark, Union City, Hayward, San Leandro, and Oakland.

As shown in Figure 5-2 through Figure 5-5, the EJ RSA for direct, indirect, and cumulative effects on low-income and people of color communities is defined as all U.S. Census Bureau block groups that fall partially or completely within a 0.5-mile radius of the Project Study Area. The Project Study Area is inclusive of temporary and permanent improvements associated with the proposed Project. A 0.5-mile radius is in alignment with the service availability standard in *FTA Circular 4702.1B*, which denotes that passengers will generally walk up to 0.5 mile to a light or heavy rail station.

Figure 5-1: Environmental Justice Resource Study Area



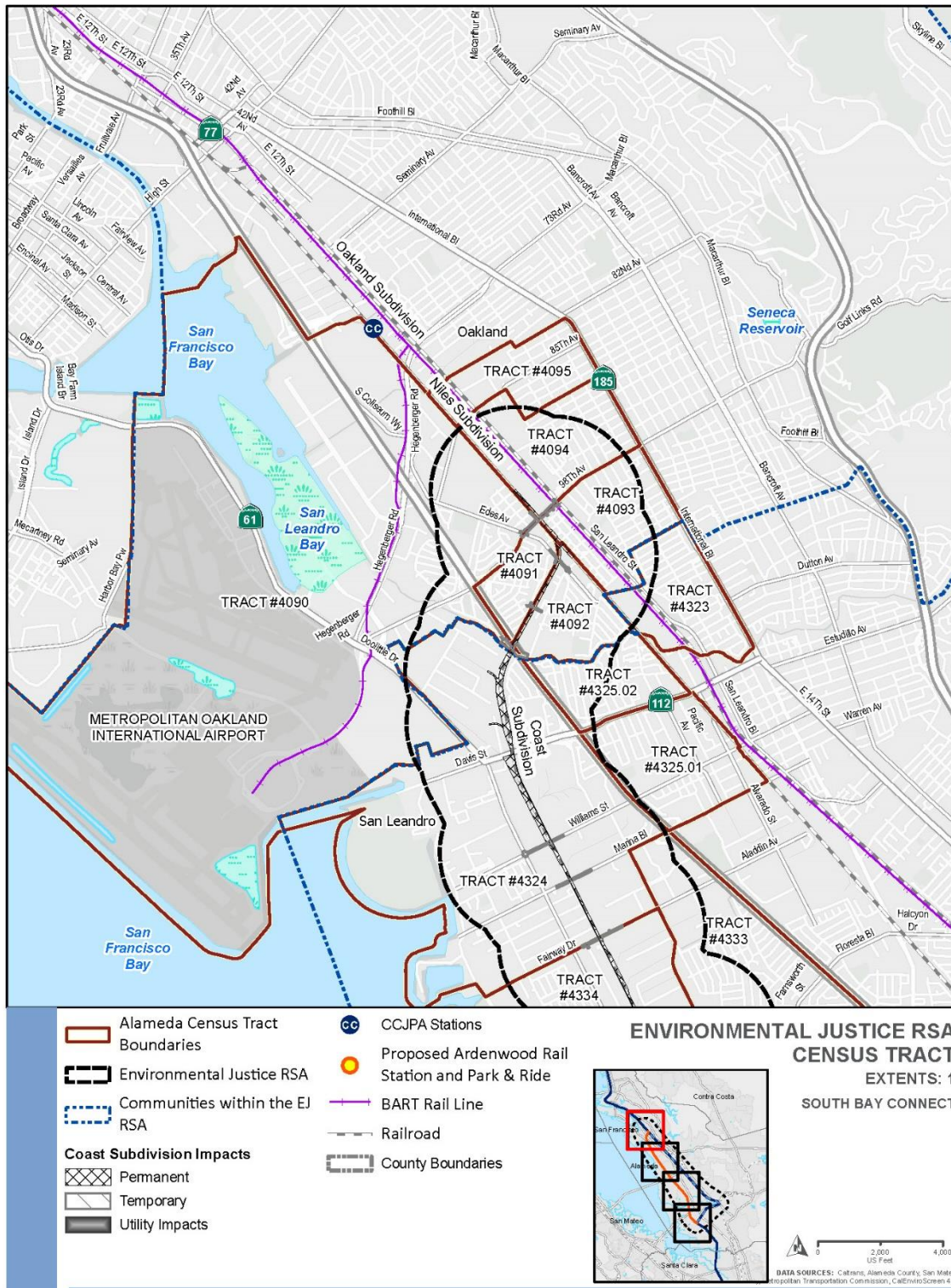
Figure 5-2: Environmental Justice Resource Study Area Block Group 1

Figure 5-3: Environmental Justice Resource Study Area Block Group 2

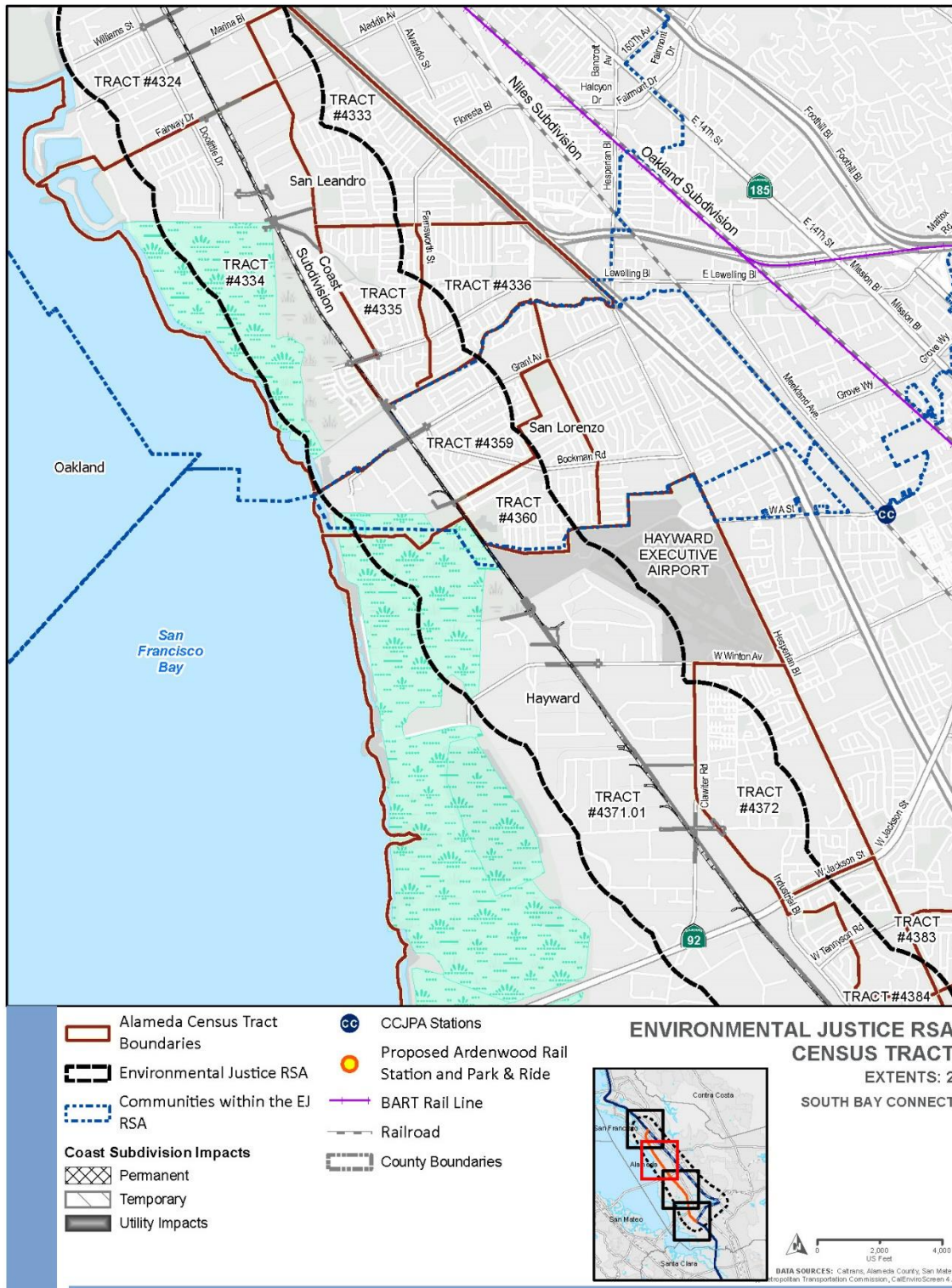


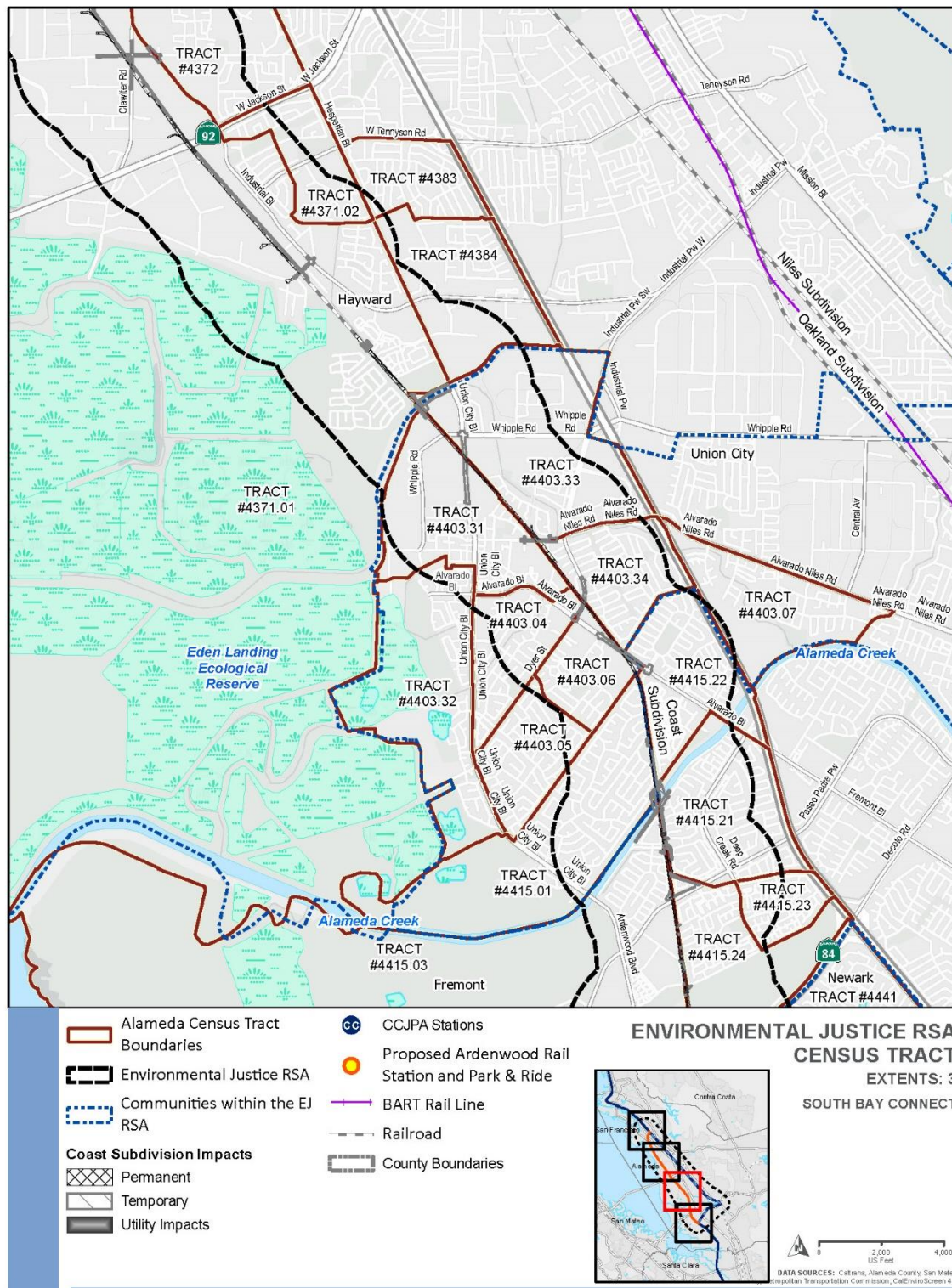
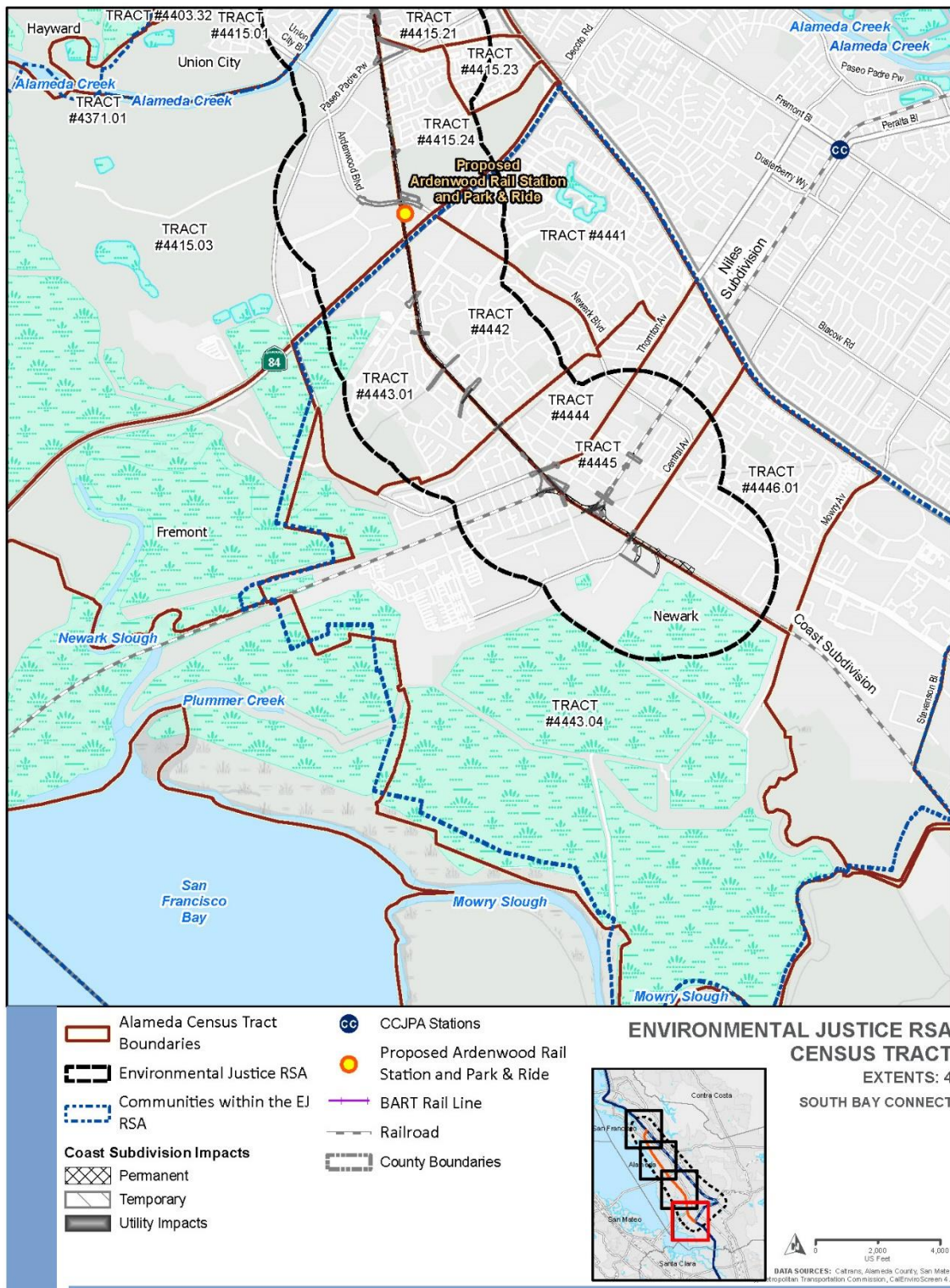
Figure 5-4: Environmental Justice Resource Study Area Block Group 3

Figure 5-5: Environmental Justice Resource Study Area Block Group 4



Identification of Communities for EJ Analysis

To identify people of color, per FTA, “minority” includes persons who are American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, and Native Hawaiian and other Pacific Islander. Inclusive of those identifying as “some other race” and “2 or more races”, this analysis includes all persons who are not non-Hispanic/Latino, white, one-race only.

To identify block groups that qualify as “communities with EJ concerns” for Minority/ People of Color, the FTA Circular encourages the use of local thresholds. This analysis uses the threshold developed by the San Francisco Bay Area’s Metropolitan Planning Organization (MPO), the Metropolitan Transportation Commission (MTC), consistent with their definition of Equity Priority Communities – if 70% or greater of the block group consists of people of color, it is considered a minority / people of color community. Per FTA guidance, to identify households that are considered low-income, if a household has an annual income at or below 150% of the federal poverty level, it is considered low-income. However, FTA encourages the use of a locally developed threshold, provided that the local threshold is at least as inclusive as the federal threshold (FTA Circular C 4703.1). Considering FTA’s encouragement of the use of local thresholds, the EJ analysis for the proposed Project defines low-income households as those at or below 200% of the federal poverty level for their household size, consistent with MTC’s definition of Equity Priority Communities.

To identify block groups that qualify as “communities with EJ concerns” for low-income communities, considering FTA’s encouragement of the use of local thresholds, this analysis uses the threshold developed by MTC, consistent with their definition of Equity Priority Communities, that states if 28% or greater of the block group consists of low-income households, it is considered a low-income community.

Methodology for Impact Analysis

To determine the potential for the proposed Project to result in disproportionate health or environmental effects on communities with EJ concerns, the Project effects on each resource under study were reviewed, and the likelihood of any of these impacts to affect the communities with EJ concerns was assessed. The EJ impact analysis considers the USDOT Order 5610(c) definition of adverse effects, which are the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, and the denial of, reduction in, or significant delay in the receipt of, benefits of DOT programs, policies, or activities.

A review of the temporary construction and permanent operational effects of the proposed Project was conducted, and the magnitude of the effects, whether effects are adverse or beneficial, the duration of effects (temporary or permanent), and the geographic location of the effects on the communities with EJ concerns within the RSA were identified. Determination of potential disproportionately adverse effects on communities with EJ concerns was based on the following considerations:

- Identification of adverse effects:
 - Effects that were minimized through mitigation were evaluated to determine whether the mitigation measures were proportionately applied to communities with EJ concerns and non-EJ communities, and if they addressed the concerns of the communities with EJ concerns. If both of these conditions applied, the effects were not considered adverse.

- Effects that were not substantially reduced through mitigation were considered adverse
- Identification of disproportionate adverse effects:
 - Would the adverse effects be predominantly borne by communities with EJ concerns?
 - Would adverse effects be suffered by communities with EJ concerns and would those adverse effects be appreciably more severe or greater in magnitude than the adverse effect suffered by the non-EJ communities?
- Would the project provide offsetting benefits to communities with EJ concerns?

5.6.2 Existing Conditions

5.6.2.1 People of Color Communities

For purposes of this analysis, people of color communities are defined as census block groups where 70 percent or more of the population identify as non-white and/or Hispanic, which includes Asian Pacific Islander, African American, Hispanic, Native American, or other non-white ethnic groups. Table 5-2 provides a summary of the percent of the population who identify as non-white and/or Hispanic persons in each census block group in the EJ RSA, while Attachment A of Appendix K provides a breakdown for each race/ethnicity population for each geographic location within the EJ RSA.

On a county level, 72.1% of the total population identify as a person of color. For the proposed Project, the total population within the majority of the reference cities that identify as a person of color is also higher than the county level at 83.1% (City of Fremont), 88.4% (City of Hayward), 80.5% (City of Newark), 79.5% (City of San Leandro), 78.6% (San Lorenzo CDP), and 86.5% (City of Union City). The total population that identify as a person of color within the City of Oakland is 70.4% which is lower than the county level of 72.1%.

Based on data available from the U.S. Census Bureau and as shown on Figure 3 of Appendix K, the northern section of the EJ RSA has a smaller share of people of color communities compared to the rest of the EJ RSA. The northern section in the cities of Oakland and San Leandro has a substantially larger percentage of Black or African American populations when compared to the County overall, and the areas in the southern portion of the EJ RSA has a significantly larger share of Asian populations in comparison to the County as a whole. Hispanic or Latino populations are mostly concentrated in the Northern portion (City of Oakland) and Central portion (City of Hayward) of the RSA, with pockets of higher Hispanic populations scattered in the cities of Union City and Newark. Overall, the highest concentration of all people of color communities are located in the City of Oakland near the start of the proposed Project, City of San Leandro on the Coast Subdivision, the proposed Ardenwood station, and the City of Union City north of the proposed Ardenwood station. Figures demonstrating this breakdown are included in Appendix K.

5.6.2.2 Low-Income Populations

For purposes of this analysis, low-income communities are defined as block groups where 28 percent or more of households earns 200 percent or less of the federal poverty level. Table 5-2

provides a summary of the percent of the population in each block group who are considered to be low-income while Attachment A of Appendix K provides detailed income information for each geographic location within the EJ RSA.

Based on the data available from the U.S. Census Bureau and as shown on Figure 4 of Appendix K, the northern section of the EJ RSA has a larger share of low-income communities compared to the rest of the EJ RSA. Overall, the highest concentration of low-income communities are clustered in the City of Oakland near the start of the proposed Project. There are pockets of higher low-income communities scattered in the cities of Fremont, Hayward, Newark, San Leandro, and Union City.

5.6.2.3 Communities with EJ Concerns

As summarized in Table 5-2, and shown in Figure 3 of Appendix K, the majority of the RSA block groups have been identified as having relatively high concentrations of either people of color communities and/or low-income communities, with a higher potential for these communities to be impacted by the proposed Project.

Table 5-2: Communities with Environmental Justice Concerns

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
Alameda County	1,628,997	No – 20.5%	Yes – 72.1%	N/A ³
City of Fremont	223,859	No – 13.4%	Yes – 83.1%	N/A ³
<i>Census Tract 4415.03, Block Group 1</i>	144	Yes – 44.4%	Yes – 100.0%	Yes
<i>Census Tract 4415.03, Block Group 2</i>	2,160	No – 7.3%	Yes – 88.3%	Yes
<i>Census Tract 4415.21, Block Group 3</i>	1,415	No – 7.9%	Yes – 87.0%	Yes
<i>Census Tract 4415.21, Block Group 4</i>	539	No – 13.5%	No – 66.0%	No
<i>Census Tract 4415.23, Block Group 1</i>	1,930	No – 3.5%	Yes – 89.3%	Yes
<i>Census Tract 4415.23, Block Group 2</i>	1,184	No – 5.2%	Yes – 89.6%	Yes

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4415.24, Block Group 1</i>	2,492	No – 2.0%	Yes – 93.5%	Yes
<i>Census Tract 4415.24, Block Group 2</i>	1,619	No – 0.9%	Yes – 96.7%	Yes
City of Hayward	156,773	No – 24.2%	Yes – 88.4%	N/A ³
<i>Census Tract 4371.01, Block Group 1</i>	4,308	No – 2.9%	Yes – 92.1%	Yes
<i>Census Tract 4371.01, Block Group 2</i>	1,415	Yes – 33.5%	Yes – 88.6%	Yes
<i>Census Tract 4371.01, Block Group 3</i>	1,821	No – 26.6%	Yes – 95.7%	Yes
<i>Census Tract 4371.02, Block Group 1</i>	1,210	Yes – 51.1%	Yes – 84.8%	Yes
<i>Census Tract 4371.02, Block Group 2</i>	2,141	No – 23.2%	Yes – 97.3%	Yes
<i>Census Tract 4372, Block Group 1</i>	1,460	No – 17.6%	Yes – 89.6%	Yes
<i>Census Tract 4372, Block Group 2</i>	1,123	Yes – 28.5%	Yes 92.1%	Yes
<i>Census Tract 4372, Block Group 4</i>	2,801	No – 27.1%	Yes – 88.8%	Yes
<i>Census Tract 4383, Block Group 3</i>	1,080	No – 25.6%	Yes – 87.3%	Yes
<i>Census Tract 4384, Block Group 1</i>	1,385	No – 9.2%	Yes – 92.1%	Yes
City of Newark	47,470	No – 11.9%	Yes – 80.5%	N/A ³
<i>Census Tract 4441, Block Group 4</i>	1,337	No – 24.8%	No – 67.5%	No

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4442, Block Group 1</i>	1,483	No – 23.2%	Yes – 81.4%	Yes
<i>Census Tract 4442, Block Group 2</i>	2,350	No – 8.6%	Yes – 80.2%	Yes
<i>Census Tract 4442, Block Group 3</i>	2,949	No – 14.2%	Yes – 76.0%	Yes
<i>Census Tract 4443.01, Block Group 1</i>	1,899	No – 8.6%	Yes – 79.2%	Yes
<i>Census Tract 4443.01, Block Group 2</i>	1,799	No – 3.6%	No – 61.6%	No
<i>Census Tract 4443.02, Block Group 1⁴</i>	2,356	Yes – 28.5%	Yes – 88.5%	Yes
<i>Census Tract 4443.02, Block Group 2⁴</i>	2,829	No – 13.6%	Yes – 83.6%	Yes
<i>Census Tract 4444, Block Group 2</i>	2,518	Yes – 29.9%	Yes – 84.2%	Yes
<i>Census Tract 4444, Block Group 3</i>	1,794	No – 9.5%	Yes – 87.8%	Yes
<i>Census Tract 4445, Block Group 3</i>	2,027	No – 14.7%	No – 69.6%	No
<i>Census Tract 4445, Block Group 4</i>	2,636	Yes – 32.8%	Yes – 88.9%	Yes
<i>Census Tract 4446.01, Block Group 1</i>	2,684	No – 6.2%	Yes – 79.6%	Yes
<i>Census Tract 4446.01, Block Group 2</i>	3,397	No – 2.3%	Yes – 86.2%	Yes
City of Oakland	430,531	Yes – 29.7%	Yes – 70.4%	N/A ³
<i>Census Tract 4090, Block Group 1</i>	2,924	No – 26.2%	Yes – 96.4%	Yes

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4090, Block Group 3</i>	2,115	Yes – 51.3%	Yes – 96.4%	Yes
<i>Census Tract 4091, Block Group 1</i>	1,329	No – 24.5%	Yes – 82.0%	Yes
<i>Census Tract 4091, Block Group 2</i>	1,203	Yes – 42.4%	Yes – 98.6%	Yes
<i>Census Tract 4092, Block Group 1</i>	2,062	Yes – 38.9%	Yes – 98.4%	Yes
<i>Census Tract 4092, Block Group 2</i>	1,553	Yes – 31.9%	Yes – 99.3%	Yes
<i>Census Tract 4093, Block Group 1</i>	2,204	Yes – 54.9%	Yes – 97.7%	Yes
<i>Census Tract 4093, Block Group 2</i>	1,014	Yes – 49.6%	Yes – 98.4%	Yes
<i>Census Tract 4093, Block Group 3</i>	1,758	Yes – 43.2%	Yes – 96.6%	Yes
<i>Census Tract 4093, Block Group 4</i>	767	No – 7.4%	Yes – 99.5%	Yes
<i>Census Tract 4094, Block Group 2</i>	2,370	Yes – 34.4%	Yes – 91.9%	Yes
<i>Census Tract 4095, Block Group 1</i>	1,563	Yes – 53.7%	Yes – 82.3%	Yes
City of San Leandro	86,761	No – 19.7%	Yes – 79.5%	N/A ³
<i>Census Tract 4323, Block Group 1</i>	1,338	Yes – 28.4%	No – 69.0%	Yes
<i>Census Tract 4323, Block Group 2</i>	709	No – 14.0%	Yes – 83.2%	Yes
<i>Census Tract 4323, Block Group 3</i>	2,827	No – 13.7%	Yes – 75.9%	Yes
<i>Census Tract 4324, Block Group 1</i>	2,484	Yes – 46.1%	Yes – 93.7%	Yes
<i>Census Tract 4324, Block Group 2</i>	2,223	No – 25.2%	Yes – 79.9%	Yes

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4324, Block Group 3</i>	1,639	No – 13.0%	Yes – 87.9%	Yes
<i>Census Tract 4325.01, Block Group 1</i>	1,118	No – 5.8%	Yes – 87.0%	Yes
<i>Census Tract 4325.01, Block Group 3</i>	2,160	No – 8.1%	No – 69.5%	No
<i>Census Tract 4325.02, Block Group 1</i>	2,520	No – 25.5%	Yes – 89.6%	Yes
<i>Census Tract 4325.02, Block Group 2</i>	1,002	No – 9.0%	Yes – 91.2%	Yes
<i>Census Tract 4333, Block Group 2</i>	916	No – 8.8%	Yes – 74.7%	Yes
<i>Census Tract 4333, Block Group 3</i>	1,374	Yes – 30.1%	Yes – 75.1%	Yes
<i>Census Tract 4333, Block Group 4</i>	1,162	Yes – 28.9%	Yes – 78.0%	Yes
<i>Census Tract 4334, Block Group 1</i>	1,587	No – 0.7%	Yes – 96.3%	Yes
<i>Census Tract 4334, Block Group 2</i>	984	No – 5.3%	Yes – 70.5%	Yes
<i>Census Tract 4334, Block Group 3</i>	703	No – 8.0%	Yes – 74.3%	Yes
<i>Census Tract 4334, Block Group 4</i>	1,099	No – 9.7%	Yes – 94.4%	Yes
<i>Census Tract 4334, Block Group 5</i>	818	No – 15.8%	Yes – 92.8%	Yes
<i>Census Tract 4334, Block Group 6</i>	849	No – 12.8%	Yes – 81.2%	Yes
<i>Census Tract 4335, Block Group 1</i>	1,240	No – 17.6%	Yes – 71.9%	Yes

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4335, Block Group 2</i>	398	No – 6.8%	No – 59.8%	No
<i>Census Tract 4335, Block Group 3</i>	1,442	Yes – 39.5%	Yes – 75.5%	Yes
<i>Census Tract 4335, Block Group 4</i>	1,231	No – 24.1%	Yes – 82.5%	Yes
<i>Census Tract 4336, Block Group 3</i>	1,217	Yes – 45.0%	Yes – 72.3%	Yes
<i>Census Tract 4336, Block Group 4</i>	1,688	Yes – 34.1%	No – 69.8%	Yes
San Lorenzo CDP	29,759	No – 19.0%	Yes – 78.6%	N/A ³
<i>Census Tract 4359, Block Group 1</i>	2,147	No – 14.5%	No – 64.9%	No
<i>Census Tract 4359, Block Group 2</i>	1,033	No – 16.0%	No – 67.3%	No
<i>Census Tract 4359, Block Group 3</i>	1,519	No – 14.7%	Yes – 89.6%	Yes
<i>Census Tract 4359, Block Group 4</i>	591	No – 12.4%	No – 53.3%	No
<i>Census Tract 4360, Block Group 2</i>	2,221	No – 11.7%	Yes – 78.4%	Yes
City of Union City	67,049	No – 15.1%	Yes – 86.5%	N/A ³
<i>Census Tract 4380, Block Group 2</i>	1,497	No – 18.3%	Yes – 87.1%	Yes
<i>Census Tract 4403.04, Block Group 1</i>	1,183	No – 18.6%	Yes – 79.2%	Yes
<i>Census Tract 4403.04, Block Group 2</i>	1,898	No – 7.6%	Yes – 92.8%	Yes
<i>Census Tract 4403.04, Block Group 3</i>	1,581	No – 3.9%	Yes – 93.7%	Yes

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4403.05, Block Group 1</i>	1,238	No – 10.6%	Yes – 76.3%	Yes
<i>Census Tract 4403.05, Block Group 2</i>	842	No – 7.0%	Yes – 82.7%	Yes
<i>Census Tract 4403.06, Block Group 1</i>	2,171	No – 11.2%	Yes – 91.3%	Yes
<i>Census Tract 4403.06, Block Group 2</i>	1,616	No – 22.2%	Yes – 90.2%	Yes
<i>Census Tract 4403.07, Block Group 1</i>	1,881	No – 20.5%	Yes – 79.8%	Yes
<i>Census Tract 4403.31, Block Group 1</i>	2,017	No – 20.6%	Yes – 86.6%	Yes
<i>Census Tract 4403.31, Block Group 2</i>	1,259	No – 14.4%	Yes - 91.5%	Yes
<i>Census Tract 4403.32, Block Group 1</i>	1,669	No – 9.5%	Yes – 93.3%	Yes
<i>Census Tract 4403.33, Block Group 1</i>	1,213	No – 2.7%	Yes – 85.7%	Yes
<i>Census Tract 4403.33, Block Group 2</i>	1,519	No – 11.8%	Yes – 98.7%	Yes
<i>Census Tract 4403.34, Block Group 1</i>	2,226	No – 12.5%	Yes – 88.5%	Yes
<i>Census Tract 4403.34, Block Group 2</i>	1,815	No – 7.5%	Yes – 90.4%	Yes

Geographic Location	Population	Low-Income Community¹	People of Color Community²	Community with Environmental Justice Concerns?
<i>Census Tract 4415.01, Block Group 1</i>	1,149	No – 4.1%	Yes – 96.3%	Yes
<i>Census Tract 4415.22, Block Group 1</i>	1,254	No – 5.7%	Yes – 73.9%	Yes
<i>Census Tract 4415.22, Block Group 2</i>	1,950	No – 7.3%	Yes – 84.0%	Yes
<i>Census Tract 4415.22, Block Group 3</i>	2,071	No – 7.6%	Yes – 84.6%	Yes

1 Low-income Community = 28 percent or more of the population in geographic location earns 200 percent or less of the federal poverty level

2 People of Color Community = 70 percent or more of the population that identify as non-white and/or Hispanic

3 N/A = Not Applicable, geographic location is included as reference community or community of comparison.

4 Data is from the 2019 ACS 5 Year Estimates.

Source: U.S. Census Bureau, 2019 and 2022

5.6.3 Environmental Analysis

As noted earlier, currently there are no formal requirements or procedures to evaluate potential environmental justice impacts under CEQA. CEQA is an informational statutory process that addresses impacts of a project that can or will potentially cause a physical change to the environment. However, the following assessment of potential disproportionate environmental effects to communities with EJ concerns is consistent with FTA EJ methodology guidelines. The criterion below is used to determine if the proposed Project would result in a potentially adverse effect to communities with EJ concerns:

Would the Project result in adverse impacts being predominately borne by communities with EJ concerns and would those impacts be appreciably more severe or greater in magnitude than adverse impacts borne by communities without EJ concerns in the affected area?

Table 5-3 provides a summary of whether the effects from applicable environmental resource topic areas are potentially adverse and whether the impact is carried forward for EJ analysis.

Table 5-3: Summary of Environmental Resource Topic Areas Considered for Environmental Justice Analysis

Resource Topic Area	Summary of Impacts	Carried Forward for EJ Analysis?
Air Quality (Construction)	Construction of the proposed Project has the potential to create air quality impacts through the use of heavy-duty construction equipment, worker vehicle trips, truck hauling trips, and locomotive trips. Unmitigated construction emissions would exceed BAAQMD's daily NO _x threshold in multiple years of construction. MM AQ-1 reduces emissions from off-road equipment and requires engines greater than 25 horsepower to meet Tier 4 emission standards. MM AQ-2 would reduce emissions from locomotives that would be used during construction to deliver materials, because it requires advanced emissions controls for locomotives used to deliver materials to the proposed Project site. BMP AQ-1 would require implementation of BAAQMD Basic Construction measures/practices. With these mitigation measures and best management practices, the emissions to construct the proposed Project would be less than the pollutant thresholds for all years of construction.	No. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.
Air Quality (Operation)	Operation of proposed Project has the potential to create air quality impacts through operation of the new Ardenwood Station. However, proposed Project operations would also improve existing passenger rail, which would reduce single-occupancy VMT and related air quality impacts in the region. The overall net effect in 2025 would be an emissions decrease, or benefit, for all pollutants. Overall, the net effect in 2040 would be a reduction in all pollutants except for ROG, which would be a minor increase. In both years and for all pollutants, the net operational emissions do not exceed the BAAQMD thresholds, because emissions would be net negative except for one pollutant (ROG) in 2040.	No. Impacts are less than significant.
Displacements – Residential and Business	The majority of the improvements proposed would occur within or adjacent to the existing UPRR right-of-way. However, residential and business displacements have been identified as follows: The proposed Project would not require any parcel acquisitions of residential-zoned property. However, the proposed Project would require a	No. Impacts are less than significant.

Resource Topic Area	Summary of Impacts	Carried Forward for EJ Analysis?
	partial parcel acquisition of industrial zoned land adjacent to the Coast Subdivision, which may impact an existing building on site.	
Hazardous Waste (Construction)	During construction, the use of hazardous materials and substances would be required, and hazardous wastes would be generated during operation of construction equipment including but not limited to, vehicle fuels, asphalt/concrete, lubricants, drilling fluids, and paints. The handling of such materials during short-term construction activities would be subject to federal and state regulations and local health and safety requirements. The potential hazards generated by the routine transport, use, and disposal of hazardous materials, contaminated soils, and/or contaminated groundwater during construction are not anticipated to have a significant impact, if adequately managed according to applicable laws, regulations, and industry BMPs. With the implementation of BMP HAZ-1, which specifies the preparation of a Hazardous Materials Management Plan (HMMP) and BMP HYD-1 Stormwater Management and Treatment Plan, construction impacts would be considered less than significant.	No. Impacts are less than significant.
Hazardous Waste (Operation)	Long-term operational activities and practices involving routine transport, use, and storage of potentially hazardous materials for railroad maintenance, including shipments in tankers on the railroads, would remain similar to existing conditions. The proposed Project would comply with standard regulations and policies regarding the routine transport, use, storage, handling, and disposal of potentially hazardous materials during operations in order to protect human health and the environment. Therefore, long-term impacts would be considered less than significant.	No. Impacts are less than significant.
Light and Glare (Construction)	The proposed Project would create new sources of both temporary light and glare. Temporary sources of light and glare would include construction vehicles and lighting for nighttime construction. Mitigation Measure AES-2 would be implemented during construction to minimize fugitive light from portable sources used for construction.	No. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.

Resource Topic Area	Summary of Impacts	Carried Forward for EJ Analysis?
Light and Glare (Operation)	Permanent sources of light and glare would include lights at the new Ardenwood Station and pedestrian overcrossing, new rail crossing signals, and train lights during nighttime operating schedules. However, the existing visual environment in urbanized areas of the proposed Project already contains many sources of light and glare including vehicle headlights, streetlights, traffic signals, parking lot lighting, storefront and signage lighting, and other lighting on buildings. In both urbanized and non-urbanized areas of the proposed Project, Mitigation Measure AES-8 would be applied to further minimize light trespassing and glare, resulting in a less than significant impact.	No. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.
Noise (Construction)	There are multiple areas along the rail corridor where construction activities would generate noise levels in excess of FTA noise criteria at adjacent residential receptors located within 135 to 270 feet from the construction site. This is a significant impact that would require mitigation. Mitigation Measure NOI-1 requires the preparation and implementation of a construction noise control plan to reduce the impacts of construction noise on nearby noise-sensitive receptors that could be exposed to noise in excess of FTA thresholds. With implementation of Mitigation Measure NOI-1, temporary construction-related noise impacts on nearby noise-sensitive receptors would be reduced to a less than significant impact.	No. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.
Noise (Operation)	There are multiple Category 2 noise receptors (consisting of single-family and multi-family residents) located adjacent to the existing railroad ROW along the Coast Subdivision that would be subject to increases in noise levels above FTA noise criteria. Mitigation Measure NOI-2 requires implementation of a phased program to establish noise quiet zones along certain portions of the rail corridor. The establishment of noise quiet zones would result in the elimination of many of the noise impacts identified within the rail corridor. If noise quiet zones are not feasible, Mitigation Measure NOI-2 would implement building sound insulation at the affected severely impacted residences. The application of either noise quiet zones or the implementation of building sound insulation would	Yes. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures. Although impacts are identified as less than significant, analysis has been carried forward for comparison to determine if impacts would disproportionately affect or be predominately borne by communities with EJ concerns.

Resource Topic Area	Summary of Impacts	Carried Forward for EJ Analysis?
	result in noise levels at severely impacted residences to be reduced below FTA noise criteria level. Implementation of Mitigation Measure NOI-02 would reduce operational noise impacts to a less than significant impact.	
Public Services – Police and Fire Response Time	For the proposed Project, no areas within the RSA would result in an increase of emergency vehicle response time by a significant amount (30 seconds or more). Impacts are considered to be less than significant.	No. Impacts are less than significant.
Transportation – Access Effects (Construction)	Although construction staging areas would be located primarily within UPRR right-of-way and within identified construction limits throughout the RSA, construction activities may result in temporary traffic delays for local residents, businesses, and commuters due to temporary lane closures, road detours, and access restrictions. BMP TR-1 involves the preparation and adoption of a transportation management plan, which would include strategies to reduce potential impacts from street or lane closures and detours during construction activities. It would also include strategies that would maintain local circulation and traffic flow and limit any pedestrian and bicycle transit access closures. With the implementation of BMP TR-1, the proposed Project would not result in permanent or temporary impacts to public access that would create a barrier or permanent disruption in connectivity within the RSA. Impacts would be considered less than significant and no mitigation is required.	No. Impacts are less than significant.
Transit – Access Effects	The proposed Project proposes to shift Capitol Corridor passenger rail service from the Niles Subdivision (between Elmhurst Junction and Newark Junction) to the Coast Subdivision. With the shift in the Capitol Corridor route, the existing Hayward and Fremont-Centerville stations on the Niles Subdivision would no longer be served by Capitol Corridor passenger trains; instead, a new station in the Coast Subdivision at the Ardenwood Park-and-Ride in western Fremont would be constructed to accommodate riders in southwestern Alameda County.	Yes. Analysis has been carried forward for comparison to determine if the discontinuation of rail service at the Hayward and Fremont-Centerville stations would disproportionately affect or be predominantly borne by impact communities with EJ concerns.
Vibration (Construction)	It is expected that ground-borne vibration from construction activities would cause only intermittent localized disturbance along the rail	No.

Resource Topic Area	Summary of Impacts	Carried Forward for EJ Analysis?
	<p>corridor. Although processes such as earthmoving with bulldozers or the use of vibratory compaction rollers can create annoying vibration, there should be only isolated cases where it is necessary to use this type of equipment in close proximity to residential buildings. It is possible that construction activities involving pile drivers occurring at the edge of or slightly outside of the current rail ROW could result in vibration damage, and damage from construction vibration would be a potentially significant impact. To mitigate for these potential impacts, Mitigation Measure NOI-3 would require the preparation and implementation of a construction vibration control plan to reduce the impacts of construction vibration on nearby vibration-sensitive land uses that could be exposed to vibration levels in excess of thresholds. With implementation of Mitigation Measure NOI-3, impacts would be reduced to a less than significant level.</p>	<p>Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.</p>
Vibration (Operation)	<p>Existing conditions in the rail corridor include vibration generated by the current volume of passenger and freight trains passing through the RSA. As a result, there are no new vibration impacts that would be generated as a result of proposed Project implementation for the identified sensitive receptors along the rail subdivisions. Therefore, operational vibration impacts are anticipated to be less than significant.</p>	<p>No. Impacts are less than significant.</p>
Visual (Construction)	<p>Construction activities would introduce heavy equipment, associated vehicles, soil and material transport, and land clearing within and outside of UPRR right-of-way into the viewshed of all user groups. Visual impacts resulting from these construction activities and equipment would be temporary, and with implementation of Mitigation Measures AES-1 and AES-2, construction impacts are anticipated to be less than significant.</p>	<p>No. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.</p>
Visual (Operation)	<p>The proposed Project includes track improvements, at-grade crossings, grade-separated crossings, water crossings, a new siding, and the proposed Ardenwood Station, all of which would be visible from one or more visual receptors. Because passenger and freight trains already run on both the Niles and Coast Subdivision, and the proposed Project does</p>	<p>No. Potentially significant impacts are reduced to a less than significant level after application of identified mitigation measures.</p>

Resource Topic Area	Summary of Impacts	Carried Forward for EJ Analysis?
	<p>not include any increase in the number of daily Capitol Corridor passenger trains, the quality of views for pedestrians, bicyclists, and recreational viewers would not greatly change from existing conditions. There are certain infrastructure features (such as grade-separated crossings and water crossings) where Mitigation Measure AES-5 and AES-6 would be implemented to ensure that scenic vista viewsheds would not be significantly impacted. Implementation of Mitigation Measure AES-3 and AES-7 would also soften the mass of these structures through vegetation screening and aesthetic design treatments and aid in blending these structures with their surroundings.</p>	

Source: CSA 2024, HDR 2023a, HDR 2024a, HNTB 2024a, HNTB 2024b, ICF 2024

5.6.3.1 No Build Alternative

Under the No Build Alternative, the Capitol Corridor passenger rail service between Oakland and San Jose would not be relocated from the Niles Subdivision to the Coast Subdivision as proposed with the proposed Project. Improvements proposed for the Coast Subdivision would not occur. Capitol Corridor passenger trains would continue to operate based on current routes with no changes. There would be no changes to rail connectivity or operational efficiency. Therefore, the No Build Alternative would not result in impacts to communities with EJ concerns within the RSA.

5.6.3.2 Proposed Project

As identified in Table 3, two resource topic areas, Noise (Operation) and Transportation – Access Effects, were carried forward for EJ analysis to determine if implementation of the proposed Project would disproportionately affect or be predominantly borne by communities with EJ concerns compared to communities without EJ concerns within the RSA.

Noise - Operation

Category 2 noise receptors, consisting of single-family and multi-family residences, are located adjacent to the existing railroad ROW along the Coast Subdivision. Implementation of the proposed Project would result in moderate noise impacts to 451 Category 2 noise receptors and severe noise impacts to 21 Category 2 noise receptors. Noise impacts are projected to occur at these noise receptors due to the proximity to the existing rail corridor as well as the continuation of train horn use in the area. At the majority of these receptors, proposed Project noise levels would be lower than or equal to existing noise levels in area but would still exceed the FTA impact criteria. Therefore, mitigation measures are required at these locations where FTA impact criteria is exceeded. Noise impacts to Category 2 noise receptors occur throughout the rail corridor block groups regardless of being identified as communities with EJ concerns.

Noise abatement is considered where noise impacts are predicted in areas of frequent human use that would benefit from a lowered noise level. The final decision to pursue noise quiet zones would consider reasonableness factors, such as cost-effectiveness, as well as other feasibility considerations including topography, access requirements, other noise sources, safety, and information developed during the design and public review process. Mitigation Measure NOI-2 requires implementation of a phased program to establish quiet zones along certain portions of the rail corridor. The establishment of quiet zones would eliminate horn sounding for operating trains crossing the at-grade crossings, which would result in a net noise benefit near grade crossings for all noise receptors. The implementation of Mitigation Measure NOI-2 would apply to all Category 2 noise receptors regardless of where these impacts within the corridor would occur. Therefore, the proposed Project would not result in disproportionately high, adverse effects on communities with EJ concerns.

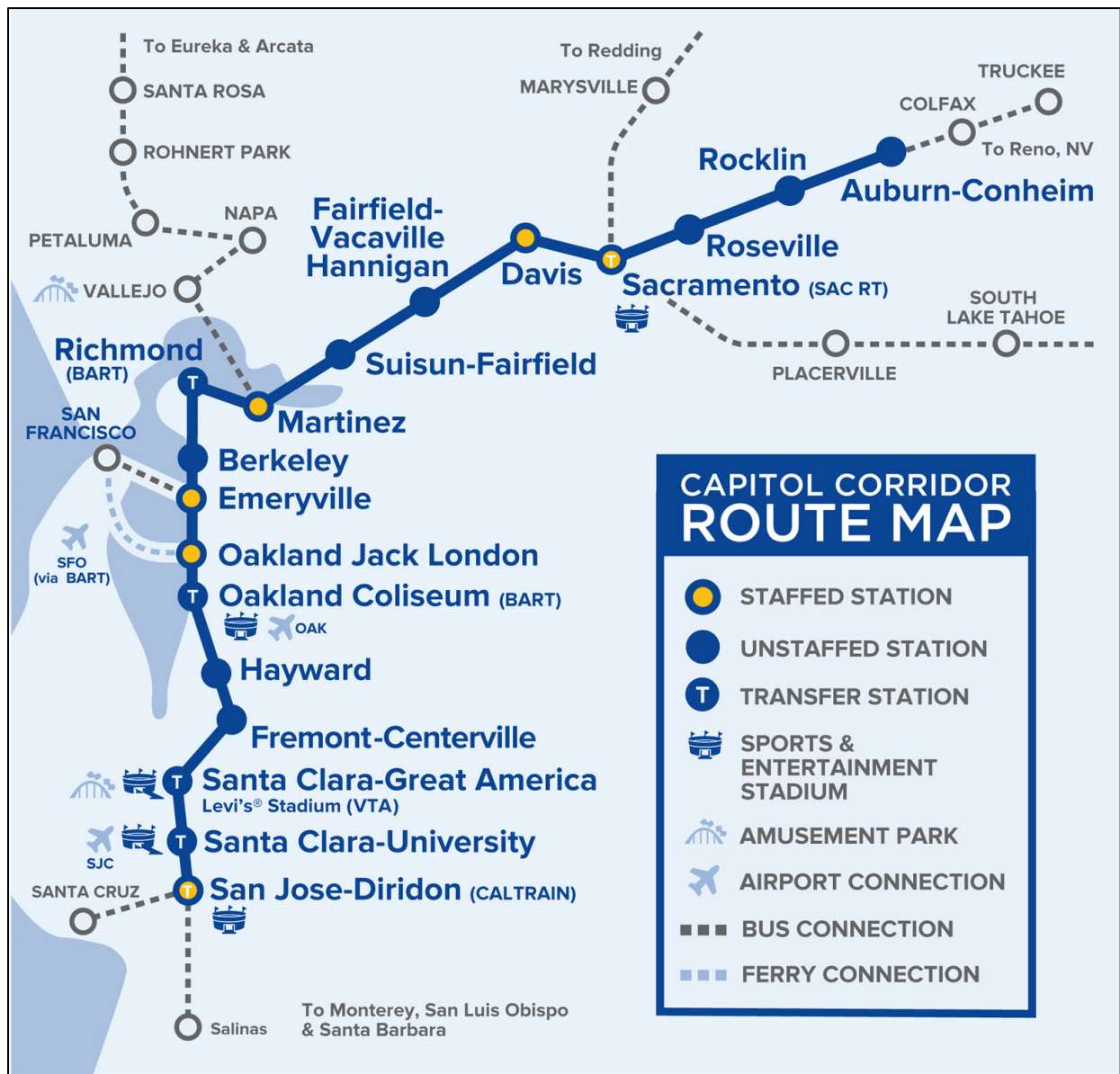
Transportation – Access Effects

EJ in transportation encompasses the equitable distribution of transportation infrastructure, services, and benefits, regardless of socioeconomic status, race, or ethnicity. Many low-income communities, especially those in suburban and rural areas, face limited access to affordable and reliable transportation options. This lack of access can hinder individuals from accessing

employment opportunities, education, healthcare services, and other essential resources, perpetuating economic and social inequities.

The Project proposes to shift existing Capitol Corridor passenger rail service from the Niles Subdivision (between Elmhurst Junction and Newark Junction) to the Coast Subdivision. With the shift in the Capitol Corridor route, the existing Hayward and Fremont-Centerville Stations would no longer be serviced by Capitol Corridor passenger trains. Figure 5-6 through Figure 5-8 provide an overview of the existing CCJPA Capitol Corridor, BART, and Altamont Corridor Express (ACE) commuter rail routes. As the figures illustrate, BART currently serves the Hayward area and ACE currently serves Fremont-Centerville area, providing opportunities for redundancy in enhanced transit services for those that rely on Capitol Corridor in these locations.

Figure 5-6: Existing Capitol Corridor Route Map

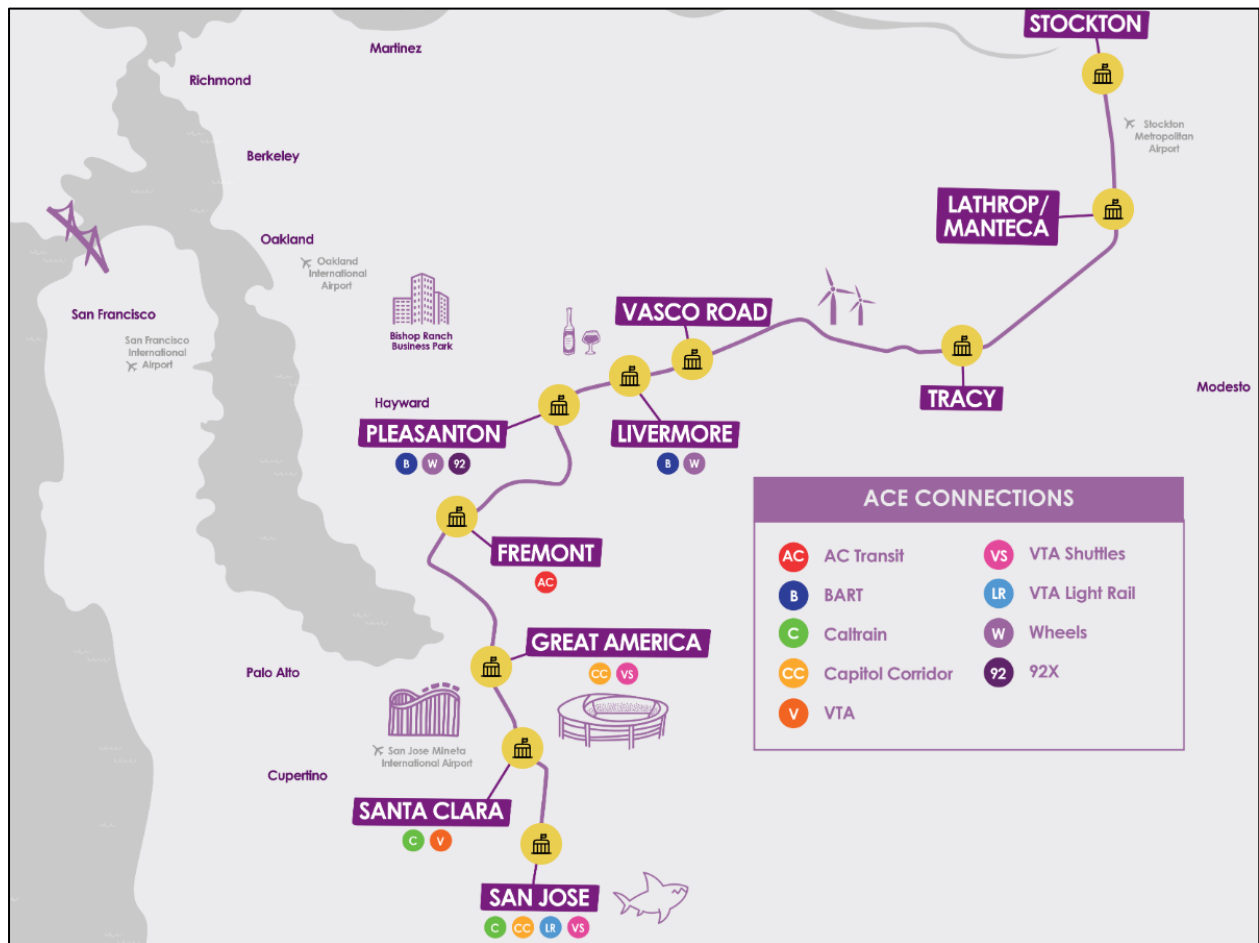


Source: CCJPA, 2024

Figure 5-7: Existing BART Routes



Source: Bay Area Rapid Transit, 2024

Figure 5-8: Existing ACE Routes

Source: Altamont Corridor Express, 2024

The discontinuation of Capitol Corridor services within this portion of the corridor has been disclosed and is part of the on-going public outreach program for the proposed Project. Since 2014, CCJPA has provided the public and stakeholders multiple engagement opportunities associated with the proposed Project with over 50 meetings including large public forums, city council/elected official briefings, community presentations, community working group meetings, and partner agency meetings. In addition to these meetings, an extensive virtual engagement program for the proposed Project has been implemented and includes the implementation of a Project website, social media and email campaigns and various press releases. Additional public and stakeholder engagement opportunities will continue through the CEQA process (Chapter 6, Public Outreach).

As previously identified, a 0.5-mile radius was utilized in determining transit access impacts associated with the discontinuation of rail service at the Hayward and Fremont-Centerville Stations. The 0.5-mile radius is in alignment with the service availability standard in FTA Circular 4702.1B, which denotes that passengers will generally walk up to 0.5 mile to a light or heavy rail station.

Hayward Station

As shown in Figure 9 in Appendix K, the 0.5-mile radius around the Hayward Station encompasses portions of following census block groups:

- Census Tract 4356.01 Block Group 2
- Census Tract 4356.06 Block Group 1
- Census Tract 4357 Block Group 4
- Census Tract 4362 Block Group 1
- Census Tract 4362 Block Group 2
- Census Tract 4363 Block Group 1
- Census Tract 4363 Block Group 2
- Census Tract 4363 Block Group 4
- Census Tract 4367 Block Group 1
- Census Tract 4367 Block Group 2
- Census Tract 4369 Block Group 2
- Census Tract 4369 Block Group 1

Based on U.S. Census data, all of the block groups within the 0.5-mile radius for the Hayward Station are identified as a person of color community, while 5 block groups are identified as a low-income community.

Although implementation of the proposed Project would result in the removal of passenger rail service through this portion of the Capitol Corridor route, other existing transit options in the area would still be available to those looking to travel northward towards Oakland or southward towards San Jose. The Hayward station could remain in place to support potential future transit or shuttle opportunities on site, however, what happens to the station is not under CCJPA's control. There are currently no other transit connections at the Hayward Station; however, the area surrounding the Hayward Station is serviced by the Alameda-Contra Costa Transit District (AC Transit), BART, and Greyhound.

As shown on Figure 9 in Appendix K, existing AC Transit bus service is available throughout the area surrounding the existing Hayward Station. The nearest transit option available to the Hayward Station is an existing bus stop located at Meekland Avenue and A Street which is part of AC Transit Route 34. AC Transit Route 34 operates 7 days a week from 6:00 a.m. to 10:00 p.m. with a service frequency of 60 minutes at 57 stops. This bus route connects riders from Estudillo to Davis to Meekland with the route covering Foothill Square to Hayward BART. Other AC Transit bus routes within the area include Route 56 (Santa Clara-Weekes-Huntwood) and 93 (Ashland - San Lorenzo - A Street) which also connect to the Hayward BART Station. The Hayward BART station (located 0.8 mile from the Hayward Station) provides additional AC Transit bus connections through local bus lines, all night bus lines (which operate 1 a.m. to 5 a.m.), and transbay bus lines as well as BART connections to Richmond, San Jose, and Daly City. Figure 9 in Appendix K provides a map of existing transit services in proximity to Hayward Station.

As shown on Figure 5-6 above, transit riders traveling on the current Capitol Corridor route are able to reach destinations to the north (e.g., Oakland, Emeryville, Berkeley, Richmond, Martinez, Fairfield, Davis, Sacramento, Roseville, Rocklin, and Auburn) and destinations to the south (e.g., Fremont, Santa Clara, and San Jose) from the Hayward Station. While implementation of the proposed Project would result in the elimination of Capitol Corridor service at the Hayward Station, Figure 5-7 shows

that transit riders would still be able to make regional northward and southward destination connections via existing BART services at the Hayward BART Station.

Transit riders looking to reach northward destination connections could embark at the Hayward BART Station and continue northward with the option to disembark at the Oakland Coliseum Station or Richmond Station. The Oakland Coliseum Station and Richmond Station are transfer stations for Capitol Corridor and BART riders. Transit riders looking to reach southward destination connections could embark at the Hayward BART Station and continue southward with the option to disembark at the Berryessa/North San Jose Station and then transfer to VTA Route Rapid 500 to the San Jose-Diridon Station. The San Jose-Diridon Station is a transfer station for Capitol Corridor, BART, ACE, and Caltrain rider services.

The proposed Project would not change the existing bus routes that currently serve the area and access to regional transportation options would still be available at the Hayward BART Station. Therefore, the removal of Capitol Corridor rail services at the Hayward Station is not anticipated to result in adverse effects on the provision of affordable and reliable transportation options within the area on communities with EJ concerns.

Fremont-Centerville Station

As shown in Figure 10 in Appendix K, the 0.5-mile radius around the Fremont-Centerville Station encompasses portions of following census block groups:

- Census Tract 4413.01 Block Group 2
- Census Tract 4413.02 Block Group 3
- Census Tract 4416 Block Group 2
- Census Tract 4416.02 Block Group 2
- Census Tract 4417 Block Group 1
- Census Tract 4417 Block Group 4
- Census Tract 4418 Block Group 1
- Census Tract 4426.02 Block Group 1
- Census Tract 4426.02 Block Group 2

Based on U.S. Census data, 4 block groups within the 0.5-mile radius for the Fremont-Centerville Station are identified as a person of color community while 1 block group is identified as a low-income community.

Although implementation of the proposed Project would result in the removal of passenger rail service through this portion of the Capitol Corridor route, other existing transit options would still be available to those looking to travel northward towards Oakland or southward towards San Jose. At the Fremont-Centerville Station, ACE commuter rail service would continue to serve the station, with ACE services connecting riders from the Tri-Valley and Central Valley to San Jose.

As shown on Figure 5-6, transit riders traveling on the current Capitol Corridor route are able to reach destinations to the north (e.g., Oakland, Emeryville, Berkeley, Richmond, Martinez, Fairfield, Davis, Sacramento, Roseville, Rocklin, and Auburn) and destinations to the south (e.g., Santa Clara and San Jose) from the Fremont-Centerville Station. While implementation of the proposed Project

would result in the elimination of Capitol Corridor service at the Fremont-Centerville Station, Figure 5-8 shows that transit riders utilizing the Fremont-Centerville Station would still be able to make regional southward destination connections via existing ACE service, which stops at the same stations south of the Fremont-Centerville Station as Capitol Corridor currently does.

Transit riders looking to reach northward destinations have options to utilize BART service, at the Fremont BART Station located approximately 2 miles east of the Fremont-Centerville Station. BART riders would be able to access all BART destinations and connect to Capitol Corridor trains at the Oakland Coliseum Station or Richmond Station, which are transfer stations for BART and Capitol Corridor riders. Alternatively, these travelers could utilize bus service connections to the new Ardenwood Station that would be constructed as part of the Build Alternative.

Other transit options at the Fremont-Centerville Station include bus services. As shown on Figure 10 in Appendix K, the nearest bus transit option available to the Fremont-Centerville Station are existing bus stops located along Fremont Boulevard at Bonde Way and Peralta Court. These bus stops are part of AC Transit Routes 99, 210, and 801.

AC Transit Route 99 provides connections to the Fremont-Centerville Station and BART stations located in Fremont, Hayward, South Hayward, and Union City. The route operates 7 days a week from 5:00 a.m. to midnight on weekdays and 6:00 a.m. to midnight on weekends with a service frequency of 20 to 30 minutes at 10 stops. AC Transit Route 210 provides connects between Ohlone College and Union Landing Transit Center and operates 7 days a week from 5:00 a.m. to 10:30 p.m. on weekdays and 7:00 a.m. to 8:00 p.m. on weekends with a service frequency of 30 minutes at 7 stops. AC Transit Route 801 provides connections to BART stations located in Fremont, Union City, Hayward, South Hayward, Bay Fair, and San Leandro. The route is an all-nighter route that operates 7 days a week from midnight to 6:00 a.m. with a service frequency of 30 minutes at 10 stops.

The removal of Capitol Corridor rail services at the Fremont-Centerville Station is not anticipated to result in adverse effects on the provision of affordable and reliable transportation options within the area on communities with EJ concerns. The proposed Project would not change the existing bus routes that currently serve the area and access to regional transportation options would still be available at the Fremont-Centerville Station through ACE commuter rail services.

5.6.4 Cumulative Impact Assessment

Cumulative impacts can result from individually minor but collectively substantial impacts from past, present, and reasonably foreseeable future projects. A cumulatively considerable impact to communities with EJ concerns would occur if the proposed Project when combined with past, present, and reasonably foreseeable projects, results in cumulatively considerable impact to communities with EJ concerns in the project area. The cumulative impact study area for EJ is defined by the proposed Project's EJ RSA. The cumulative study area would capture impacts generated from the proposed Project's construction and potential regional impacts on communities with EJ concerns.

As provided in Attachment B of Appendix K, multiple past, present, and reasonably foreseeable projects were considered for the purpose of this cumulative impact analysis. These cumulative projects include infrastructure projects, transportation and transit projects, recreational and community facility projects, and other private development projects within the proposed Project's EJ RSA. Based on a review of environmental documents available for these cumulative projects, none of the projects identifies an impact on communities with EJ concerns.

5.6.5 Environmental Justice Determination

Based on the discussion above, the proposed Project would not contribute to cumulative impacts to communities with EJ concerns. The overall benefits of the proposed Project would enhance ridership and mobility, strengthen economic vitality, support sustainability, integrate transit services, and improve safety and accessibility within the region. These benefits would be experienced by all communities within the EJ RSA, including communities with EJ concerns. Therefore, the proposed Project would not cause cumulative disproportionately high and adverse effects on any communities with EJ concerns in accordance with the provisions of Executive Order 12898.

5.6.6 References

- Assistant Secretary for Planning and Evaluation. 2024. Prior HHS Poverty Guidelines and Federal Register References. Available: <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines/prior-hhs-poverty-guidelines-federal-register-references>. Accessed: January 15, 2024.
- Alameda County. 2015. Ashland and Cherryland Community Health and Wellness Element of the Alameda County General Plan. Adopted December 8, 2015. Available: <https://www.acgov.org/cda/planning/generalplans/documents/CHWE12-8-15.pdf>. Accessed: January 15, 2024.
- Altamont Corridor Express. Route Map and Connections. Available: <https://acerail.com/>. Accessed: April 1, 2024.
- Bay Area Rapid Transit. 2024. System Map. Available: <https://www.bart.gov/system-map>. Accessed: April 1, 2024.
- CCJPA (Capitol Corridor Joint Powers Authority). 2024. Route Map. Available: <https://www.capitolcorridor.org/route-map/>. Accessed: April 1, 2024.
- City of Fremont. 2011. City of Fremont General Plan. Adopted December 2011. Available: <https://www.fremont.gov/DocumentCenter/View/4674/10-Safety?bidId=>. Accessed: December 15, 2023.
- City of Hayward. 2024. Environmental Justice Public Forum #1. Available: <https://www.hayward-ca.gov/discover/events/environmental-justice-public-forum-1>. Accessed: February 28, 2024.
- City of Newark. 2024. Environmental Justice Element. Available: <https://newarkhousingupdate.org/environmental-justice>. Accessed: February 23, 2024.
- City of Oakland. 2023. Environmental Justice Element of the Oakland 2045 General Plan. Adopted September 26, 2023. Available: <https://cao-94612.s3.us-west-2.amazonaws.com/documents/EJ-Element Adopted-9.26.23 89907-C.M.S.pdf>. Accessed: February 13, 2024.
- City of San Leandro. 2024. Environmental Justice and Natural Hazards Element Update. Available: <https://www.sanleandro.org/1137/Environmental-Justice-and-Natural-Hazard>. Accessed: February 28, 2024.
- City of Union City. 2019. 2040 General Plan. Adopted December 10, 2019. Available: <https://www.unioncity.org/DocumentCenter/View/6211/2040-UC-General-Plan-Chapter-2-Health-and-Quality-of-Life?bidId=>. Accessed: January 15, 2024.

CSA 2024. CCJPA South Bay Connect Noise and Vibration Technical Memorandum. February 2024.

HDR 2023a. CCJPA South Bay Connect Hazards and Hazardous Materials Technical Memorandum.
November 2023.

_____. 2024a. CCJPA South Bay Connect Land Use Technical Memorandum. March 2024.

HNTB 2024a. CCJPA South Bay Connect Aesthetics Technical Memorandum. January 2024.

_____. 2024b. CCJPA South Bay Connect Transportation Technical Memorandum. February 2024.

ICF 2024. CCJPA South Bay Connect Air Quality Technical Memorandum. February 2024.