

## 4 Corrections and Additions to the Draft EIR

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The following section provides a summary record of all proposed text corrections, changes, and additions to the Draft EIR. These changes are the result of document review during the public review period, as outlined in Section 2.3 of this Final EIR. These changes serve to clarify and amplify the content of the EIR. None of the changes would result in alterations to degree of impact or conclusions presented in the Draft EIR, and therefore do not constitute significant new information, in accordance with *CEQA Guidelines* Section 15088.5. Rather, the changes serve to clarify and strengthen the content of the EIR. Accordingly, recirculation is not warranted.

Revisions to the Draft EIR text are shown using ~~strike through~~ to show where text has been deleted and underline font to show where text has been added. All page references are to the Draft EIR.

### Section 4.9 Hydrology and Water Quality

Page 4.8-11:

#### SWRCB Low-Threat Underground Storage Tank Case Closure Policy

On August 17, 2012, the SWRCB's Low-Threat Underground Storage Tank Policy went into effect. This policy allows sites meeting the policy criteria to be closed with residual contamination in soil and groundwater, which may pose a risk to human health, safety, or the environment if the impacts area is disturbed or if conditions at the time of case closure could not be maintained.

Page 4.8-18:

**Policy S-7.3: Environmental Site Assessment.** The City shall require applications subject to Site Development Review or applications for development on sites where there is potential for contamination to exist to include submittal of a Phase 1 Environmental Site Assessment and Phase 2 Environmental Site Assessment (if required). Any recommendations contained in these documents, including the need for remediation activities or additional study, shall be completed consistent with applicable federal, State, and local regulations. The City shall, for any proposed development activities (including, but not limited to, Phase 2 investigations, dewatering, and excavation/drilling at or near leaking underground fuel tank or site cleanup program sites, coordinate with appropriate regulatory agencies.

### Section 4.9 Hydrology and Water Quality

Page 4.9-7:

The developed area of Union City, generally coinciding with the area west of State Route 238, is within the Santa Clara Valley-Niles Cone Subbasin. The ACWD is designated as the exclusive groundwater sustainability agency for this Subbasin. As an exclusive local agency, ACWD is required to submit an Alternative to a Groundwater Sustainability Plan or a Groundwater Sustainability Plan for the management of the Niles Cone Subbasin. ~~The ACWD is preparing an Alternative to a Groundwater Sustainability Plan, but it has not been adopted to date (ACWD 2018).~~ On July 17, 2019, ACWD received notice that the

Department of Water Resources has evaluated and approved the Alternative to a Groundwater Sustainability Plan submitted for the Niles Cones Subbasin, and DWR determined that it satisfied the objectives of SGMA.

Pages 4.9-10 through 4.9-11:

Construction activities, including excavation and trenching related to development, may encounter shallow groundwater. In the event that shallow groundwater is encountered, dewatering of the excavation or trenching site may be required. If improperly managed, these dewatering activities could result in discharge of contaminated groundwater. Contaminated groundwater would be treated prior to discharge or disposed of at an appropriate disposal facility or wastewater treatment plant pursuant to the Groundwater General Permit (Regional Board Order No. R2-2012-0060). Union City Municipal Code Section 13.36 prohibits illicit discharges to the municipal storm water system, including discharges of contaminated groundwater. Also, discharges of dewatered groundwater to a water of the State would require authorization under a NPDES permit from the San Francisco Bay RWQCB and ACWD Ordinance No. 2010-01 requires drilling permits prior to the start of any subsurface drilling activities for wells, exploratory holes, and other excavations (including the installation of dewatering wells and piles or piers for bridges that interconnect aquifers or waterbearing zones). Compliance with existing regulations would ensure that impacts related to water quality degradation through the discharge of dewatered groundwater would be less than significant.

Page 4.9-16:

Development under the 2040 General Plan would be required to adhere to NPDES drainage control requirements as well as municipal requirements, as discussed under Impact HWQ-1. ~~As mentioned above in Section 4.9.1, the ACWD has not yet prepared a groundwater sustainability plan or an alternative to a groundwater sustainability plan. However, a~~As discussed under Impact HWQ-2, implementation of the 2040 General Plan would not result in substantial groundwater depletion and therefore would not conflict with the approved Alternative to a Groundwater Sustainability Plan for the Niles Cone Subbasin. Therefore, the 2040 General Plan would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

## Section 4.16 Utilities and Service Systems

Page 4.16-11:

The Alameda County Water District (ACWD) serves an area of approximately 105 square miles and ~~covers~~ provides retail water service primarily to the communities Cities of Fremont, Newark, and Union City... As described above, ACWD's 105 square-mile service area boundary generally encompasses the Cities of ~~encompasses the cities of~~ Union City, Fremont, ~~and Newark,~~ Union City, and southern portions of the City of Hayward, a combined population of over 330,000, and over 7,500 businesses. ~~ACWD's service area is bounded by San Francisco Bay on the west, the hills of the Diablo Range on the east, the city of Hayward to the north, and Alameda Creek to the south.~~

Page 4.16-3:

- Mission San Jose Water Treatment Plant (MSJWTP):** Originally placed in service in 1974, the facility, when operational, used membrane ultra-filtration technology for treatment of surface water from the South Bay Aqueduct. The Water Treatment Plant was located near I-680 on Vargas Road. Originally, the design production rate at MSJWTP with the UF system was intended to be 8-10 million gallons per day (MGD) depending upon the applied water temperature. However, the plant was not capable of producing more than 4 MGD due to excessive fouling and fiber breakage. Given these limitations, the sustainable production rate at MSJWTP was 3.2 MGD. However, MSJWTP is currently decommissioned as a cost savings measure due to low current demands.

Page 4.16-5:

**Table 4.16-4 ACWD Projected Water Supply and Use (Acre-Feet per Year)**

	2020	2025	2030	2035	2040
<b>Normal Year</b>					
Water Supply	77,200	76,900	76,600	76,300	76,000
Water Demand	62,900	67,000	68,600	69,300	69,800
Projected Difference	14,300	9,900	8,000	7,000	6,200
<b>Single Dry Year</b>					
<u>Water Supply</u>	<u>55,300</u>	<u>55,700</u>	<u>56,100</u>	<u>56,500</u>	<u>56,800</u>
<u>Water Demand</u>	<u>59,500</u>	<u>63,900</u>	<u>65,800</u>	<u>66,400</u>	<u>67,000</u>
<u>Projected Difference</u>	<u>-4,200</u>	<u>-8,200</u>	<u>-9,700</u>	<u>-9,900</u>	<u>-10,200</u>
<b>Multiple Dry Year</b>					
<u>Water Supply</u>	<u>57,600</u>	<u>57,900</u>	<u>58,100</u>	<u>58,200</u>	<u>58,400</u>
<u>Water Demand</u>	<u>57,600</u>	<u>61,600</u>	<u>63,000</u>	<u>63,200</u>	<u>63,300</u>
<u>Projected Difference</u>	<u>0</u>	<u>-3,700</u>	<u>-4,900</u>	<u>-5,000</u>	<u>-4,900</u>

Source: ACWD 2016

Page 4.16-8:

The developed area of Union City, generally coinciding with area west of State Route 238, is within the Santa Clara Valley-Niles Cone Subbasin. The ACWD is designated as the exclusive groundwater sustainability agency for this Subbasin. As an exclusive local agency, ACWD is required to submit an Alternative to a Groundwater Sustainability Plan or a Groundwater Sustainability Plan for the management of the Santa Clara Valley-Niles Cone Subbasin. ~~The ACWD is preparing an Alternative to a Groundwater Sustainability Plan, but it has not been adopted to date (ACWD 2018).~~ On July 17, 2019, ACWD received notice that the Department of Water Resources has evaluated and approved the Alternative to a Groundwater Sustainability Plan submitted for the Niles Cones Subbasin, and DWR determined that it satisfied the objectives of SGMA.

Page 4.16-15:

Because the 2040 General Plan would allow for increased density in some areas of Union City compared to existing land use designations, water infrastructure, such as pipeline, could require upgrades or replacement of aging infrastructure. Installation of upgraded infrastructure would result in ground disturbance. Generally, this ground disturbance would occur in previously disturbed or developed areas, reducing the potential for environmental impacts. As described in Section 4.3, Biological Resources, compliance with mitigation measures and 2040 General Plan policies would minimize impacts to sensitive environmental resources where upgrades require construction in streams and other undeveloped areas of the City. Additionally, all public water infrastructure construction or modifications related to development projects, including future projects that could be facilitated under the proposed 2040 General Plan, must conform to ACWD's Development Specifications and Standard Specifications for Water Main Installation. Therefore, the 2040 General Plan would not result in construction or relocation of water facilities such that significant environmental impacts would result.

Page 4.16-16:

**Table 4.16-5 Projected Total Water Demand by Development Type**

Development Type	2040 General Plan Growth Forecast	Sewage Generation Factor	Projected Water Demand (gpd)	Projected Water Demand (AFY)
Single Family Residential	444 units	180 gpd/unit	87,912	99
Multi-Family Residential	3,886 units	120 gpd/unit	512,952	575
Commercial	950,186 sq. ft	80 gpd/1,000 sq. ft	83,616	94
Industrial	3,220,088 sq. ft	80 gpd/1,000 sq. ft	283,368	317
Office	3,898,839 sq. ft	150 gpd/1,000 sq. ft	643,308	721
<b>Total</b>			<b>1,611,157</b>	<b>1,806</b>

gpd = gallons per day; AFY = acre feet per year; sq. ft = square feet

Note: Sewage generation projections were all multiplied by a water demand factor of 1.1 to calculate the original water demand.

Source for water demand factors used in calculations: City of Los Angeles 2006

**Table 4.16-6 Projected Total Water Demand by Development Type**

Development Type	2040 General Plan Growth Forecast	Water Demand Rate	Projected Water Demand (gpd)	Projected Water Demand (AFY)
Multi-Family Residential	1,031 units	150 gpd/unit	154,650	173
Single Family Residential				
2,000-5,000 square feet	66 units	247 gpd/unit	16,302	18
5,000-6,000 square feet	13 unit	267 gpd/unit	3,471	4
6,000-70000 square feet	11 units	287 gpd/unit	3,157	4

<u>7,000-9,000 square feet</u>	<u>11 units</u>	<u>319 gpd/unit</u>	<u>3,509</u>	<u>4</u>
<u>9,000-12,000 square feet</u>	<u>10 units</u>	<u>392 gpd/unit</u>	<u>3,920</u>	<u>4</u>
<u>Industrial</u>				
<u>R&amp;D/Hi-tech</u>	<u>167,932 square feet</u>	<u>0.1035 gpd/square foot</u>	<u>17,3801</u>	<u>19</u>
<u>General Industrial</u>	<u>775.267 square feet</u>	<u>0.1035 gpd/square foot</u>	<u>80</u>	<u>&lt;0.1</u>
<u>Commercial</u>				
<u>Office</u>	<u>24,768 square feet</u>	<u>0.1035 gpd/square foot</u>	<u>2,563</u>	<u>3</u>
<u>Retail</u>	<u>3,118,628 square feet</u>	<u>0.282 gpd/square foot</u>	<u>879,453</u>	<u>985</u>
<u>Other</u>	<u>32,394</u>	<u>0.1063 gpd/square foot</u>	<u>3,443</u>	<u>4</u>
<b><u>Total</u></b>			<b><u>1,087,930</u></b>	<b><u>1,219</u></b>

Notes: No SFR units below 2,000 square feet.

General Industrial = light industrial

Special industrial – R&D/Hi-tech

Retail = Commercial + Regional Commercial

32 6,--- sf – 10,000 sf spread out as 11,11,10 in each

79 units from 3,500 sf – 6,000 sf divided as a percent to each subcategory

Source: 2015 UWMP

As shown above in **Table 4.16-2**, ACWD projections indicate that water supply in 2040 exceed water demand by 6,200 AFY during a normal water year. The additional 1,2191,806 AFY of water demand generated by development facilitated by the 2040 General Plan would represent approximately 2029 percent of the excess supply in 2040. Therefore, the growth and development facilitated by the 2040 General Plan would not exceed water supplies in normal water years. According to the ACWD’s UWMP, during a single-dry year and multiple-drought year scenarios, the demand for water in 2040 would exceed available water supplies by approximately 10,200 AFY and 4,900 AFY, respectively (ACWD 2016). Therefore, the additional 1,2191,806 AFY demand for water generated from development facilitated by the 2040 General Plan would exceed supplies in 2040 under a multiple-year drought. The ACWD has prepared a contingency plan that it can implement if faced with water shortages, which would allow it to reduce the level of water supplied by up to 50 percent, if needed. For example, ACWD can draw from reserve supplies to help meet short-term demands, can implement reduction in demand, and can augment its supply offsite to help meet demand during drought conditions.