

4.1 Introduction

In accordance with CEQA Guidelines Section 15126.6, this EIR contains a comparative impact assessment of alternatives to the proposed project. The primary purpose of this section is to provide decision makers and the general public with a range of reasonable project alternatives that could feasibly attain most of the basic project objectives, while avoiding or substantially lessening any of the project's significant adverse environmental effects. Important considerations for these alternatives analyses are noted below.

- An EIR need not consider every conceivable alternative to a project.
- An EIR should identify a reasonable range of potentially feasible alternatives, clarifying as appropriate if any such alternatives were rejected as infeasible during the environmental review process.
- Reasons for rejecting an alternative include:
 - Failure to meet most of the basic project objectives;
 - Infeasibility; and
 - Inability to avoid significant environmental effects.

CEQA further requires that a No-Project (No-Action) Alternative be considered. The purpose of describing and analyzing a No-Action Alternative is to allow decision-makers to compare the impacts of approving the project with the impacts of not approving the project. The State CEQA Guidelines state that the No-Action Alternative is the circumstance under which the project would not proceed. If the No-Action Alternative would not result in the preservation of existing conditions, the consequences of not approving the project along with the environmental changes that would result should also be addressed.

The State CEQA Guidelines require that an environmentally superior alternative be identified when compared to the project and other alternatives. If the alternative with the least environmental impact is determined to be the No-Action Alternative, the EIR must designate the next best alternative as the environmentally superior alternative. The analysis of the environmentally superior alternative is provided below in Section 4.6, Environmentally Superior Alternative. Additionally, alternatives that were considered but dismissed from further consideration for a variety of reasons are described and discussed below in Section 4.7, Alternatives Considered but Dismissed.

4.2 Project Objectives

As stated in Chapter 2.0, *Project Description*, the objectives of the project are to:

1. Improve safety conditions along Morrison Canyon Road.

2. Eliminate the use of Morrison Canyon Road and Vargas Road as a commuter traffic route between Mission Boulevard and I-680.
3. Substantially reduce the occurrence of two-way automobile (motor vehicle) traffic on Morrison Canyon Road.
4. Substantially reduce conflicts between vehicles and pedestrians/bicyclists on Morrison Canyon Road.
5. Retain Morrison Canyon Road as a route for emergency vehicle access to serve the hillside community.
6. Retain the “lower” portion of Morrison Canyon Road as open to serve properties with driveway access at Ridge Terrace.
7. Maintain a pedestrian/bicycle access route from Fremont’s Central District to the open space resources along upper Morrison Canyon Road.

4.2.1 Project Impacts

The proposed project would result in one impact conservatively identified as significant and unavoidable:

- **Land Use: LU-1**, The proposed project would divide an established community.

The proposed project would result in no other significant impacts. No mitigation measures would be required.

4.2.2 Alternatives to the Proposed Project

The following summarizes the feasible alternatives to the project identified by the City.

Alternative 1: No-Project Alternative

Alternative 1 assumes that the temporary closure installed in November 2018 would be removed and use of Morrison Canyon Road prior to the temporary closure would resume.

Alternative 2: Conversion of Morrison Canyon Road to One-Way, Eastbound Traffic with Traffic Calming Measures Alternative

Alternative 2 would convert Morrison Canyon Road to a one-way road for all private vehicles (including bicycles), allowing only east bound (i.e. uphill) traffic between Mission Boulevard and Vargas Road and would also include traffic calming treatments.

Alternative 3: Discourage Commuter Use of Morrison Canyon Road Alternative

Alternative 3 would implement a program of measures intended to discourage commuter use of Morrison Canyon Road with installations such as signage, stop signs, speed tables, posted speed reduction, and increased enforcement.

4.3 Alternatives Considered but Dismissed

In formulating project alternatives, the City initially considered the following alternatives but dismissed each from further consideration for the reasons described below.

4.3.1 Emergency and Hillside Residential Access Only

This alternative concept would retain bidirectional access of the 0.8-mile stretch of “middle” Morrison Canyon Road for private vehicles of hillside residents and for emergency vehicles, as well as bicyclists and pedestrians. All other through traffic would be restricted by a gate closure mechanism which hillside residents would be able to open at either end.

This alternative was considered but dismissed from further consideration because of its infeasibility. Restricting access of any public roadway to certain members of the public would be inconsistent with the definition of “public road” in California Vehicle Code (Division 1, Section 360) (California Legislative Information 2019). However, given the nature of Morrison Canyon Road and the City’s understanding of the needs and desires of current residents of the area, the City would be open to considering this as an option if at some point in the future the State Legislature were to grant the City an exception to this section of the Vehicle Code through legislative action.

This alternative would generally meet all project objectives, which are stated above in Section 4.2, Project Objectives. Related to safety on Morrison Canyon Road, it would substantially reduce the number of motor vehicles on Morrison Canyon Road, subsequently improving road safety conditions for all users (including automobiles, bicyclists, and pedestrians), and reducing the likelihood of bi-directional vehicle conflicts along Morrison Canyon Road.

This alternatives would retain Morrison Canyon Road as a route for emergency vehicle access and retain the “lower” portion of Morrison Canyon Road as open to serve properties with driveway access at Ridge Terrace, and it would not substantially affect the pedestrian/bicycle access route from Fremont’s Central District to the open space resources along upper Morrison Canyon Road. Bicycle and pedestrian users would share the roadway with the vehicles of residents and emergency vehicles, but the volumes of residential use and emergency vehicles would be assumed to be low. This alternative would also meet the project objective to reduce cut-through traffic.

This alternative would, however, require more ground disturbance and construction activities than the proposed project because it would require installation of large gates at two locations. Traffic patterns in the project area would be similarly affected by this means for closing a public roadway, as they would be with the proposed barricades under the project.

4.3.2 Abandonment of Roadway Segment and Right-of-Way

With this alternative, the City would implement formal abandonment of the 0.8-mile stretch of Morrison Canyon Road, and the right-of-way associated with it, that is described in Chapter 2.0, Project Description, and is the area in between Morrison Canyon Road’s intersection with Ridge Terrace to where it meets Vargas Road. This would occur through removal of all roadway pavement pursuant to the definition of “vacation” or “the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement” in California Streets and Highway Code (Division 9, Part 3, Chapter 1, Section 8309).

This alternative would meet the project objective to improve safety conditions along Morrison Canyon Road by eliminating Morrison Canyon Road as a roadway for all users and terminating the public right to use it (including automobiles, bicyclists, and pedestrians). However, it would do so by precluding all access, including desired access by emergency vehicles, pedestrians, and bicyclists. Furthermore, this alternative would exacerbate the proposed project's one conservatively identified significant unavoidable impact (Impact LU-1) related to division of an established community, because it could lead to isolation and inaccessibility of the project area altogether. Moreover, the removal of approximately one mile of pavement from the area would have environmental impacts above and beyond those indicated for the proposed project.

This alternative is also considered infeasible and impracticable because in addition to precluding emergency, bicycle, and pedestrian access, it would also limit access to properties along middle Morrison Canyon Road that are not otherwise accessible. There are no driveways or cross streets on middle Morrison Canyon Road (between Ridge Terrace and Vargas Road) but certain private properties facing Morrison Canyon Road are not otherwise accessible by any public roadway. Abandonment of middle Morrison Canyon Road would effectively further isolate these properties.

Theoretically, the City could formally abandon the roadway and seek easements with the prospective future owner(s) of the abandoned roadway to maintain bicycle, pedestrian, and emergency access. However, the feasibility of obtaining such easement access is highly speculative and thus contributes to the infeasibility of this alternative.

Based on the foregoing, the City moved to ultimately dismiss this alternative from further consideration. This alternative would likely result in physical environmental impacts related to pavement removal activities, ground-disturbance, construction truck traffic, erosion, cultural and biological resources disturbances, and asphalt and other debris disposal.

4.3.3 Peak AM/PM Closures to Motor Vehicle Traffic

This alternative would implement a system to restrict Morrison Canyon Road to motor vehicle traffic between Ridge Terrace and Vargas Road during peak AM and PM commute hours. To implement this system, installation of gates or other barrier mechanisms would be required to allow for open and closure of the roadway segment at multiple times per day. Emergency vehicles would, however, have unrestricted access, as would pedestrian and bicycle users. Additional roadway signage would also be required on Morrison Canyon Road and potentially on nearby connecting streets.

While this alternative would meet a key objective of the project to eliminate commuter cut-through traffic, it would not eliminate or necessarily reduce commute traffic during *other* hours. While closing the road to traffic during peak commute periods would reduce the number of vehicles on the road, this alternative would not address the well-documented safety related conditions of Morrison Canyon Road (primarily, narrow width and limited sight distance). Moreover, this alternative would not fully preclude two-way vehicle traffic and thus bicycle-vehicle conflicts, though peak period closures would certainly eliminate some degree of two-way traffic and other conflicts.

However, this alternative is not considered legally feasible since there is no provision in California law that permits a jurisdiction to enact such temporal closures of a public roadway.

This alternative would meet the project objectives to retain emergency access and preserve access to Ridge Terrace. This alternative would also allow unrestricted pedestrian and bicycle access.

This alternative concept would lessen one significant unavoidable impact of the project (Impact LU-1) related to the division of an established community because it would not involve the permanent installation of barricades across the roadway to reduce access.

The physical impacts of constructing two gate or barrier mechanisms in the project corridor would have similar or greater impacts compared to the proposed project. However, this concept was dismissed because it is likely to be financially infeasible, impracticable, and confusing to the public to operate.

4.3.4 Convert Morrison Canyon Road to One-Way, Westbound Traffic

This alternative concept is similar to Alternative 2, above, but would convert Morrison Canyon Road to a one-way road for all private vehicles and bicycles, in the westbound (i.e. downhill) direction between Vargas Road and Ridge Terrace. Morrison Canyon Road would remain bidirectional between Mission Boulevard and Ridge Terrace; eastbound vehicles would be forced to turn onto Ridge Terrace. Bidirectional emergency vehicle access and pedestrian access would be retained.

This alternative would not meet a key objective of the project to eliminate the use of the road as a commuter cut-through route, and would likely spur an increase in westbound traffic. While approximately 80 percent of total traffic on Morrison Canyon Road is weekday *eastbound* traffic during peak afternoon commute hours (from central Fremont towards I-680), and commuter cut-through traffic going *westbound* has not historically been a problem, converting middle Morrison Canyon Road to a one-way *westbound* route would, nonetheless, not eliminate or necessarily reduce commuter cut-through traffic heading west. Because this alternative would not meet this key objective for the project, it was dismissed from further consideration.

Also, this alternative could have transportation and circulation impacts associated with the redistribution of trips to other roadways.

This alternative would, however, achieve some of the project's safety objectives by reducing the likelihood of bidirectional vehicle conflicts (including with bikes) along the roadway. It would also meet the objectives regarding emergency access and retaining the lower portion as bidirectional. This alternative would not affect the *pedestrian* access route from Fremont's Central District to the open space resources along upper Morrison Canyon Road, but it would affect this route for *bicycle* users who, by California law, are required to follow the same laws as other drivers and when riding on the road, are required to travel in the same direction as the flow of traffic. This would effectively remove bicycle access to Upper Morrison Canyon from Central Fremont, as the only remaining access to Upper Morrison Canyon Road would be via Vargas Road. At present, there is no viable bicycle route from Central Fremont to Vargas Road.

For this alternative concept, impacts and conclusions would be similar to those discussed above under Alternative 2, which also proposes converting Morrison Canyon Road to a one-way route.

This alternative concept would partially eliminate one significant unavoidable impact of the project (Impact LU-1) related to the division of an established community because it would not involve the installation of barricades across the roadway to reduce access. However, it could still present an impact on the division of an established community associated with a one-way road and would potentially create a different land use impact by changing the character of upper Morrison Canyon

because it would increase the quantity of and speed of traffic on the roadway. This alternative would not address the similar conditions of cut-through traffic on a portion of Vargas Road.

For all of the foregoing reasons, this alternative was dismissed from further consideration.

4.3.5 Improve Morrison Canyon Road to Current Roadway Standards

This alternative concept would improve and widen Morrison Canyon Road to meet current City standards for a two-way road per Title 12 of Fremont Municipal Code, excluding Class I bicycle lanes (City of Fremont. 2019b).

By building out Morrison Canyon Road to current standards, the objectives regarding alleviation of existing safety concerns related to narrowness and vehicle conflicts would be met. This alternative would also retain emergency access and public access to Ridge Terrace. However, this alternative would likely substantially expand the use of Morrison Canyon Road as a commuter route, substantially changing the character of the road and the community as well as that of Vargas Road. Although a wider, bidirectional roadway would have some benefits for bicyclists, unless separate dedicated bicycle lanes were provided, this alternative would increase the potential for vehicle/bicycle conflicts simply by increasing vehicle traffic and speeds on it.

Moreover, this alternative would likely result in substantially greater environment impacts than the proposed project owing to the complexity of constructing a safe bidirectional roadway within the steep hillside terrain. Most of the current alignment of “middle” Morrison Canyon Road appears to be unsuitable to such a treatment. Substantial grading, tree removal, and land acquisition would likely be needed to construct such an alternative. Accordingly, significant effects related to hydrology and water resources, biological resources, and cultural resources would be likely to result. Once operational, such an alternative would likely result in significant traffic impacts on Vargas Road, would change the visual character of the area, and would also have significant growth-inducing effects on upper Morrison Canyon and the hillside area. It is likely that many of the construction and operational effects would be considered significant and unavoidable.

To construct such a roadway and provide for an appropriate level of mitigation for the above-related effects would require substantial financial resources. Because of these cost considerations and the failure to meet key project objectives, this alternative was dismissed from further consideration.

4.4 Comparative Analysis of Feasible Alternatives Carried Forward

4.4.1 Alternative 1: No-Project Alternative

Under Alternative 1, the temporary closure installed in November 2018 would be discontinued and middle Morrison Canyon Road would revert to conditions prior to the temporary closure. Although technically a two-way roadway, middle Morrison Canyon Road would resume operations in its current physical configuration: as a local, winding roadway with limited visibility and width as narrow as nine feet in some places. The resumption of full roadway operations would occur amidst a period of widespread use of GPS-enabled wayfinding applications, which could continue to portray Morrison

Canyon Road as a viable cut-through route between central Fremont and I-680, despite the roadway remaining winding, narrow, and susceptible to unprogrammed closures due to landslides, falling trees, and other obstructions. The City would continue efforts to keep the roadway passable, including to emergency vehicles, bicyclists, and pedestrians.

As stated in Section 3.4, the proposed project is conservatively determined to result in a significant and unavoidable impact related to community division, notwithstanding that the physical constraints and unplanned closures of Morrison Canyon Road limit its viability as a reliable connector of the City's neighborhoods. By reverting to conditions prior to the November 2018 temporary closure, Alternative 1 would lessen the community division impact of the project, although the physical constraints of the roadway would remain and thus its ability to serve as a strong connector between the City's neighborhoods would remain similarly limited.

Alternative 1 could foreseeably result in resumption of increased commute-period private motor vehicle use, which would foreseeably result in some of the same safety concerns previously observed by the City with increased frequency over the past several years, those being: vehicle-to-vehicle conflicts, vehicle-to-pedestrians conflicts, and vehicle-to-bicycle conflicts. Although not considered direct physical impacts under CEQA, the resumption of such conflicts could potentially result in indirect effects to the environment.

Alternative 1 would avoid the project's one significant and unavoidable impact to land use (Impact LU-1) but would not include the benefit that the project provides by improving safety conditions for all users along Morrison Canyon Road. Alternative 1 would not advance the project's primary objectives to reduce the occurrence of two-way traffic and thus improve safety and reduce conflicts. Similarly, Alternative 1 would not fulfill the project objective to eliminate the use of Morrison Canyon Road and Vargas Road as a commuter traffic route.

Alternative 1 would however, partially meet other project objectives, including retaining the roadway for emergency use, retaining access to Ridge Terrace, and retaining a pedestrian/bicycle access route from central Fremont, although the ability to fully meet these objectives could foreseeably be comprised by increased commuter traffic which would be the likely result of removing the temporary barricades.

4.4.2 Alternative 2: Conversion of Morrison Canyon Road to One-Way, Eastbound Traffic with Traffic Calming Measures Alternative

Alternative 2 would convert middle Morrison Canyon Road (between Ridge Terrace and Vargas Road) to a one-way eastbound (i.e. uphill) roadway. The one-way restriction would apply to all private motor vehicles as well as all other vehicles (including bicycles), but bidirectional emergency vehicle access could be maintained. Alternative 2 would not include any restrictions on pedestrian use, so pedestrians would foreseeably continue to walk both up and down this portion of Morrison Canyon Road. From upper Morrison Canyon Road (i.e. the area around Vargas Plateau Regional Park), private motor vehicles would not be able to reach central Fremont via middle Morrison Canyon Road; private vehicles and bicycles would travel easterly on Vargas Road towards I-680 and access Mission Boulevard and central Fremont via I-680.

To address the potential for Alternative 2 to increase traffic speeds on the newly-created, one-way uphill portion of middle Morrison Canyon Road, Alternative 2 would also include speed tables, speed

bumps, and/or other similar measures to ensure safe operating conditions for all users on this portion of the roadway.

In addition, new signage would be installed within the right-of-way (including but not limited to Morrison Canyon Road and Mission Boulevard, Vargas Road and Pico Road, and possibly others) to warn and advise motorists and bicyclists as to the one-way status of Morrison Canyon Road.

Alternative 2 would somewhat reduce the one significant, unavoidable impact associated with the proposed project (Impact LU-1). This is because Alternative 2 would not include the installation of barricades. As discussed in Section 3.4, the installation of barricades are assumed to cause a significant community division impact, notwithstanding the substantial physical constraints that already limit the ability of Morrison Canyon Road to provide a strong connection between City neighborhoods.

Because Alternative 2 would allow only one-way access through middle Morrison Canyon Road, the degree of the community division effect would be reduced relative to what is assumed for the proposed project, but this draft EIR's conclusion for this impact would remain conservatively significant for the same reasons full closure would be conservatively considered a significant impact.

As discussed in Chapter 2, the City has observed that the spike in usage of Morrison Canyon Road since 2016 is primarily an evening commute phenomenon of eastbound travel from central Fremont to I-680. Removing the prospect of opposing downhill traffic could result in further increases in usage. Impacts to transportation and circulation regarding roadway safety for all users and changes to traffic volumes could result (which could cause impacts to Noise, Air Quality, and GHG Emissions). These impacts may be mitigatable.

Alternative 2 could also potentially create adverse changes to the character of the community because it would facilitate more traffic and higher driving speeds on the roadway by creating a more attractive, direct, and faster route for eastbound drivers. The proposed inclusion of speed tables or speed bumps to limit driving speeds may be effective for some vehicles but would not necessarily slow all drivers.

Alternative 2 could also foreseeably increase parking demand in both lower and upper Morrison Canyon Road, as well as Vargas Road as a result of increased numbers of people driving to the area to in turn use middle Morrison Canyon Road for walking or bicycling. Given space and financial constraints, the City would be unlikely to undertake the construction of a parking area or vehicle turnaround in either lower or upper Morrison Canyon Road and would instead seek to limit parking through "No Parking" signage and enforcement.

Alternative 2 would avoid all potential impacts associated with physical installation of the proposed roadway barricades; however new signage would be installed within the exiting right-of-way, as with the proposed project, to notify motorists of the one-way road access.

Alternative 2 would lessen the degree of the proposed project's one conservatively identified significant and unavoidable impact related to community division, but the impact would remain significant and unavoidable, since the already constrained connectivity between the two ends of Morrison Canyon Road would be limited through the institution of one-way uphill-only traffic. Alternative 2 would have similar impacts as the proposed project in terms of the installation of signage, but the installation of speed tables or speed bumps would be a greater impact than the proposed project, which does not include such features. Impacts would still be considered less than significant, however, given that the speed tables or speed bumps would be limited in number and would be placed in the existing roadway.

Alternative 2 would achieve one of the project's primary safety objectives by eliminating two-way vehicle traffic on Morrison Canyon Road, which would also partially achieve the related objective to reduce vehicle and pedestrian-bicycle conflicts. However, bicyclists would be subject to the same one-way road pattern under Alternative 2 as automobiles, because bicyclists, by California law, are required to follow the same laws as other drivers and when riding on the road, are required to travel in the same direction as the flow of traffic per California Vehicle Code Section 21650.1 and Fremont Municipal Code Chapter 10.05.070 (City of Fremont 2019a). For this reason, Alternative 2 would not achieve the same degree of bicycle-vehicle and bicycle-pedestrian conflict reduction that would occur under the proposed project. This would also considerably impact bicycle route patterns in the project area, reducing the route options, increasing distances, and limiting potential accessibility to Vargas Plateau Regional Park for bicyclists.

Alternative 2 would not achieve the project objective to reduce commuter cut-through use of Morrison Canyon Road and could in fact increase the volume of eastbound traffic within a context of potentially increased driving speeds if drivers perceive that no opposing traffic would be approaching. This would directly conflict with the project's objective to improve safety on Morrison Canyon Road. Alternative 2 would retain Morrison Canyon Road for bi-directional emergency vehicle access, achieving this project objective. However, *westbound* emergency vehicles could be significantly affected, from a safety and response time perspective, by the one-way eastbound traffic on Morrison Canyon Road during emergency events that would require accessing the roadway in the opposite direction of on-coming eastbound traffic.

Alternative 2 would achieve the project objective to keep open lower Morrison Canyon Road (from Mission Boulevard to Ridge Terrace). However, Alternative 2 would not fully achieve the objective to "maintain a pedestrian/bicycle access route from Fremont's Central District to the open space resources along upper Morrison Canyon Road". Alternative 2 would see the objective achieved for pedestrians, but not for bicyclists who are required to travel in the same direction as the flow of traffic, and thus would be limited to the same one-way eastbound traffic pattern as motorists on Morrison Canyon Road. Bicyclists wishing to travel westbound (downhill) from upper Morrison Canyon Road would be detoured to Vargas Road, which would not necessarily cause a new physical environmental impact but would create an inconvenience and possible deterrent for bicycle use.

4.4.3 Alternative 3: Discourage Commuter Use of Morrison Canyon Road Alternative

Alternative 3 would involve a program of measures intended to discourage commuter use of Morrison Canyon Road. The road would remain open for two-way motor vehicle traffic, but with Alternative 3, the City would implement a suite of traffic control and signage intended to reduce cut-through commuter traffic (which the City finds to be the main source of safety concerns). These measures could include any or all of the following:

- Signage on adjoining streets warning of Morrison Canyon Road's narrow width, potential for closure, the speed limit, and the cost of a speeding ticket;
- Reduction of the posted speed limit to 10 miles per hour through "middle" Morrison Canyon Road;
- Installation of one or more stop signs, such as at Vargas Road;
- Installation of speed bumps, speed tables, or other traffic calming measures along Morrison Canyon Road; and

- Conducting enforcement of traffic laws on a more frequent basis.

Similar to the other alternatives, Alternative 3 would somewhat reduce the degree of the one conservatively identified significant unavoidable impact (community division, discussed in Section 3.4, *Land Use and Planning*) by not installing barricades, and thereby resuming access patterns prior to the temporary closure. However, it would not substantially lessen or avoid the impact because it would still cause additional access deterrents that would act to further limit Morrison Canyon Road's already constrained ability to serve as a strong community connector. Because the roadway's community connectivity between neighborhoods is already tenuous owing to its existing physical constraints (topography, narrowness, sharp curves, frequent unplanned closures), any further limitation on access would act to contribute to community division.

Moreover, Alternative 3 would likely introduce different impacts in other environmental topic areas.

Alternative 3 could result in a need for greater police monitoring and traffic enforcement on Morrison Canyon Road, but it is highly unlikely that the increased enforcement would translate into a need for new or expanded physical facilities for police or traffic enforcement officials.

While Alternative 3 would omit the less-than-significant impacts associated with the physical installation of the proposed roadway barricades, the installation of speed bumps or speed tables would involve a somewhat more intensive degree of construction, though still probably resulting in less than significant physical impacts.

Alternative 3 would lessen but not fully avoid the project's significant and unavoidable impact related to the division of an established community (Impact LU-1) because the roadway would not be closed in any areas, but the alternative would entail new deterrents to roadway use. Ground disturbing impacts and construction impacts associated with sign installation and construction of speed bumps or speed tables would occur, but would be minimal.

Alternative 3 would be likely to *initially* meet all of the objectives of the proposed project, but not to the degree of certainty that would occur with the project. The success and implementation of Alternative 3 would rely heavily on the cooperation, compliance, and discretion of the public to follow the rules and signs of the roadway, and on greater police presence on Morrison Canyon Road. Furthermore, the City has no control over GPS-enabled applications that might continue to guide commuters to use Morrison Canyon Road as a means of bypassing traffic congestion. Alternative 3 may thus only be viable in a limited capacity. Drivers would be likely to become habituated to the changed conditions and continue to use the road as a cut-through route, thus impairing the long-term viability of this alternative, particularly in its ability to the meet project objectives of reducing commuter cut-through traffic and increasing safety.

4.5 Environmentally Superior Alternative

CEQA requires the identification of the Environmentally Superior Alternative between the project and the alternatives to the project. The Environmentally Superior Alternative is the alternative that would avoid or substantially lessen, to the greatest extent, the environmental impacts associated with the project. Additionally, if the No-Action Alternative is determined to be the Environmentally Superior Alternative, CEQA requires that the EIR identify an Environmentally Superior Alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)).

Neither Alternative 2 nor Alternative 3 would substantially lessen or avoid the conservatively identified significant and unavoidable community division impact identified for the proposed project (Impact LU-1). Each would lessen the effect to some degree, but neither would avoid it or reduce it to a less than significant level. Moreover, Alternative 2 and Alternative 3 would each result in new or different effects not expected with the proposed project. Both Alternative 2 and Alternative 3 would entail more construction than any other alternative (speed tables or speed bumps and other traffic calming measures), and Alternative 2 could paradoxically still increase traffic on Morrison Canyon Road by making it one-way. Accordingly, neither Alternative 2 nor Alternative 3 reasonably would be considered environmentally superior to the project.

Alternative 1 would avoid the one conservatively identified significant unavoidable impact of the project, but where the No Project Alternative is identified as the environmentally superior alternative, another alternative needs to be identified as environmentally superior. Here, however, there is no such feasible alternative that is environmentally superior to the project. While the project conservatively is considered to result in one significant and unavoidable impact related to community division (LU-1) (like Alternative 2 and Alternative 3) it would do so while avoiding new effects such as those that would be expected under Alternative 2 and Alternative 3. Moreover, the City notes that the determination of what constitutes a significant “community division” impact is inherently subjective and not readily measurable or quantifiable against any widely applicable standards. The existing physical conditions and inherent constraints of Morrison Canyon Road act in a way that limit the roadway’s ability to provide any strong connection between different parts of the community. The proposed project, as well as Alternative 2 and Alternative 3 would each include elements that further weaken the ability to provide such connections, but only the proposed project avoids the other environmental effects that would be introduced by the other alternatives.

Therefore, the proposed project would be considered the environmentally superior alternative.

4.6 References

- California Legislative Information. 2019. *California Vehicle Code*. Division 1, Section 360. Available: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=VEH§ionNum=360. Accessed: October 30, 2019.
- City of Fremont. 2019a. *City of Fremont Municipal Code, Title 10: Vehicles and Traffic*. Available: <https://www.codepublishing.com/CA/Fremont/#!/Fremont10/Fremont10.html>. Accessed: November 21, 2019.
- City of Fremont. 2019b. *City of Fremont Municipal Code, Title 12: Streets, Sidewalks, and Public Property*. Available: <https://www.codepublishing.com/CA/Fremont/>. Accessed: November 3, 2019.

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Chapter 5

CEQA-Required Assessment Conclusions

As required by the California Environmental Quality Act (CEQA), this chapter provides a discussion of effects not found to be significant, cumulative impacts, unavoidable significant impacts, significant irreversible environmental changes, and impacts related to growth inducement. The focus of this chapter is on the environmental effects of both construction and operation of the project.

5.1 Effects Not Found to Be Significant

CEQA requires a brief discussion of the potential effects of a project that have been determined not to be significant and, therefore, not evaluated in detail in the EIR. Because of the nature of the project and its location within an existing and disturbed roadway corridor and right-of-way, the project has little potential for significant impacts. Section 3.7, *Other Resources*, of this EIR includes a discussion of all environmental resources that would not be significantly affected by the project. These resource areas include aesthetics, agriculture and forestry, biological and cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, recreation, tribal cultural resources, utilities and service systems, and wildfire.

5.2 Cumulative Impacts

CEQA Guidelines define a cumulative impact as two or more individual impacts that, when considered together, are considerable or that compound or increase other significant environmental impacts. The incremental impact of a project may be considerable when viewed in the context of other closely related past, present, and reasonably foreseeable future projects.¹ Cumulative impacts can result from individually minor, but collectively significant, projects taking place over a period of time (CEQA Guidelines Section 15355).

CEQA Guidelines Section 15130(b) indicates that an adequate discussion of potential cumulative effects requires consideration of either a list-based approach or a projection-based approach. This EIR uses a combination of a projection-based/plan-based approach and a list-based approach to determine whether significant cumulative impacts would occur.

The focus of this cumulative analysis is to identify the project's contribution to significant cumulative impacts and to determine whether that contribution would be considerable. When cumulative impacts on a resource affected by the project can be clearly shown to be less than significant, and when the project would have no impact on a resource or can be clearly shown to make a less-than-considerable contribution to a cumulative impact, the discussion of cumulative impacts is brief. When the project is likely to contribute considerably to a significant cumulative impact, the analysis provides more detail. The cumulative analysis focuses on the project's potential contribution to the cumulative impact rather than a detailed description of the cumulative impact itself.

¹ *Reasonably foreseeable future projects* are defined as projects that have been adopted or have otherwise demonstrated likelihood to occur based on documentation from project sponsors.

Under CEQA, the City of Fremont (City) is not responsible for mitigating the overall cumulative impact. The City is responsible for identifying and implementing only potentially feasible mitigation to address the project's considerable contributions to identified significant cumulative impacts. Thus, the obligation to assess mitigation is limited to the "fair share"² portion of a significant cumulative impact that is due to the project's considerable contribution. Other cumulative projects have a similar obligation for their contributions to significant cumulative impacts.

5.2.1 Approach and Methodology

CEQA Guidelines Section 15130(b) states that the discussion of cumulative impacts should include the following:

- Either (1) a list of past, present, and probable future projects producing related or cumulative impacts or (2) a summary of projections contained in an adopted general plan or similar document, or in an adopted or certified environmental document, that described or evaluated conditions contributing to a cumulative impact.
- A description of the geographic scope of the area affected by the cumulative impact.
- A summary of expected environmental effects to be produced by these projects.
- Reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.

This EIR uses a hybrid approach, consisting of a combination of the list-based and projection-based (plan-based) approaches, to best identify cumulative impacts. Table 5-1 summarizes the methodology used for each cumulative subject analysis as well as the geographic area of analysis.

- **Projection Approach:** This approach is used in topic areas that are generally quantifiable, including but not limited to air quality, greenhouse gases, energy, and public services.
- **List Approach:** This approach is used generally in areas where data are qualitative, including but not limited to aesthetics, land use and planning, and noise and vibration.

Both approaches take into account the unusual nature of the project. Whereas most development or transportation projects considered by CEQA lead agencies result in some new construction, new or expanded transportation facility, or similar improvement, this proposed project would permanently close an existing roadway to the general public and would not otherwise expand capacity of the existing transportation system. Moreover, the proposed project does not entail any land development activities.

CEQA does not require cumulative analysis in topic areas where the project would have no impact, insofar as a project that would have no impact at a project-level of analysis, would have no potential for a considerable contribution to a cumulative impact. Accordingly, there is no further discussion in this section of the following resource topics that would have no impact at the project level: agricultural and forestry resources, cultural resources (except for human remains), geology and soils, hazards and hazardous materials (except for emergency access/wildfire), hydrology and water quality (except for water quality standards), mineral resources, population and housing, and utilities and service systems. Table 5-1 shows a summary of the cumulative impact methodology for the other applicable resource areas.

² *Fair share* in this context refers to the portion of the cumulative impact that a project contributes to in which a project would be also be responsible for mitigating.

Table 5-1. Summary of Cumulative Impact Methodology

Resource Issue	Cumulative Method	Geographic Area of Impact
Aesthetics	List	Morrison Canyon Road corridor and vicinity
Air Quality	Projection (criteria pollutants) List (toxic air contaminants)	Criteria pollutants: San Francisco Bay Area Air Basin Toxic air contaminants: Project corridor and immediate vicinity
GHG Emissions	Projection	Regional and global
Energy Resources	Projection	State and local
Biological Resources	List	Terrestrial species: Morrison Canyon Road corridor, roadway, and right-of-way Aquatic species: Morrison Canyon Road corridor, roadway, right-of-way, and downstream
Cultural Resources	List	Morrison Canyon Road corridor
Hazards and Hazardous Materials	List	Morrison Canyon Road corridor and vicinity
Hydrology and Water Quality	List	Morrison Canyon Road corridor, vicinity, and downstream water bodies
Land use and Planning	List	Morrison Canyon Road corridor and planning area
Noise and Vibration	List	Morrison Canyon Road corridor and vicinity
Public Services	Projection	Service areas of the public service providers in the project area
Recreation	Projection	Jurisdictions that provide recreational resources in the vicinity of Morrison Canyon Road
Transportation and Circulation	List Projection	Local traffic level of service, bicycle, and pedestrian facilities: Morrison Canyon road corridor, and connecting roadways Regional traffic and transit systems: City of Fremont
Tribal Cultural Resources	List	Morrison Canyon Road corridor
Wildfire	Projection	Fire protection service providers of the project area

5.2.2 Projects Considered

This analysis considers three types of cumulative projects: roadway projects planned within the project corridor or on connecting roadways (of which there are none known); other City transportation improvements; and land development on Morrison Canyon Road, connecting roadways, or within one mile. For land development, a list of reasonably foreseeable and planned projects in Fremont was consulted (City of Fremont 2020). For other City-planned transportation improvements, the analysis considered projects from the City’s General Plan Mitigation Monitoring Program (City of Fremont 2011). The geographic study areas considered for cumulative impact analyses vary by individual resource and can include different scales of impact (such as for criteria pollutants or GHG emissions). The resource-specific study area is noted in Table 5-1 and at the beginning of each resource analysis in this EIR. Table 5-2 summarizes the cumulative projects that are considered in this cumulative analysis, including roadway projects, regional transportation projects, and land development.

Table 5-2. Projects Considered In the Cumulative Analysis

Project Name (Ref #)	Description	Status/ Estimated Construction Schedule	Location	Location Relative to Proposed Project	Potential Conflict
Canyon View Seven Lot Subdivision (#17)	Seven single-family homes on 1.92 acres	Approved by City Council 5/1/2018	243 Morrison Canyon Rd	0.8 mi. west	None – the project is not located on Morrison Canyon Road
Fremont General Plan Update EIR Mitigation Measures	1) Mitigation Measure TRA- 14: Modification of Mission Boulevard/ Niles Canyon Road intersection to change traffic signal to protected phasing operation and optimizing signal timing.	Exact timing unknown; estimated by 2035.	Mission Boulevard/Nil es Canyon Road	1.3 mi. northwest	None
	2) Mitigation Measure TRA- 15: Modification of Mowry Ave. eastbound/ Mission Boulevard (SR-238) from one left, one through-left, and one right turn lane to two left-turn lanes and one through/right-turn lane.			Mowry Ave. eastbound/ Mission Boulevard (SR-238)	0.9 mi. northwest

Sources: City of Fremont 2011, 2020.

5.2.3 Cumulative Impact Analysis

This section provides the cumulative impacts analysis, which takes into account the Morrison Canyon Road Traffic Safety Project as a whole, with all proposed elements, in combination with the cumulative projects and cumulative projections.

Construction: There is the potential for cumulative construction impacts where cumulative projects and the proposed project overlap in location, are adjacent (i.e., affecting the same resource/receptor but potentially at different times), or if they overlap in time (i.e., affecting the same resource/receptor at the same time). However, because of the very short duration of (approximately one day) and minimal nature of project construction (which would remain within the existing roadway and right-of-way) with very little ground disturbance, and the lack of other substantial construction projects in the immediate vicinity, there is very low likelihood for cumulative construction impacts associated with the proposed project. As such, all construction-related cumulative impacts are considered less than significant and are not discussed in further detail.

Operations: General transportation improvements and development projects in the city of Fremont and in the project area could result in cumulative operational impacts related to general aesthetics, air quality, biological and cultural resources, energy, greenhouse gases, hazards and hazardous materials,

noise, transportation and circulation, public services, recreation, tribal cultural resources, wildfire, and other operational issues in combination with the Morrison Canyon Road Traffic Safety Project.

5.2.3.1 Aesthetics

The geographic context for the analysis of potential contributions to cumulative impacts on aesthetics consists of areas adjacent to, within, and in the immediate visual vicinity (within 0.25 mile) of the segment of Morrison Canyon Road that comprises the project corridor. The cumulative analysis for aesthetics relies on a list-based approach. There are no other projects within this geographic context. Refer to the Aesthetics subsection of Section 3.7, *Other Resources*, for a description of the existing aesthetic setting of the project area.

The proposed project's contribution to visual resources impacts, when combined with other related past, present, and reasonably foreseeable future projects, would not create a significant aesthetics impact because there are no known projects in the vicinity.

5.2.3.2 Air Quality

The geographical context for the analysis of potential contributions to cumulative impacts on air quality consists of the San Francisco Bay Area Air Basin (SFBAAB), which includes Alameda County. The existing conditions for the proposed project's air quality study area are provided in Section 3.1, Air Quality. The air quality analysis relies on the projection approach for criteria pollutants rather than on a list of individual projects, but the toxic air contaminant (TAC) analysis considers the list of projects qualitatively.

As stated under Impact AQ-2 in 3.1, *Air Quality*, it is likely that operation of the project would result in a net decrease in criteria pollutant emissions due to an overall reduction in vehicle miles traveled (VMT) with the proposed project. Therefore, operation of the project would not result in a cumulatively considerable net increase in any criteria pollutants during project operation. Due to the anticipated reduction in VMT with the project, emissions of pollutants would be expected to drop relative to the no-project condition (i.e., if Morrison Canyon Road were to remain fully open to two-way traffic).

Also, as discussed in Section 3.6, *Transportation and Circulation*, the project is expected to redistribute vehicle trips in the project area due to the proposed road closure. The release of TACs from the redistribution of vehicle trips would be minimal and operation of the project would not expose sensitive receptors to substantial pollutant concentrations.

Operation of the proposed project would be consistent with applicable air quality plans in BAAQMD. Accordingly, the proposed project would have a less than considerable cumulative contribution to air quality for both criteria pollutants and TACs. It is expected that operation of the projects identified in Table 5-2 similarly would not exceed significance thresholds, and, like the proposed project, would result in an overall reduction (net benefit) in air quality contaminants.

5.2.3.3 Greenhouse Gases

The geographical context for the analysis of potential contributions to greenhouse gases consists of Alameda County and the city of Fremont. The existing conditions for the proposed project's greenhouse gases is in Section 3.3, Greenhouse Gases. The analysis for GHGs relies on the projection approach.

As stated under Impacts GHG-1 and GHG-2 in Section 3.3, *Greenhouse Gases*, it is expected that operation of the project would result in a net decrease in greenhouse gas emissions due to an overall reduction in VMT with the proposed project and that the proposed project would not conflict with the City of Fremont Climate Action Plan. It is expected that operation of the projects identified in Table 5-2, similarly, would adhere to the City's significance thresholds. Therefore, cumulatively, the project would have no impact on greenhouse gases.

5.2.3.4 Energy

The geographical context for the analysis of potential contributions to energy use consists of state and local areas, including California, Alameda County, and the City of Fremont. The analysis for energy relies on the projection-based approach.

As stated in the Energy subsection of Section 3.7, *Other Resources*, it is expected that the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources and that the proposed project would be consistent with state and local energy efficiency goals. It is expected that the projects identified in Table 5-2, similarly, would adhere to the same standards of energy resourcefulness and would also comply with state and local energy efficiency goals. Therefore, cumulatively, the project would have no impact on energy use.

5.2.3.5 Biological Resources

This analysis considers the potential cumulative impacts to sensitive biological resources, which includes potential impacts to special-status species, riparian habitats, or other sensitive natural communities, protected wetlands or waters, wildlife migration corridors or nursery sites, and the overall potential for habitat loss. This analysis also examines potential cumulative conflicts with local biological protection ordinances or adopted habitat conservation plans.

The geographic context for the analysis of potential contributions to cumulative biological resources impacts includes the Morrison Canyon Road project corridor and the immediate project vicinity (the roadway and right-of-way). For potential impacts on terrestrial species, the cumulative geographic context includes the portions of Morrison Canyon Road roadway and right-of-way where proposed elements would be located, and adjacent areas that may be subject to indirect impacts. For aquatic species, the cumulative geographic context includes both the existing footprint underlying Morrison Canyon Road, as well as the aquatic features in the project area (as discussed in the Biological Resources subsection of Section 3.7, *Other Resources*), and downstream areas that may be affected. Cumulative projects within this geographic context include the projects listed in Table 5-2 that are within or adjacent to the Morrison Canyon Road corridor. The cumulative analysis for biological resources relies on a list-based approach.

As described in the Biological Resources subsection of Section 3.7, *Other Resources*, the immediate project corridor, which is fully paved and disturbed, does not support natural habitat for any special status species. However, some species may forage in the vicinity or cross the project corridor when moving between natural habitat areas. Thus, operation of the proposed project could have significant impacts on special-status species, riparian habitats, or other sensitive natural communities, protected wetlands or waters, and to trees along the project corridor; although it is anticipated that the project may reduce the interference of wildlife movement, as reduced vehicle use on Morrison Canyon Road would reduce the likelihood of vehicle-wildlife strikes.

The proposed project's contribution to biological resources impacts, when combined with other related past, present, and reasonably foreseeable future projects, would not create a significant impact because there are no known projects in the vicinity (including the project corridor, roadway, or right-of-way).

5.2.3.6 Cultural Resources

The geographic context for the analysis of potential contributions to cumulative impacts on cultural resources consists of areas within and immediately fronting the segment of Morrison Canyon Road that is the project corridor. This is because in order for a cumulative effect on cultural resources to occur, the projects would need to be in immediate proximity to each other. The cumulative analysis for cultural resources relies on a list-based approach. There are no other projects within this geographic context. Refer to the Cultural Resources subsection of Section 3.7, *Other Resources*, for a description of the existing cultural resources setting of the project area.

In sum, the proposed project, when combined with other related past, present, and reasonably foreseeable future projects, would not create a significant cumulative impact on cultural resources.

5.2.3.7 Hazards and Hazardous Materials

As described in the Hazards and Hazardous Materials subsection of Section 3.7, *Other Resources*, the project would have a less than significant impact on interference with an adopted emergency response plan or emergency evacuation plan (criterion f) and on the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires (criterion g). The project would have no impact on the other topic areas (criteria a through e). As such, this cumulative analysis addresses only those two criteria within the topic of hazards and hazardous materials that are relevant to cumulative impacts (criteria f and g).

The geographic context for the analysis of potential contributions to cumulative impacts on hazards, (including interference with an adopted emergency response or evacuation plan, and the exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires) consists of areas adjacent to, within, and in the vicinity (within one mile) of the segment of Morrison Canyon Road that is the project corridor. It is assumed that projects within one mile of the project would be subject to the same routes for emergency access, response, evacuation, and wildfire threats as the proposed project. The cumulative analysis for hazards relies on a list-based approach.

There are two projects within one mile of the project corridor: a transportation project that involves modification of Mowry Avenue eastbound/Mission Boulevard (SR-238) (0.9 mile from the project's west end) and a development of seven single-family homes at 243 Morrison Canyon Road (0.8 mile from the project's west end). The proposed project could combine with these related past, present, and reasonably foreseeable future projects and create a significant impact to hazards. However, because Morrison Canyon Road would be accessible and available as a route in the event of an emergency or wildland fire, the combination of these projects would not significantly interfere with an adopted emergency response or evacuation plan and would not significantly exposure people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, the project's cumulative contribution to hazards and hazardous materials would not be significant.

5.2.3.8 Hydrology and Water Quality

As described in the Hydrology and Water Quality subsection of Section 3.7, *Other Resources*, the project would have a less than significant impact related to the degradation of surface or groundwater quality (criterion a). The project would have no impact on the other topic areas (criteria b through e). As such, this cumulative analysis addresses only criteria a. within the topic of hydrology and water quality, that is relevant to cumulative impacts.

The geographic context for the analysis of potential contributions to cumulative impacts on hydrology and water quality consists of areas adjacent to, within, in the vicinity (within 0.25 mile), and downstream of the segment of Morrison Canyon Road that is the project corridor. The cumulative analysis for hydrology and water quality relies on a list-based approach. There are no other projects within this geographic context. Refer to the Hydrology and Water Quality subsection of Section 3.7, *Other Resources*, for a description of the existing hydrologic setting of the project area.

The proposed project, when combined with other related past, present, and reasonably foreseeable future projects, would not create a significant cumulative impact on hydrology and water quality because there are no known projects in the vicinity.

5.2.3.9 Land Use and Planning

The geographic context for the analysis of cumulative impacts on land use and planning consists of areas adjacent to and within the same planning area as the project, and in the vicinity (within one mile) of the segment of Morrison Canyon Road comprising the project corridor. The cumulative analysis for land use and planning relies on a list-based approach. There is one other relevant project within this geographic context, a development of seven single-family homes at 243 Morrison Canyon Road (0.8 mile from the project's west end). Refer to 3.4, *Land Use and Planning*, for a description of the existing land use and planning setting of the project area.

Both the proposed project and the one prospective cumulative project are expected to adhere to all applicable land use plans, policies, and regulations, similar to the project. Accordingly, there would not be a significant cumulative impact related to a conflict with any land use plan, policy, or regulation.

While the proposed project would result in a significant and unavoidable impact related to community division, there are no other related projects whose effect would combine with those of the proposed project and thus result in a significant cumulative impact. The prospective subdivision at 243 Morrison Canyon Road, as an infill project within an established neighborhood, would not have any potential to result in significant division of an established community. Accordingly, there would be no significant cumulative impact related to community division under land use and planning.

5.2.3.10 Noise and Vibration

Refer to 3.2, *Noise and Vibration*, for a description of the existing noise and vibration setting of the project area, which notes the primary, existing source of noise on Morrison Canyon Road is automobile traffic. With this in mind, the geographic context for the analysis of cumulative impacts on noise and vibration includes the project corridor, lower Morrison Canyon Road, and Vargas Road. The cumulative analysis for noise and vibration relies on a list-based approach. There are no other projects within this geographic context.

The proposed project would reduce noise in the project corridor and surrounding areas due to restricted and reduced use of the roadway by motor vehicles, which is currently the primary source of noise. The proposed project's contribution to noise and vibration impacts, when combined with other related past, present, and reasonably foreseeable future projects, would thus, not create a significant impact because it would reduce noise in the area and because there are no known projects in the vicinity.

5.2.3.11 Public Services

The geographic context for the analysis of cumulative impacts on public services consists of the service area of the public service providers to the Morrison Canyon Road corridor, and thus relies on a projection approach. Refer to 3.5, *Public Services*, for a description of the existing public services setting of the project area.

C-PS-1: Implementation of the proposed project, in combination with other foreseeable projects in the surrounding area, would not result in a significant cumulative impact on public services. (Less than Significant)

Implementation of the Morrison Canyon Road Traffic Safety Project would not spur unplanned growth or population increase that could result in an increased demand for school services, parks, other public facilities as described in the Population and Housing as well as the Public Services subsections of Section 3.7, *Other Resources*. Thus, the project would have no impact on creating a demand for the provision of new or altered school facilities, parks, or other public facilities. Similarly, the project would not create increased demand for emergency and law enforcement services due to growth, and would not substantially interfere with emergency, fire, or law enforcement response times. However, future growth in Fremont and the project area could increase future demand on emergency and law enforcement services and would be subject to the approval of local jurisdictions (the City of Fremont and Alameda County). Should such future development occur, the respective decision-making jurisdictions would be required to evaluate the need for any increased emergency response service that may be needed to serve whatever new development is proposed. In addition, such development would be required to undergo CEQA analysis to identify potential impacts to emergency response service times and ratios. Since the project would not directly induce growth, whether any subsequent unplanned growth occurs and whether such growth would in turn increase service ratios such that new police, fire, or similar facilities would be required is considered speculative. Therefore, the proposed project, in combination with any future demand in the service areas of public service providers, is not expected to result in the need for new or physically altered public facilities or result in significant cumulative impacts associated with operation of new public facilities and the impact is **less than significant**.

5.2.3.12 Recreation

The geographic context for the analysis of cumulative impacts on recreation consists of the service area of the recreational services providers to the Morrison Canyon Road corridor, including East Bay Regional Park District (EBRPD), and thus relies on a projection approach. Refer to 3.7.12, *Recreation*, for a description of the existing recreational facilities and services setting of the project area.

C-REC-1: Implementation of the proposed project, in combination with other foreseeable projects in the surrounding area, would not result in a significant cumulative impact on recreation. (Less than Significant)

Implementation of the Morrison Canyon Road Traffic Safety Project would not spur unplanned growth or population increase that could result in an increased demand for parks and other public recreational facilities as described in the Population and Housing as well as the Recreation subsections of Section 3.7, *Other Resources*. Thus, the project would not create a demand for the provision of new or altered parks or other public recreational facilities due to population growth. However, closure of a segment of Morrison Canyon Road under the proposed project would make the roadway safer and could make Morrison Canyon Road a more attractive route for bicyclists and pedestrians to access Vargas Plateau Regional Park. This could lead to an overall increase in demand for recreation at Vargas Plateau Regional Park and connecting trails. However, the nature of any likely increased recreation would be via bicycles and pedestrians. Moreover, Vargas Plateau Regional Park is an open-space recreational resource that would not require new facilities even if arguably the proposed project increased pedestrian and bicycle access through middle Morrison Canyon Road.

Therefore, the proposed project, in combination with other projects in the service area, which includes EBRPD, could result in increased recreational use of the project area, however, it would not facilitate the need for new or physically altered public facilities or result in significant cumulative impacts associated with operation of new public recreation facilities. Additionally, all future projects proposed within the city and EBRPD would be required to adhere to the relevant policies contained in the City's General Plan and East Bay Regional Park District Master Plan. Therefore, the proposed project, in combination with future demand in the service area of the recreational services providers, would result in a **less than significant** cumulative impact on parks and recreational facilities.

5.2.3.13 Transportation and Circulation

The geographic context for the analysis of cumulative impacts on transportation and circulation consists of areas within the project corridor and vicinity (within 0.25 mile) of the segment of Morrison Canyon Road that is the project corridor and connecting roadways. The cumulative analysis for transportation and circulation relies on a list-based approach. There are no relevant projects within this geographic context. Refer to 3.6, *Transportation and Circulation*, for a description of the existing transportation and circulation setting of the project area.

C-TR-1: Implementation of the proposed project, in combination with other foreseeable projects in the surrounding area, would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. (Less than Significant)

The proposed road closure project would result in a decrease in traffic on the roadway segment proposed for closure: Morrison Canyon Road (and on some adjacent roadways such as Vargas Road). While a road closure project would remove trips along the closed roadway segment, those trips which would be restricted from traveling along the closed segment of Morrison Canyon Road are assumed to be added back to the "typical" commuter routes including Mission Boulevard, Niles Canyon Road, and I-680. As such, the trips are not new trips added to the existing network, but rather reassigned to the typical (and better suited) homeward bound commute routes. VMT, as a result of this redistribution of trips, is expected to decrease. Additionally, there are no known projects in the project area that would combine with the project to cause a significant increase in traffic. Accordingly, the project would not significantly contribute to an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, and this impact is **less than significant**.

C-TR-2: Implementation of the proposed project, combined with 2040 cumulative conditions, and combined with other foreseeable projects in the surrounding area, would not result in further exceedance of the already-unacceptable capacity of the existing circulation system, based on level of service (LOS) and VMT. (Less than Significant)

Under cumulative conditions, without the proposed project, the intersection of Mission Boulevard/Mowry Avenue would operate at LOS F during the p.m. peak hour, which is considered unacceptable. With the addition of the proposed project, the intersection at Mission Boulevard/Mowry Avenue would continue to operate at the already-unacceptable LOS F during the p.m. peak hour under cumulative plus project conditions. With the redistribution of project-related traffic volumes, the average delays at the intersections of Mission Boulevard/Mowry Avenue, Mission Boulevard/Walnut Avenue, Mission Boulevard/Stevenson Avenue, and Mission Blvd North/I-680 NB Ramps would slightly decrease during the p.m. peak hour under cumulative conditions. While LOS F is expected to remain at the intersection of Mission Boulevard/Mowry Avenue under cumulative plus project conditions, delay conditions are expected to improve due to the change in intersection geometry associated with the General Plan EIR projects, listed above in Table 5.1 and included on the cumulative projects list. However, with or without the project, the intersection of Mission Boulevard/Mowry Avenue would continue to operate below acceptable LOS. Additionally, there are no known projects in the project area that would combine with the project to affect the capacity of the existing circulation system, including the General Plan EIR roadway improvements which are too far away to affect the project area during their construction. While the cumulative impact would be considered significant, the project's contributions would not be considerable, and this impact is considered **less than significant**.

The proposed project, by removing two-way traffic from the roadway, would increase safety for all users of the roadway, including motorists, bicyclists, and pedestrians by decreasing collision hazards on Morrison Canyon Road (refer to Section 3.6 *Transportation and Circulation*, for historical collision hazards data). As such, the project would have no cumulative contribution to transportation- and circulation- related hazards due to a design feature or incompatible use and there is **no impact**.

Transit facilities serving the project site are expected to remain the same with or without the proposed project. Bicycle and pedestrian safety and access would be improved on Morrison Canyon Road under the project, which supports the goals of the City's Vision Zero policy, *2018 Bicycle Master Plan*, and *Pedestrian Master Plan* in terms of safety and accessibility for alternatives modes of travel such as biking and walking. Therefore, the proposed project would not combine with other foreseeable projects to significantly cause a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities and there would be **no impact**.

5.2.3.14 Tribal Cultural Resources

The geographic context for the analysis of potential contributions to cumulative impacts on tribal cultural resources consists of areas within and immediately fronting the segment of Morrison Canyon Road that is the project corridor. The cumulative analysis for tribal cultural resources relies on a list-based approach. There are no other projects within this geographic context. Refer to the Tribal Cultural Resources subsection of Section 3.7, *Other Resources*, for a description of the existing tribal cultural resources setting of the project area.

The proposed project's contribution to tribal cultural resources impacts, when combined with other related past, present, and reasonably foreseeable future projects, would not create a significant impact because there are no known projects in the vicinity. There is **no impact**.

5.2.3.15 Wildfire

The project would have no impacts under wildfire pertaining to the potential to exacerbate wildfire risks (criterion b); requiring the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts on the environment (criterion c); and the exposure of individuals to secondary hazards such as landslides (criterion d). As such, those topic areas under wildfire are not discussed herein. Criteria a, regarding the substantial impairment of an adopted emergency response plan or emergency evacuation plan is analyzed.

The geographic context for the analysis of potential contributions to cumulative impacts on wildfire consists of the service area of the fire protection providers to the Morrison Canyon Road corridor, and thus relies on a projection approach. Refer to refer to *Hazards and Hazardous Materials* and *Wildfire* subsections of Section 3.7, *Other Resources*, for a description of the existing wildfire setting of the project area.

C-WF-1: Implementation of the proposed project, in combination with other foreseeable projects in the fire protection service areas, would not result in a significant cumulative impact under wildfire regarding the substantial impairment of an adopted emergency response plan or emergency evacuation plan. (Less than Significant)

Lands surrounding the proposed project are identified as both Moderate and Very High Fire Hazard Severity Zones. The project area is served by Fremont Fire Department, cooperating local fire departments, including Union City, East Bay Regional Parks District's fire department, and CAL FIRE. In the event of a wildfire within the service areas of these fire protection services, the project corridor could be an important route in which to access a wildfire, provide support, and evacuate people. Morrison Canyon Road, under the project, would remain open and accessible to all fire and emergency service providers in the event of a wildfire (as well as residents in the event of an emergency) and would not substantially impact the greater service areas of the relevant fire protection providers. Because emergency access would remain in place, and arguably be enhanced by the attenuation of through-traffic, there would be a **less than significant** cumulative impact concerning wildfire response.

5.3 Significant Unavoidable Impacts

CEQA Section 15126.2(b) requires that an EIR disclose all significant impacts including those that cannot be mitigated to a less-than-significant level, where no feasible mitigation measures exist to further reduce these impacts. No mitigation measures have been identified in this draft EIR that would reduce the potential environmental impacts of the project to a less-than-significant level.

CEQA Section 15092 prohibits lead agencies from approving a project unless the agency has "eliminated or substantially lessened all significant effects on the environment where feasible". California Supreme Court case law has affirmed that lead agencies have a duty to mitigate significant environmental impacts to the extent possible when mitigations are feasible, even if the mitigations

will not reduce impacts to a less-than-significant level and the agency intends to adopt a Statement of Overriding Considerations.

Chapter 3, *Environmental Impact Analysis*, provides a full discussion of all environmental impacts of the project. According to the evaluation of all the topical sections in this draft EIR, the project would result in one significant and unavoidable impact related to land use and the division of an established community. (**Impact LU-1**)

5.4 Significant Irreversible Changes

CEQA Section 15126.2(c) requires that an EIR discuss any environmental changes that would be irreversible if the project were implemented. CEQA defines irreversible environmental changes as either an irretrievable commitment of resources and/or irreversible damage resulting from environmental accidents. Irreversible changes may include current or future uses of non-renewable resources, and secondary or growth inducing impacts that commit future generations to similar uses. The CEQA Guidelines describe three distinct categories of significant irreversible changes, including changes in land use that would commit future generations; irreversible changes from environmental actions; and consumption of non-renewable resources.

5.4.1 Changes in Land Use that Would Commit Future Generations

The project consists of the permanent closure of a section of Morrison Canyon Road, and does not propose new urban development within the project area. No new land use is proposed that would commit the City or future generations to any specific course of action. The nature of the proposed closure mechanisms would not preclude the City from reconsidering the closure decision in the future.

5.4.2 Irreversible Changes from Environmental Actions

The project would not change any land uses in the project area. A negligible amount of non-renewable resources such as fossil fuels would be required for project installation; however, those use of non-renewable resource would be irreversible.

5.5 Growth Inducement

CEQA requires a discussion of the ways in which a project could be growth inducing. CEQA Guidelines Section 15126.2(d) identifies a project as growth inducing if it would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. For example, new population from residential development represents a direct form of growth. A project could also indirectly induce growth by attracting additional population or new economic activity to an area.

According to the CEQA Guidelines, the project would have potential to induce growth if it would:

- Directly encourage population growth, through the construction of additional housing in the surrounding environment;

- Result in the economic expansion either through the addition of substantial commercial space or by providing longer-term jobs (including construction) that could induce people to move to the area;
- Remove obstacles to growth, such as by building a road in a formerly inaccessible area, or through the provision of infrastructure or service capacity that would accommodate population growth beyond the levels currently anticipated by local or regional plans and policies;
- Increase population such that existing community facilities and services are inadequate and the expansion of existing facilities or the construction of new facilities is required; or
- Through a precedent-setting action, such as a General Plan Amendment or removal of a restrictive zoning requirement such that growth would be permitted in new areas or at a higher density than previously planned for.

In general, a project could be considered growth inducing if it directly or indirectly affects the ability of agencies to provide needed public service, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. However, CEQA Guidelines do not require a prediction or speculation of where, when, and in what form such growth would occur.³

According to the CEQA Guidelines, it must not be assumed that growth in any area is necessarily detrimental, beneficial, or of no significance to the environment. CEQA does not require separate mitigation for growth inducement as it is assumed that these impacts are already captured in the analysis of environmental impacts (Chapter 3, *Environmental Impact Analysis*, of this draft EIR).

The proposed project entails the permanent closure of a roadway segment. Following installation of barriers and signage, no further activities would occur. The project would not therefore have any growth inducing effect or ability to influence or encourage population growth.

5.6 References

City of Fremont. 2011. *City of Fremont General Plan Update Draft EIR*.

City of Fremont. 2020. *Development Activity*. Amended through January 9, 2020. Community Development Department – Planning Division. Available: <https://fremont.gov/DocumentCenter/View/4983/Development-Activity-Map?bidId=>. Accessed January 14, 2020.

³ CEQA Guidelines, Section 15145.

Chapter 6 Report Preparation

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