3.2 Aesthetics

3.2.1 Introduction

This section describes the regulatory setting and affected environment for aesthetics. This section addresses aesthetic resources that are known to occur or have the potential to occur in the aesthetics RSA and describes the potential impacts on those resources during construction and operation of the proposed Project. This section also identifies the cumulative impacts of the proposed Project on aesthetics.

CEQA defines aesthetic resources as scenic vistas, scenic resources (such as trees, rock outcroppings, and historic buildings within a State Scenic Highway), existing visual character, and quality of public views. As required by the CEQA Guidelines, this section also describes potential impacts to views due to new sources of light and glare.

3.2.2 Regulatory Setting

This section identifies the applicable federal, state, regional, and local laws, regulations, and orders that are relevant to the analysis of aesthetics. This section also addresses the proposed Project's consistency with the regulations described herein.

3.2.2.1 Federal

National Scenic Byways Program

The Intermodal Surface Transportation Efficiency Act of 1991 established the National Scenic Byways Program (23 U.S.C. 162), implemented and administered by the Federal Highway Administration. Under this program, a roadway can be designated as a State Scenic Byway, a National Scenic Byway, or an All-American Road based upon intrinsic scenic, historic, recreational, cultural, archeological, or natural qualities.

Wild and Scenic Rivers Act of 1968

The Wild and Scenic Rivers Act of 1968 was enacted to "protect selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values." Protected rivers are designated as wild, scenic, or recreational rivers, and segments of a given river may be designated with one or all these classifications.

National Trails Systems Act of 1968

The National Trails System Act of 1968 (as amended) allows Congress to establish national historic trails to identify and protect routes of travel with national historic importance (National Park Service 2019a). National historic trails connect sites of interest related to a significant historical event, often crossing multiple jurisdictions and land uses and permitting auto traffic where roads overlap the historic trail route.

As described in the National Park Service's Reference Manual No. 45, one of the route selection criteria for a national historic trail relates to tour route quality that optimizes visitor experience by directing views to landscapes and features that might have been viewed by historic trail travelers. This criterion further encourages local projects to avoid design features that would inhibit an appreciation of the adjacent landscape values when alternatives exist (National Park Service 2019b).

The Juan Bautista de Anza National Historic Trail (Anza Trail) was created through an Act of Congress in 1990 to mark the overland route traveled by Captain Juan Bautista de Anza of Spain from Sonora, Mexico, to San Francisco, California, in the years 1775 to 1776. The 12,000-mile trail connects Nogales, Arizona to the San Francisco Bay Area and passes through Alameda County in the study area. The Anza Trail has three recreational components: historic route, auto tour route, and recreational trail (National Park Service 2020).

The Juan Bautista de Anza National Historic Trail Comprehensive Management and Use Plan states that its management objective is to protect a trail right-of-way (ROW), to protect cultural and scenic resources along the trail, to foster public appreciation and understanding of the trail, and to encourage facilities for resource protection and public information and use. The plan acknowledges that portions of the historic trail have been altered by urbanization, which is the characteristic of the trail within the Project Study Area (National Park Service 1996).

3.2.2.2 State

California Wild and Scenic Rivers Act of 1972

The California Wild and Scenic Rivers Act states that "certain rivers which possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state." Those rivers or segments of rivers are classified as wild, scenic, or recreational rivers.

State Scenic Roadways and Highways

The State Legislature established the California Scenic Highway Program in 1963 through Senate Bill 1467 with the purpose of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The California Department of Transportation (Caltrans) manages the State Scenic Highway Program. Caltrans defines a scenic corridor as the "land that is visible from, adjacent to, and outside the highway ROW and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries" (Caltrans 2008). Designated scenic corridors are subject to protection, including regulations regarding land use, site planning, advertising, earthmoving, landscaping, and the design and appearance of structures and equipment.

As described in Caltrans' Scenic Highway Guidelines, highways can be nominated to be an eligible State Scenic Highway under Streets and Highways Code Section 263 when they are believed to have outstanding scenic values (Caltrans 2008). Becoming an eligible State Scenic Highway does not require any legislative action. The following conditions must be met to nominate a route: the state or county highway is a scenic corridor with a memorable landscape that showcases the natural scenic beauty or agriculture of California; ¬existing visual intrusions do not significantly affect the scenic corridor; there is demonstration of strong local support for the proposed scenic highway designation; the length of the proposed scenic highway is not less than one mile and is not segmented.

Once a state route (SR) is identified as eligible under Streets and Highways Code Section 263, it may be nominated for official designation by the local governing body with jurisdiction over lands adjacent to the proposed scenic highway. Division 1, Chapter 2, Article 2.5, Section 261 of the California State Streets and Highway Code establishes that "the standards for official scenic highways shall also require that local governmental agencies have taken such action as may be necessary to protect the scenic appearance of the scenic corridor, the band of land generally adjacent to the highway ROW, including, but not limited to, (1) regulation of land use and intensity (density) of development, (2) detailed land and site planning, (3) control of outdoor advertising, (4) careful attention to and control of earthmoving and landscaping, and (5) the design and appearance of structures and equipment" (State of California 1935).

A route may be removed for consideration as a scenic route or taken out of the State Scenic Highways program when there has been significant degradation of scenic quality due to visual intrusions and changes in visual character. Examples of visual intrusions that would degrade scenic corridors (as stipulated by Caltrans) and would apply to the proposed Project and the alternatives, analyzed at an equal level of detail, include extensive cut and fill, scarred hillsides and landscapes, steep slopes with little or no vegetation, exposed and unvegetated earth, and a scale and appearance for the roadway that would be incompatible with the landscape (Caltrans 2008).

San Francisco Bay Conservation and Development Commission

The San Francisco Bay Conservation and Development Commission (BCDC) is a state commission in charge of the protection, enhancement, and responsible use of the San Francisco Bay. BCDC's jurisdiction includes the Bay, a shoreline band extending inland 100 feet from the Bay's shoreline, salt ponds, managed wetlands, and named waterways subject to tidal action. The San Francisco Bay Plan (BCDC 2020) states that "transportation projects on the Bay shoreline and bridges over the Bay or certain waterways should include pedestrian and bicycle paths that will either be a part of the Bay Trail or connect the Bay Trail with other regional and community trails. Transportation projects should be designed to maintain and enhance visual and physical access to the Bay and along the Bay shoreline."

Per BCDC adopted public access findings and policies (2001), public access is an integral component of development and should consist of pedestrian and other non-motorized access to the Bay. A critical aspect is visual access for the public. Per BCDC, there are numerous shoreline areas without existing visual access to the Bay. Transportation facilities near the edge of the water should be designed as scenic parkways for slow moving recreational traffic. Transportation ROW should maintain and enhance visual access for its users and provide separated access to/from the shoreline.

3.2.2.3 Regional

There are no applicable visual goals or objectives identified in regional plans, policies, or regulations.

3.2.2.4 Local

Alameda County General Plan

The Alameda County General Plan (Alameda County 1996) describes the county-wide network of scenic routes (Alameda County 1966), which include Interstate 580 (I-580), I-880 (Nimitz Freeway), and Mission Boulevard within the study area. These routes do not specifically contain rail corridors;

however, roadways and areas visible from scenic routes are discussed. Objectives and policies for areas visible from scenic routes would apply to areas of the proposed Project and include the following:

- Establishing a continuous system of scenic routes to improve the environment and increase opportunities for recreational and cultural activities and tourism in Alameda County and adjacent counties.
- Conserving, enhancing, and protecting scenic views observable from scenic routes.
- Providing multiple recreational uses, trails, roadside rest areas, picnicking, and observation points on present or future publicly owned lands adjacent to scenic routes and to provide a means of coordinating scenic route trails with other trail systems within the county.
- Assisting in stabilizing or increasing property values and the economy of Alameda County through preserving and adding to its attractions.

Alameda County's scenic route corridor development standards include minimum lot size and setback requirements for developments and a height limitation of 35 feet for structures within the scenic viewshed. Moreover, to preserve and enhance natural topography, vegetation, and "ridge skylines" in developed areas along scenic corridors, Alameda County requires grading permit reviews by the local jurisdictions.

Alameda County General Ordinance Code

The Alameda County Board of Supervisors adopted an amendment to the Alameda County General Ordinance Code to create the Scenic Corridor Combining District in unincorporated Alameda County in order to preserve the character of the scenic corridors in 2013. Any future development within the Scenic Corridor Combining District would be subject to more stringent standards designed to reduce the visual impact of new structures, parking, signs, and other features that might obstruct existing vistas (Alameda County 2012). East Bay Regional Park District Master Plan

East Bay Regional Park District's Master Plan vision includes preserving biologic, scenic, and historic resources within the East Bay Regional Park District's jurisdiction. It also notes maintaining and restoring the parklands so that they retain their scenic, natural, and cultural value (East Bay Regional Park District 2013). Objectives and policies include the following:

- Policies PRPT2, PRPT3, PRPT7, PRPT8, and PRPT9 classify parklands into Regional Park, Preserve, Recreation Area, Shoreline, and Trail to preserve these areas of intact, natural open space that are significant for their natural conditions, views and potential to provide visitors with experience of nature. Ardenwood Historic Farm is one of the 21 designated Regional Preserves (East Bay Regional Park District 2022a). Quarry Lakes Regional Recreational Area is one of the regional recreational areas within the district (East Bay Regional Park District 2022b). Martin Luther King Jr. shoreline is one of the 14 regional shorelines, and Alameda Creek Regional Trail is one of the regional trails within the district.
- Policy PRPT24 aims to locate facilities in a manner that preserves open space whenever possible. The district will design proposed facilities so that their color, scale, style, and materials will blend with the natural environment.
- Policy PRPT28 aims to place new utility lines underground on land owned, operated, or managed by the district to retain the optimal visual qualities of the area.

- Policy KEP4 aims to protect scenic or cultural resources, develop larger, multi-agency open space preserves, provide recreational opportunities, protect agricultural use, avoid hazards, and plan for appropriate urban growth boundaries.

County of Alameda Eden Area General Plan

Chapter 3, Land Use Element, of the County of Alameda Eden Area General Plan (County of Alameda 2010) includes the following policies that are relevant to the proposed Project:

- **Goal LU-12** Improve the visual quality of the Eden Area.
    - **Policy P1.** The County should not approve projects that have a substantial adverse effect on scenic vistas, substantially damage scenic resources, or substantially degrade the existing visual character or quality of the Eden Area.

City of Oakland General Plan

The *City of Oakland General Plan* includes the Scenic Highways Element and Open Space, Conservation, and Recreation Element, which pertain to the following scenic resources:

- The Scenic Highways Element addresses the preservation and enhancement of attractive roadways and major streets going through the City. MacArthur Freeway and Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road are designated scenic corridors (City of Oakland 2018); however, these areas are not within the Project Study Area.
- Objective OS-10 in the Open Space, Conservation, and Recreation Element aims to protect scenic views and improve visual quality. Scenic views to be protected within the Project Study Area include views of the Oakland Hills from the flatlands and views of the shoreline.

San Leandro General Plan

The *City of San Leandro General Plan* includes the Historic Preservation and Community Design Element that acknowledges the open waters of San Francisco Bay (on the west) and the San Leandro Hills (on the east) as significant views to be preserved. The General Plan also designates Nimitz (I-880) and MacArthur (I-580) freeways as scenic highways. Other streets, such as Davis Street, Marina Boulevard, and East 14th Street, are not formally designated as "scenic" but remain priorities for streetscape improvements due to their high volumes and function as gateways. The objectives for these streets are to enhance safety and to preserve scenic value (City of San Leandro 2016). These routes are within the Project Study Area.

Important views and scenic highways are addressed in the policies and actions under the following goals in the City of San Leandro General Plan:

- Goal CD-5 promotes a stronger "sense of place" in the City of San Leandro. The key factors contributing to the City's sense of place include gateways, activity centers, views and vistas, and visual landmarks within the City.
- Goal CD-7 aims to create a more visually attractive City, with well-landscaped and maintained streets, open spaces, and gathering spaces.

Hayward General Plan

The Natural Resources Element in the *Hayward 2040 General Plan* describes the intent to provide opportunities for residents and visitors to view scenic resources.

- Goal NR-8 strives to enhance, preserve, and increase the aesthetic qualities of the City of Hayward's undisturbed natural hillsides and shoreline and designated scenic transportation corridors. There are several designated scenic transportation corridors in the Project Study Area, including I-580, I-880, and SR 92, that the City aims to protect (City of Hayward 2014).

City of Hayward Design Guidelines

The *City of Hayward Design Guidelines* require computer simulations, photomontages, or scale models for review for projects, which would limit or block views of natural open spaces, view corridors, or vista points (City of Hayward 1993).

Union City General Plan

The *Union City 2040 General Plan* Community Design Element, Resource Conservation Element, and Mobility Element include the following policies to protect and enhance the visual environment (Union City 2019):

- Policy CD-2.5 aims to minimize visual impacts to the natural setting of the San Francisco Baylands by using buffers, such as pedestrian trails, linear parks, and landscaped rights-of-way, between new developments and the Baylands.
- Policy CD-4.3 aims to provide landscaping near gateways into Union City to reduce the visual impact of sound walls.
- Policy RC-1.2 aims to protect scenic views of ridgelines, valleys, and wetlands through regulation, public acquisition, or dedication of development rights or scenic easements.
- Policy M-4.7 encourages grade separations to improve safety and aesthetics.

City of Fremont General Plan

The *City of Fremont General Plan* includes the Community Character Element, which describes how urban and historic buildings, streets, and open spaces work together in the City's development. The following goal is relevant to aesthetics:

- Goal 4-5 follows City Beautiful's call for the protection and enhancement of the City of Fremont's aesthetic and visual character.

  Goal 4-5 is implemented through policies to use landscaping as visual buffering/screening, maintain a network of designated scenic routes, protect Niles Canyon, and install landscaping and art for the beautification of the City. There are several designated scenic routes in the study area including Paseo Padre Parkway, the San Francisco Bay Area Rapid Transit (BART) line, Mission Boulevard, SR 84, and Niles Canyon Road. Transportation and capital improvement decisions, as well as landscaping, operations, and maintenance activities, should maintain or improve visual quality; however, that does not necessarily limit abutting uses (City of Fremont 2011).

- Policy 4-1.6 protects the City of Fremont's open space "frame" defined by wetlands, marshes, and salt ponds on the west, the hills to the east, and Alameda Creek and Quarry Lakes to the north.
- Policy 4-3.7 requires appropriate massing and scale for proposed structures.
- Policy 4-5.5 provides protection for scenic routes.

Newark General Plan

The *Newark General Plan* includes goals, policies, and actions to protect Newark's aesthetic quality and scenic vistas.

- Policy ED-5.8 aims to communicate a positive image of the City and enhance visual quality and aesthetics for major gateways into Newark, including Mowry Avenue, Thornton Avenue, Stevenson Boulevard, Newark Boulevard, and Cherry Street (City of Newark 2013). These gateways are within the Project Study Area.
- Policy LU-2.2 pertains to Context-Sensitive Design and requires that new structures, additions, and major renovations are aesthetically compatible with the existing structures and the surrounding context and contribute positively to the visual quality of neighborhoods.
- Policy LU-4.14 aims to protect and enhance panoramic views and vistas of horizon features such as Coyote Hills, Mission Peak, the East Bay and Peninsula Hills, and San Francisco Bay.
- Policy T-6.6 aims to reduce the number of at-grade rail crossings in Newark by encouraging grade separations at crossings.
- Policy T-7.5 aims to manage parking lot aesthetics by requiring parking lots to be attractively designed and landscaped, including the use of screening, in areas of high pedestrian volumes or high visibility to passing traffic such that parking areas do not dominate street frontages.
- Action LU-8.G calls for the installation of fences or sound walls along railroad tracks to reduce visual impacts.
- Goal PR-1 aims to protect open space to preserve aesthetics.

3.2.2.5 Consistency with Plans, Policies, and Regulations

As described in more detail in the following paragraphs, the proposed Project is consistent with applicable plans, policies, and regulations related to aesthetics and visual resources.

Federal Plans, Policies, and Regulations

There are no federally designated National Wild and Scenic Rivers (U.S. Fish and Wildlife Service 2021), National Scenic Byways (Federal Highway Administration 2021), or National Parks (National Park Service 2021) in the Project Study Area. No lands administered by the Bureau of Land Management would be affected (Bureau of Land Management 2022).

A portion of the auto tour route of the federally designated historic trail, Anza Trail, traverses the Project Study Area. However, the auto tour route does not cross the RSA. Additionally, recreational trails, which are a part of this trail system, do not cross the RSA. The map of auto tour route and recreational trails in Alameda County is included in "San Francisco Bay Area, The Anza Trail Guide, Alameda County – San Lorenzo Creek to the East Bay" (National Park Service 2022).

State Plans, Policies, and Regulations

There are no state-designated Wild and Scenic Rivers within the Project Study Area (as defined by Public Resource Code Section 5093.54). Furthermore, there are no state parks within the Project Study Area (California State Parks 2021).

The segment of I-580 from San Leandro Circle to SR 24 in Oakland is an eligible state scenic highway in the Project Study Area (Caltrans 2021). The segment of SR 84 from SR 238 (Mission Boulevard) East to I-680 is an officially designated state scenic highway in the Project Study Area (Caltrans 2021). Though portions of these highways are in the Project Study Area, none of them are within the RSA (viewshed) of the proposed Project.

Local Plans, Policies, and Regulations

The proposed Project would not remove or alter existing public access to the San Francisco Bay. In addition, the proposed Project would use existing railroad right-of way. BCDC does not require public access to be provided where "access would be clearly inconsistent with the project because of public safety considerations" (BCDC 2001), although alternative access elsewhere could be required if removed/altered by a project. Limited project ROW and safety considerations would preclude incorporating new public access into the proposed Project. However, the proposed Project would provide enhanced visual access for passenger train riders by bringing them closer to the Bay along the Coast subdivision. This would provide previously inaccessible public views of the Bay.

3.2.3 Methods for Evaluating Environmental Impacts

This section defines the RSA for aesthetics and describes the methods used to analyze the impacts on aesthetic resources within the RSA.

3.2.3.1 Resource Study Area

As defined in Section 3.1, Introduction, RSAs are the geographic boundaries within which the environmental investigations specific to each resource topic are conducted.

For the aesthetics analysis, the RSA is the portion of the proposed Project that would be clearly seen by sensitive viewers at publicly accessible locations within the Project Study Area (that is, within their viewshed).

3.2.3.2 Data Sources

A visual impact assessment begins with a review of online information pertaining to aesthetics and visual resources. This review informs which visual receptors and views would be important to study further using key viewpoints. In accordance with CEQA Guidelines, key viewpoints are selected based on a variety of criteria, including public accessibility of the viewpoint, scenic views in the viewshed, locations where the proposed Project would construct new vertical structures, and known areas of visual sensitivity. Visual simulations allow for a comparison of each viewpoint's visual resources before and after the proposed Project is built. Key viewpoints aid in understanding the potential impacts on aesthetics, based on the CEQA criteria for visual impacts described in Section 3.2.3.4.

A viewshed is the geographical area from which an object is visible. It can include all surrounding points in line of sight with that object, and it excludes points that are beyond the horizon or obstructed by terrain and other features, such as buildings and vegetation. Sensitive viewers include travelers along highways and surface streets, and pedestrians, bicyclists, and recreational viewers on sidewalks and trails.

Viewer groups in the Project Study Area include travelers, pedestrians, bicyclists, recreational viewers, residents, commuters, and workers. Travelers, pedestrians, bicyclists, and recreational viewers along recreational trails and the scenic corridors listed in Section 3.2.4.2 Local Setting, are considered sensitive viewers, because they travel at a slower pace and are more attuned to their surroundings. Commuters along arterial streets or highways, rail passengers, and park-and-ride users are moderately sensitive to visual quality because these viewers regularly travel the same route and become less attuned to their surroundings over time. Viewers likely to exhibit lower sensitivity to visual quality include freight train workers and workers in industrial or commercial areas adjacent to the rail corridor; these viewers tend to concentrate on their day-to-day business activities.

It should be noted that the aesthetics impact analysis is focused on "public views" consistent with the threshold of significance established in the CEQA Guidelines. Thus, residents of the existing residential areas in the RSA are considered part of the previously mentioned viewer groups only when they view the proposed Project from a public vantage point, such as a public ROW or open space.

This analysis of aesthetics is based on physical and tangible evidence of the proposed Project's visual consistency with its surroundings. Thus, physical elements and structures proposed as part of the proposed Project constitute the basis for evaluating potential visual impacts pertaining to the proposed Project.

3.2.3.3 CEQA Thresholds

To satisfy CEQA requirements, Aesthetics impacts were analyzed in accordance with Appendix G of the CEQA Guidelines. According to the CEQA Guidelines, CCR, Title 14, Section 15002(g), "a significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project." As stated in CEQA Guidelines Section 15064(b)(1), the significance of an activity may vary with the setting. The impact analysis identifies and analyzes construction (short-term) and operation (long-term) impacts, as well as direct and indirect impacts (see PRC Section 21065). The proposed Project would have significant Aesthetics impacts under CEQA if it would:

a. Have a substantial adverse effect on a scenic vista;
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway;
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings; (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality; or
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

3.2.4 Affected Environment

This section identifies the regional and local settings that are relevant to the analysis of aesthetics. It also lists visual receptors in these settings and whether the proposed Project would be in vicinity of these visual receptors.

3.2.4.1 Regional Setting

The proposed Project is in Alameda County in the cities/communities of Ardenwood, Fremont, Hayward, Oakland, Newark, San Leandro, and Union City. Existing land uses consist of suburban residential; commercial; institutional; light, and heavy industrial; and recreational open space (parks). The proposed Project is primarily within an urbanized area of Alameda County. The views of rolling hills, ridgelines, and canyons of California Coast Ranges have a recurrent presence throughout the region. The views from open spaces, scenic corridors, and other vantage points include views of the East Bay Hills to the east and southeast, Mission Peak to the southeast, and Coyote Hills to the west. These views are more prominent and vivid looking east due to proximity of California Coast Ranges in this direction. Additionally, views of low-lying areas fronting San Francisco Bay are available from certain vantage points, such as elevated freeway sections, multistory buildings, and hillside developments facing west. Alameda Creek flows west through Niles Canyon into San Francisco Bay and is visible from several locations within the Project Study Area. The Alameda Creek Regional Trail follows the creek with recreational access on each side of the creek. Expansive views of marshlands and the California Coast Ranges are visible from the Alameda Creek Regional Trail.

Figure 3.2-1 and Figure 3.2-2 show the BCDC jurisdiction and associated shorelines and waterways within the Project Study Area. Figure 3.2-3 shows the visual resources within the Aesthetics RSA (that is, within the viewshed of sensitive viewers in the Project Study Area).

3.2.4.2 Local Setting

Views of Scenic Quality

Visual resources in the viewshed include the following:

- Martin Luther King Jr. Regional Shoreline is part of the East Bay Regional Park District. It is a 748-acre park that conserves marshland and includes the Martin Luther King Jr. Memorial Grove, Arrowhead Marsh, the “Duplex Cone” sculpture and Garretson Point.
- Oyster Bay Regional Shoreline Is part of the East Bay Regional Park District. It includes picnic areas, multipurpose trails, and a significant diversity of wildlife in its salt marsh ecosystem.
- Marina Park: this 30-acre regional park borders the beautiful San Leandro Shoreline. Amenities include picnic areas with barbecue grills, play apparatus, three newly renovated large group picnic areas, a large grassy area, and a mile-long par course.
- Hayward Regional Shoreline consists of 1,841 acres of salt, fresh, and brackish water marshes, seasonal wetlands, and public trails. Activities at Hayward Regional Shoreline include hiking, bicycling, jogging, birdwatching, picnicking, and fishing.
- San Lorenzo Community Center Park this 31.4-acre park features barbecues, baseball/softball, basketball, community center, lagoon, meeting rooms, open lawn area, par course, parking, picnic tables, playground, restrooms, snack bar, soccer, and trails.

- Eden Landing Ecological Reserve is approximately 6,400 acres of restored salt ponds, adjacent diked marshes, and transitional areas to uplands that are managed for resident and migratory waterbirds and tidal marsh habitats and species. Along with a segment of the Bay Trail, the reserve now hosts a 3-mile seasonal loop trail along the managed ponds and the restored marsh. A 4-mile, year-round trail follows the perimeter of the restored and managed wetlands, where a boardwalk and interpretive exhibits allow wildlife viewing and education.
- Eden Greenway is a 36.1-acre recreation area in Hayward that includes a dog park, basketball court, fitness court, barbeques, open lawn area, par course, picnic tables, playground, and trails.
- Coyote Hills Regional Park comprises 1,266 acres of marshland and rolling grassland-covered hills, the Coyote Hills Regional Park is located along the eastern shore of San Francisco Bay, northwest of the cities of Fremont and Newark.
- Don Edwards San Francisco Bay National Wildlife Reserve consists of 30,000 acres of habitat for millions of migratory birds and endangered species and features 38 miles of trails, a Visitor Center, and an Environmental Education Center. It was established as the first Urban Wildlife Refuge in 1972 and upon completion of the South Bay Salt Pond Restoration Project will restore an additional 15,100 acres of wetland habitat.
- Alameda Creek Regional Trail is a 12-mile trail that follows the banks of Alameda Creek in southern Alameda County from the mouth of Niles Canyon (in the Niles District of Fremont) westward to San Francisco Bay. The trail is accessible from several major roads in Fremont, Union City, and Newark.
- Ardenwood Historic Farm is a working farm and public open space with farmlands, gardens, orchards, pastures, recreational facilities, and historic buildings. It is visible from Ardenwood Boulevard and SR 84 in the City of Fremont.

Figure 3.2-3 shows the visual resources within the viewshed of the Project Study Area (that is, within the Aesthetics RSA). Note that I-880 is identified as part of the Visual Resources Boundary, as it blocks the viewshed of sensitive viewers west of the highway to resources identified east of the highway and vice versa.

Figure 3.2-1: BCDC Jurisdiction in the Project Study Area: Northern Extent

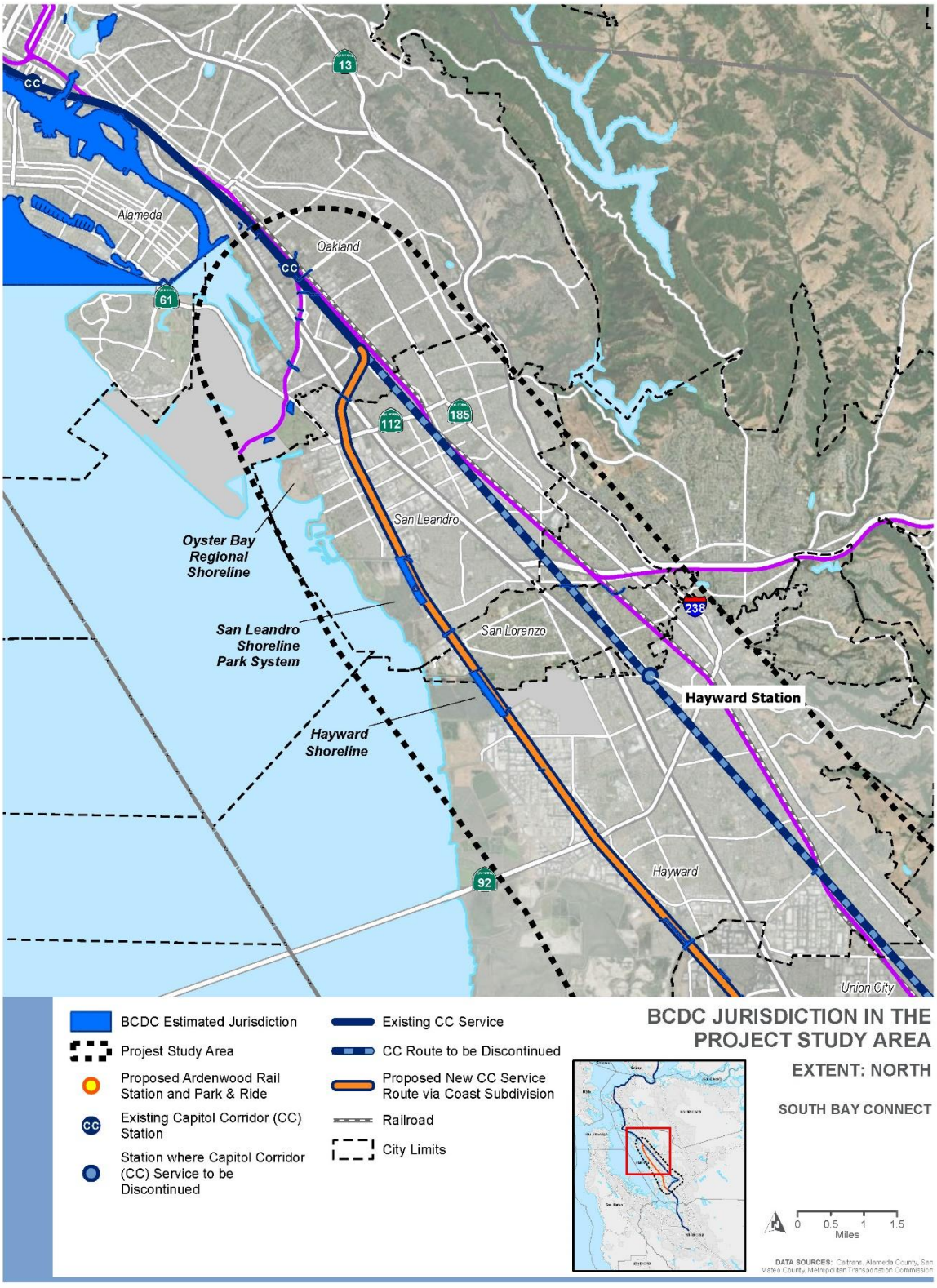


Figure 3.2-2: BCDC Jurisdiction in the Project Study Area: Southern Extent

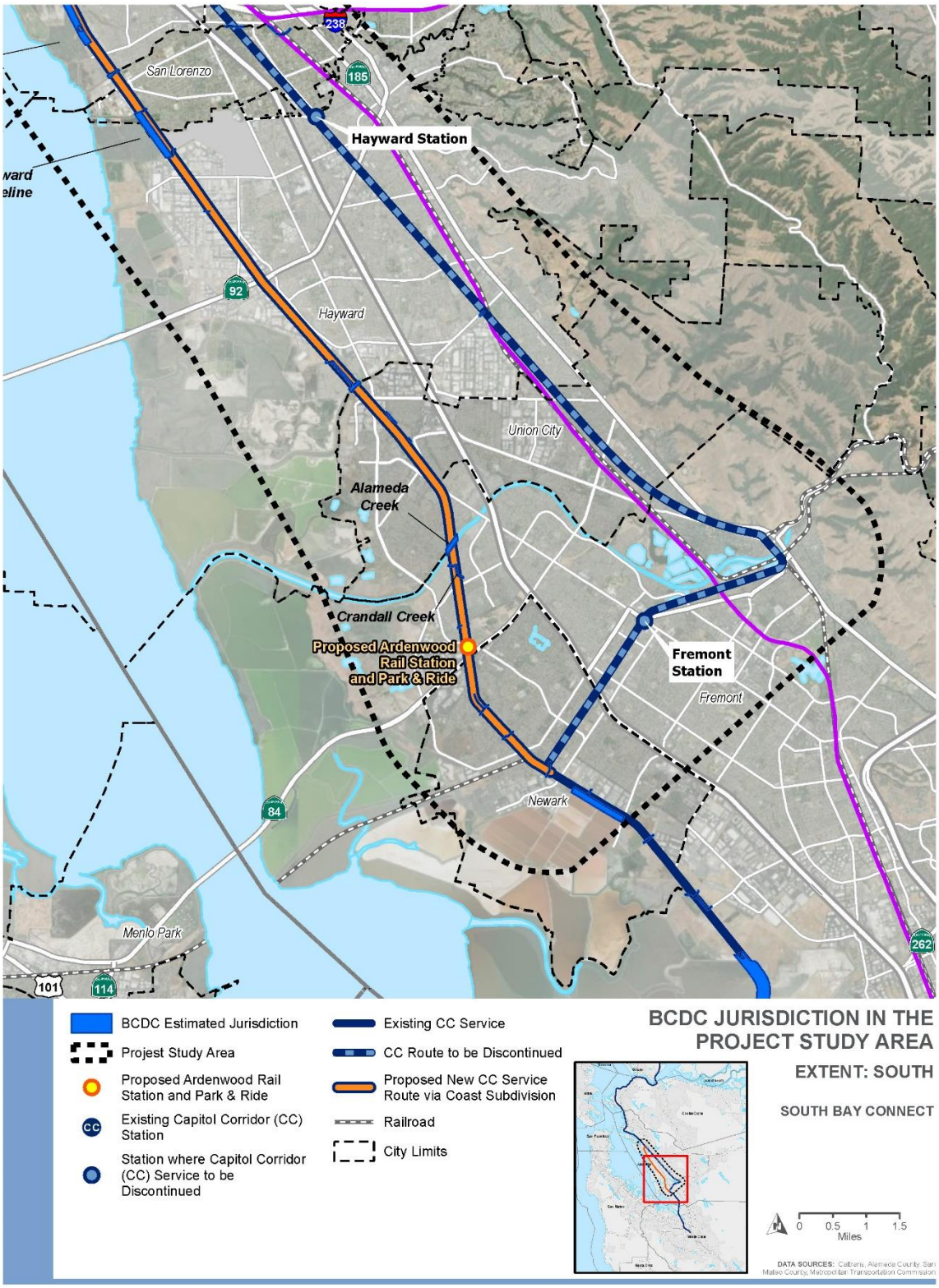
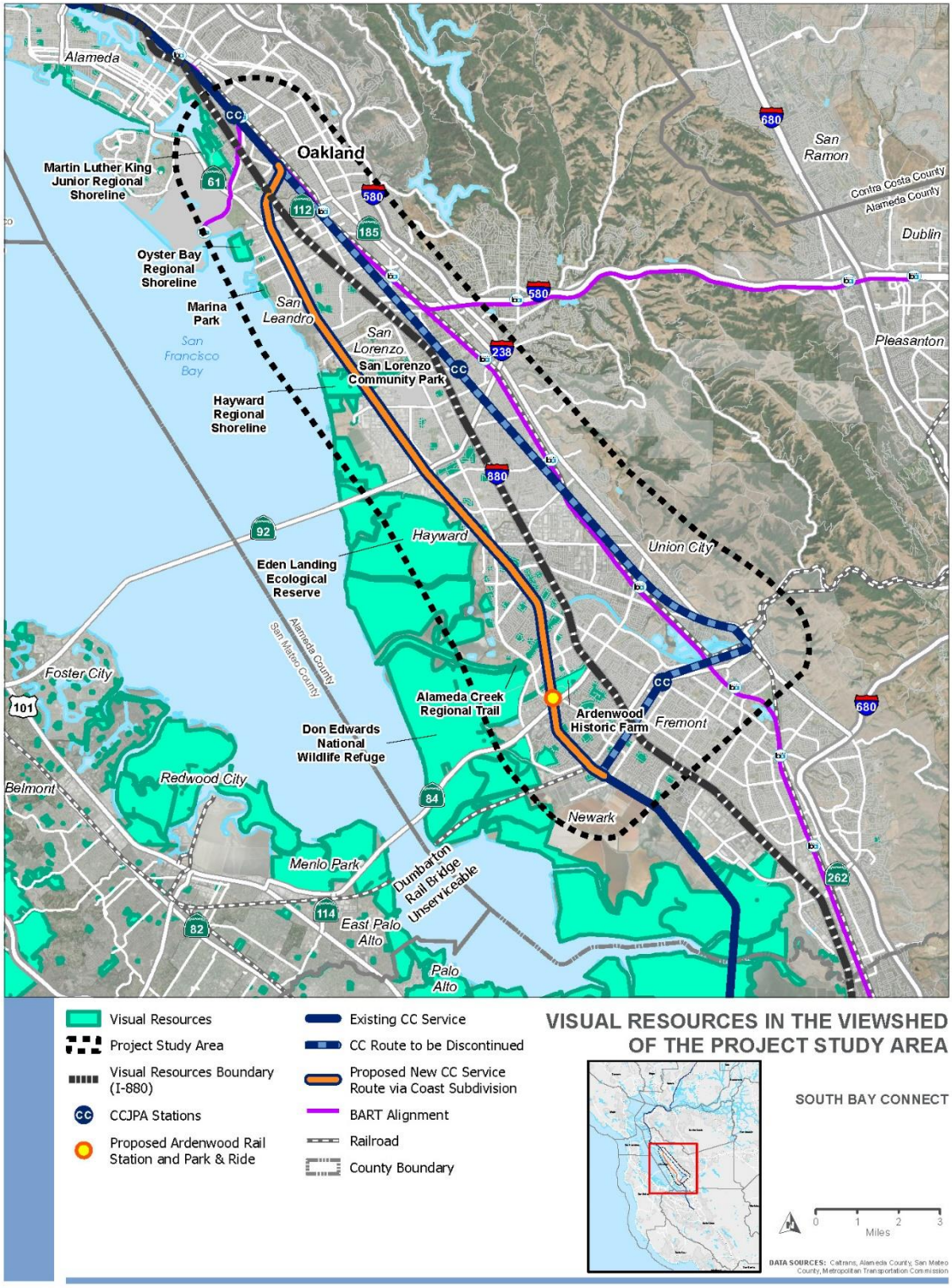


Figure 3.2-3: Visual Resources in the Viewshed of the Project Study Area



Scenic Corridors

Scenic corridors that were identified as receptors of views within the RSA include the following:

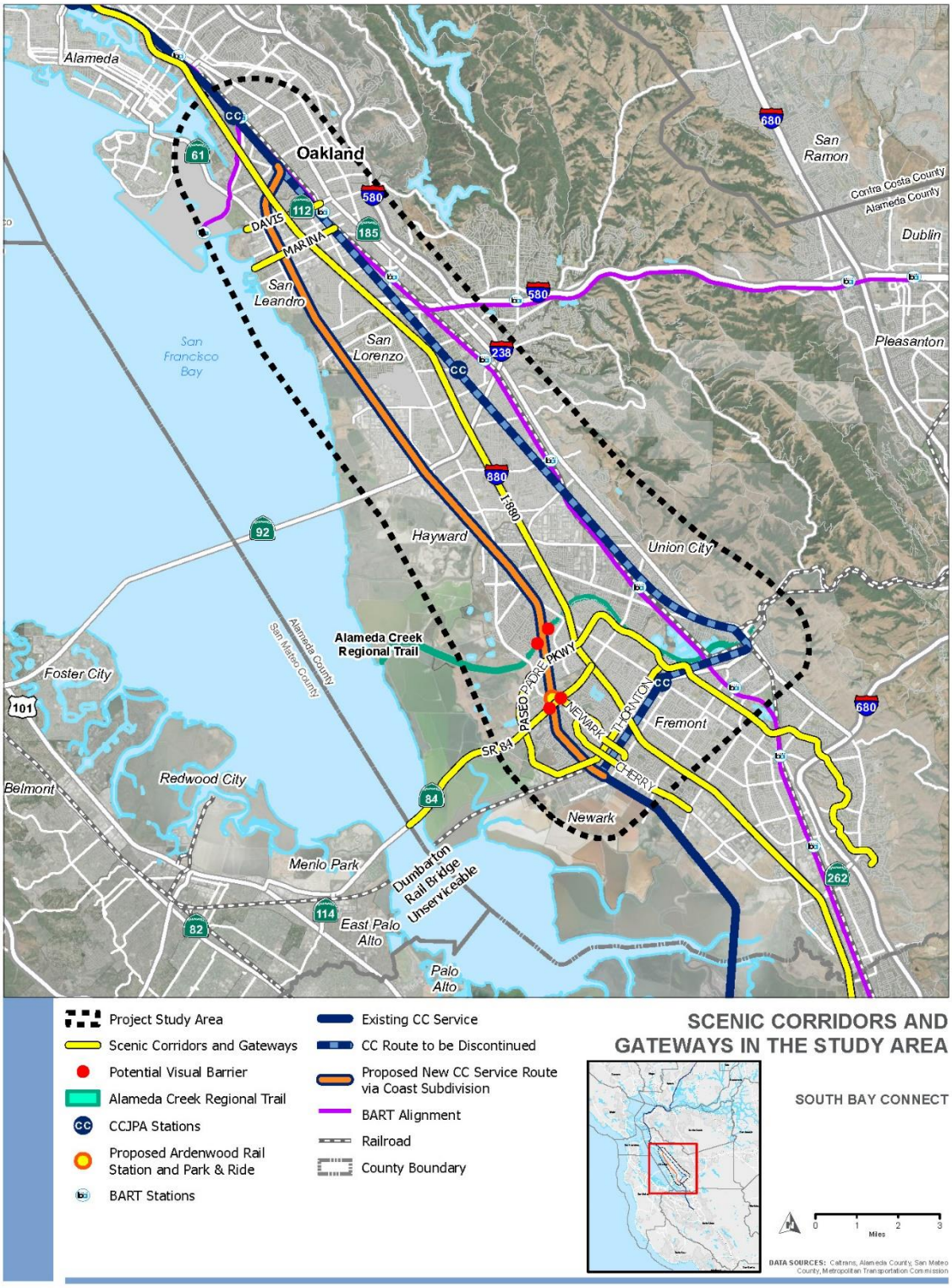
SR 84 is identified as a scenic route by the City of Fremont. Within the RSA, this highway crosses over Ardenwood Boulevard as an overpass with diamond interchanges. Being at a higher elevation than the surrounding environment, travelers on this corridor have distant views of the hills on the northeast and Coyote Hills Regional Park on the southeast, with small to medium height trees and dense understory on both sides of the corridor as well as on highway medians. These vegetation borders soften the views of the multistory buildings, commercial and service spaces, parking lots, and at-grade rail lines in the distance. Vegetation in the median also screens views of Ardenwood Historic Farm from the northbound lanes. The farm is visible from southbound lanes outside the RSA.

I-880 (Nimitz Freeway) is a City of Hayward- and San Lorenzo-designated scenic route that traverses from north to south in the study area. Views of the proposed Project from I-880 are negligible as I-880 crosses Alameda Creek, Wards Creek, and San Lorenzo Creek.

Other scenic corridors including Marina Boulevard, Davis Street, and East 14th Street in the City of San Leandro; Paseo Padre Parkway in the City of Fremont; and Thornton Avenue in Newark have been described as corridors of scenic value by their respective cities. Cherry Street, Mowry Avenue, and Newark Boulevard are identified as major gateways into Newark.

Figure 3.2-4 shows the scenic corridors in the RSA.

Figure 3.2-4: Scenic Corridors and Gateways in the RSA



3.2.4.3 Proposed Project Elements

This discussion provides an overview of the physical elements and structures anticipated with the proposed Project that relates to aesthetics. The proposed Project would include both horizontal and vertical construction elements in varying scales and quantities. Track, siding, and at-grade crossing improvements would be part of the horizontal elements of the proposed Project. The vertical elements of the proposed Project would include grade-separated crossings, water crossings, and the construction of a new station.

Coast Subdivision

The Coast Subdivision would be upgraded to allow for faster and more reliable passenger train operations. Many of the proposed improvements such as ballast, rail, and tie replacement, culvert replacement, new signals and fencing, and slight shifts in the track alignment and new sidings would have little visual change noticeable to the community. Other improvements, such as new retaining walls, replacing four bridges, and constructing a new passenger rail station at the present day Ardenwood Park-and-Ride would be more noticeable from some locations along the Coast Subdivision. More train passengers, however, will have enhanced access to scenery along the corridor.

The main vertical construction work along the Coast Subdivision would be the development of the new passenger rail station located adjacent to the existing Ardenwood Park and Ride. The Ardenwood Station would provide an 800-foot-long center boarding platform between the tracks, a surface parking lot on the west side of the existing rail line, and a covered station entry plaza accessible from the Ardenwood Park and Ride. New walkways crossing under SR 84 and new north and south pedestrian overcrossings would connect adjacent business complexes to the proposed Ardenwood Station. An artist's rendering of the Ardenwood Station conceptual design is shown in Figure 3.2-5.

Figure 3.2-5: Ardenwood Station Conceptual Design

The proposed Project would include up to 3.9 miles of new retaining walls needed to accommodate a second main track with minimal expansion of the rail embankment footprint. Around 60 percent (12,400 linear feet) of the 3.9 miles of new retaining wall would be 5 feet high or less. Another 17 percent of the total (4,752 linear feet) would be 5 to 20 feet high and the remaining 23 percent (3,432 linear feet) between 5 feet and 30 feet high.

The proposed Project will intersect the BCDC jurisdiction in several locations along the route. From north to south, the BCDC lands are adjacent to the route at these locations:

- San Leandro Shoreline Park System marsh lands and Estudillo Canal,
- San Lorenzo Creek crossing at Railroad Ave,
- Hayward Shoreline – crossing Bockman Channel and east of the Oro Loma Marsh,
- Alameda Creek and the Alameda Creek Trail crossing,
- Crandall Creek (just south of Alameda Creek) crossing, and;
- Adjacent to the Cargill salt evaporation ponds in Newark at the southernmost part of the Project Study Area

None of the above-listed BCDC-managed lands or any public access would be affected by the proposed project. Likewise, the San Francisco Bay Trail, which generally runs along the shoreline, is not affected by the proposed Project. The San Francisco Bay Trail, at its closest point, is about a half mile from the Coast Subdivision. With the change to passenger rail on the Coast Subdivision, more rail passengers would have opportunities to view scenery from closer to the bay shoreline.

3.2.5 Best Management Practices

As noted in Chapter 2, Project Alternatives, CCJPA would incorporate a range of BMPs to avoid and minimize adverse effects on the environment that could result from implementation of the proposed Project. BMPs are included in the proposed Project description, and the impact analyses were conducted assuming application of these practices.

BMP AES-1: Special Permits and/or Variance from Local jurisdictions Where Work is Outside of UPRR ROW

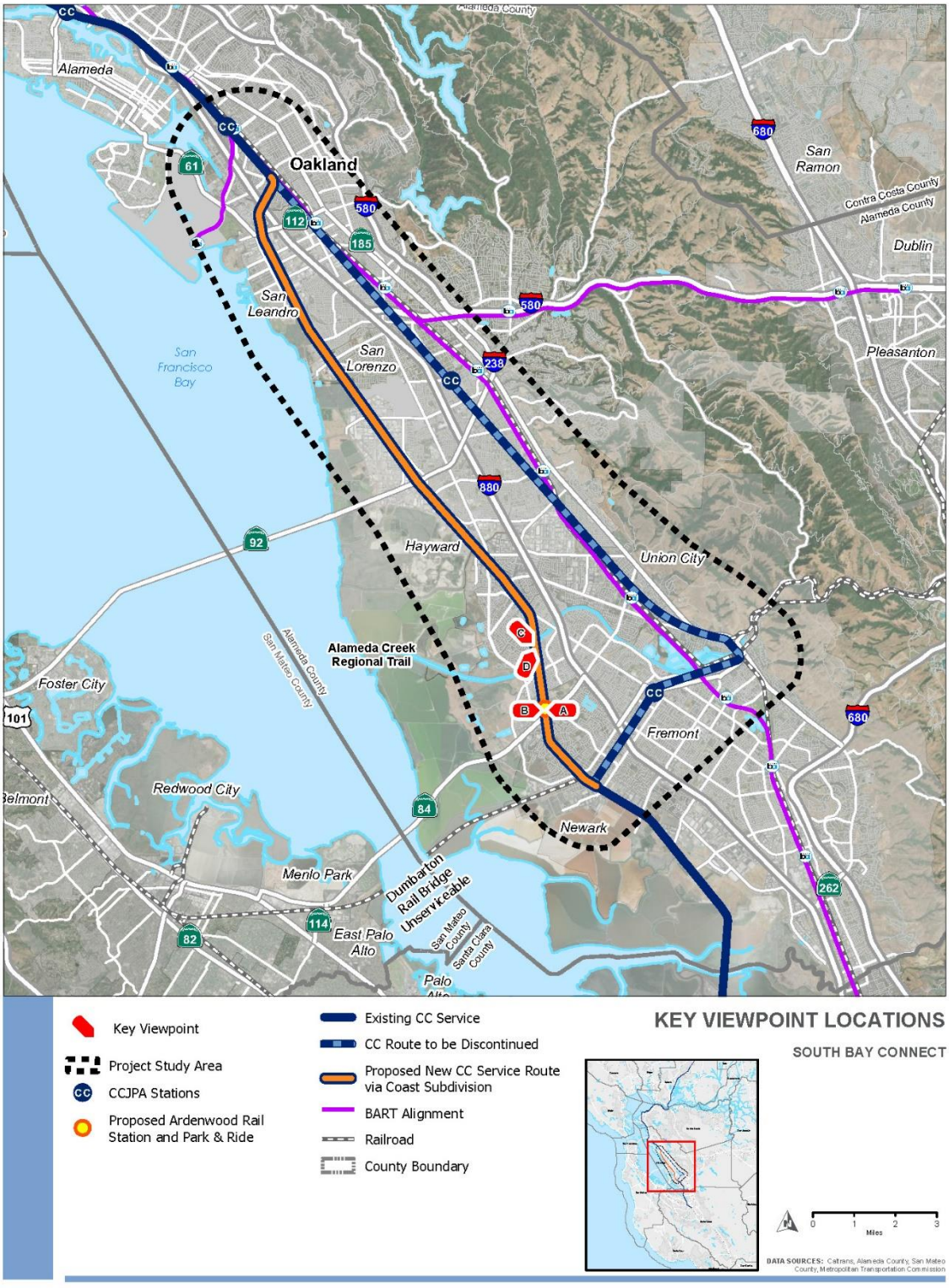
3.2.6 Environmental Impacts

This section describes the potential environmental impacts on aesthetics as a result of implementation of the proposed Project. Lettering shown within title for each environmental factor below correlates with CEQA Statute and Guidelines, Appendix G table lettering and numbering.

3.2.6.1 Viewpoints Analysis

Key viewpoints were used to represent and analyze the proposed Project's potential impacts on the quality of public views within the PSA. The segments of SR 84, Alameda Creek Regional Trail, and residential development adjacent to Coast Subdivision within the PSA were selected as key viewpoints and are shown in Figure 3.2-6.

Figure 3.2-6: Key Viewpoint Locations in the PSA.



Viewpoint A and B, Views from SR 84

Figure 3.2-7 represents the view, looking southwest, towards the existing Ardenwood Park and Ride, as seen by travelers heading south on SR 84. The existing view from SR 84 consists of an urban environment with rows of trees and vegetation lining the highway in the foreground and views of a commercial center and the Ardenwood Park and Ride partially visible through street trees in the background. The view of the existing at-grade rail line that crosses under the highway is obscured by trees planted as part of parcel perimeter landscape or vegetation screening requirements in accordance with the regulations of the City of Fremont.

The proposed Project would construct a new Ardenwood Station. This at-grade station would be located on the western edge of the existing Ardenwood Park and Ride. The station would include a covered entrance plaza and platform, as well as two pedestrian overcrossings connecting the station to adjacent businesses, a parking lot, bike paths, and bus stops. Proposed project mitigation measures MM AES-3: Vegetation Impact, Protection, and Replacement Plan and MM AES-4: Landscape Plan at Ardenwood Station (see Section 3.2.7 for description of the mitigation measures pertaining to aesthetics) would be applied to minimize clearing and grading, soften the station structures with vegetation screening, and provide attractive landscape for the station plaza and parking area. MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges would be implemented to blend the structure with the built environment as well as provide visually appealing aesthetic design treatments aligned with the community aesthetics. As illustrated in the visual simulation in Figure 3.2-8, the new station entrance canopy and north pedestrian overpass would be visible from this viewpoint; however, because these elements are compatible with the existing urban environment, the proposed Project would have a less than significant visual impact at this viewpoint.

Figure 3.2-9 represents the view for travelers heading north on SR 84 looking northeast towards the commercial land uses along the highway corridor. As with the view from southbound SR 84, the visual character of this viewshed is a developed urban landscape that includes a multi-storied hotel and commercial buildings in the Four Corners Commercial Center, all of which are visible from the highway. As illustrated in the visual simulation in Figure 3.2-10, the proposed south pedestrian overcrossing to the new station would be a new visual element from the viewpoint. The top of overcrossing structure would be approximately 10 feet above the elevation of the SR 84 freeway; however, travelers along SR 84 would perceive the top of the structure at the same level as the freeway, because the structure would be located at a distance from the freeway overpass. The proposed Project would not alter the vegetation between the freeway and the overcrossing, and thus the views towards the overcrossing would continue to be softened by the existing screening vegetation. The visual quality impacts at this viewpoint would be minimal because the overpass structure would become another built element in an already urbanized corridor.

The proposed station would be within the City of Fremont, except for south pedestrian overcrossing, which would be within City of Newark jurisdiction. The station plaza and platform are proposed within parcels zoned as Public Facility, which would be considered a compatible use. The proposed north pedestrian overcrossing would be approximately 42 feet high. The maximum building height allowed for Public Facility zoned parcels is 45 feet. The proposed north pedestrian overcrossing structure, approximately 42 feet high, would, however, encroach on parcels zoned as Industrial-Tech (T) on the west and Commercial-General (CG) on the east. The portion of the overcrossing structure proposed on the T-zoned parcel would be considered a compatible use because the maximum building height allowed for T-zoned parcels is 75 feet, and the adjoining Ardenwood

Technology Park-planned district west of the existing rail line has special regulations for increased density and allows for higher building heights. However, for CG-zoned parcel on the east, the maximum building height permitted is 35 feet. The proposed Project would implement Best Management Practice 1: Special Permits and/or Variance from Local Jurisdictions at this location to obtain zoning variance to construct the north overcrossing on CG-zoned parcel. The proposed Project would apply MM AES-5: Aesthetic Plan for the Proposed Bridge Structures to Match Existing and MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges to Ardenwood Station proposed structures to ensure compliance with the City of Fremont's Policy 4-3.7, which requires appropriate massing and scale for the proposed structures, and Goal 4-5: City Beautiful, which aims to protect and enhance the City of Fremont's visual character. The City of Fremont's Policy 11-9.3. A encourages uses around SR 84 that compliment established uses at Ardenwood Technology Park and creates a prominent western gateway into the City of Fremont. The proposed station elements, including the station canopy and pedestrian overcrossings, would be compatible uses.

As described previously, Ardenwood Station's south pedestrian overcrossing would be within the Business and Technology Park zoning district in City of Newark jurisdiction. The maximum height of the proposed structure would be approximately 38 feet, which would be below the 100 feet allowable in this zoning designation. Thus, this structure would not be outside the visual parameters, established by the City of Newark, of the surrounding environment. Although a minor use permit would be required for its construction, this structure would be consistent with the applicable zoning and regulations pertaining to visual quality, including the City of Newark's Policy T-6.6 (encouraging grade separation at rail crossings) and LU-2.2 (requiring that new structures are aesthetically compatible with the surrounding environment). With the implementation of MM AES-4: Landscape Plan at Ardenwood Station, the proposed Project would also be compatible with the City of Newark's Policy T-7.5, which pertains to parking lot aesthetics.

The light and glare generated by the new station would be consistent with the surrounding commercial, industrial, and public facility land uses. City of Fremont General Plan Policy 4-4.6 is intended to protect dark skies and reduce glare. City of Newark Municipal Code (Chapter 17.17.060) contains provisions to prevent light trespass and glare in all new developments. As required by these regulations, and with implementation of MM AES-8: Lighting Plan for reducing glare and over-lighting impacts, the proposed Project would minimize impacts to nighttime views in the Ardenwood Station area.

Figure 3.2-7. Viewpoint A – Ardenwood Park and Ride from SR 84, looking southwest (existing)

Source: Google Street View (n.d.)

Figure 3.2-8. Viewpoint A – Ardenwood Park and Ride from SR 84, looking southwest (Proposed Project)

Source: Google Street View (n.d.)

Figure 3.2-9. Viewpoint B – Four Corners Commercial Center from SR 84, looking northeast (existing)

Source: Google Street View (n.d.)

Figure 3.2-10. Viewpoint B – Four Corners Commercial Center from SR 84, looking northeast (Proposed Project)

Source: Google Street View (n.d.)

Viewpoint C, View from Alameda Creek Regional Trail

Pedestrians and cyclists along the Alameda Creek Regional Trail presently view the elevated Coast Subdivision crossing of Alameda Creek. The proposed Project includes widening of the creek

crossing with additional piers beneath the span. The superstructure would appear essentially the same as it currently appears to trail viewers.

The City of Fremont identifies Alameda Creek Regional Trail as one of the primary corridors for pedestrians and cyclists. The City also identifies the importance of Alameda Creek in providing an open space buffer that helps to define the City's northern edge, offers a visual connection to nature, and enhances the overall aesthetic of the City (City of Fremont 2011).

As shown in Figure 3.2-11, pedestrians and cyclists traveling east on the Alameda Creek Regional Trail towards I-880 currently have expansive and scenic views of Alameda Creek in the foreground and the foothills of the Diablo Range in the background with the existing rail bridge in the foreground. The elevated structure would further impede these views for trail users (see visual simulation in Figure 3.2-12). Since trail users tend to be recreational viewers who travel at a slower speed and are more perceptive of the changes to the visual environment, the additional obstruction of scenic views of the creek and foothills would normally result in a significant impact to visual quality. However, because the proposed structure obscures only a very minor amount of additional scenery, the impact is minimal.

The height of the bridge as it passes over Alameda Creek Regional Trail would be approximately 10 feet above grade. Because of the height of the proposed elevated structure relative to the trail, the lights of trains traveling on the proposed elevated structure would not generally be visible to trail users. Trail users are also less likely to use the trail at night when these lights would be brightest.

Figure 3.2-11. Viewpoint C – View of Alameda Creek from Alameda Creek Regional Trail, looking east (Existing)

Source: Google Street View (n.d.)

Figure 3.2-12. Viewpoint C – View of Alameda Creek from Alameda Creek Regional Trail, looking east (Proposed Project)

Viewpoint D, View of the Coast Subdivision Tracks

The Project proposes up to 3.9 miles of new retaining wall to accommodate a second main track, and they will affect the visual quality of the users on the adjacent sites. Walls will range in height from 5 feet up to 30 feet. Around 12,400 linear feet of wall would be 5 feet or under. Walls ranging from 5 to 20 feet in height would be constructed for another 3,400 feet and walls from 5 to 30 feet in height for 4,700 feet.

Figure 3.2-13 is a typical view of places along the Coast Subdivision where residential developments are adjacent to the rail line and where proposed retaining walls would be constructed. Along its length in the Project Study Area, the Coast Subdivision is mostly screened by walls, fences, and vegetation with only intermittent unobscured views of the rail grade. The trapezoidal elevated rail embankment acts as a visual levee in separating neighborhoods and residential developments. The track ballast and embankment don't support much vegetation growth, so the embankment appears mostly as bare soil with patchy grasses and other plants.

Figure 3.2-14 depicts a proposed retaining wall needed to add a second main track without expanding the footprint of the rail embankment. Concrete retaining walls create a more urban appearance than natural grass or soil.

Figure 3.2-13. Viewpoint D – View of the Coast Subdivision tracks, looking east from Novato Street (Existing)

Source: Google Street View (n.d.)

Figure 3.2-14. Viewpoint D – View of the Coast Subdivision tracks, looking east from Novato Street (Proposed Project)

3.2.6.2 (a) Would the project have a substantial adverse effect on a scenic vista?

No Project Alternative

No Impact. Under the No Project Alternative, the Capitol Corridor passenger rail service between Oakland and San Jose would not be relocated from the Niles Subdivision to the Coast Subdivision. Capitol Corridor passenger trains and UPRR freight trains would continue to operate based on current routes with no changes to connectivity or rail efficiency. Therefore, the No Project Alternative would not result in direct impacts or changes to scenic vistas.

Proposed Project

Less than Significant Impact with Mitigation Incorporated.

Impacts on a Scenic Vista from Construction

The proposed Project would include ballast and track improvements, new sidings, retaining walls, at-grade crossings, new signals, grade-separated crossings, water crossings, new second main track, and the proposed Ardenwood Station, all of which would be visible from one or more visual receptors identified in Section 3.2.4.2, Local Setting. In addition, four existing single-track water course bridges would be expanded to double-track bridges.

While the proposed Project would include construction in areas identified as having scenic vistas, these alterations would be temporary while construction activities are ongoing and perceived as minor changes to the existing built environment. Construction activities would introduce heavy equipment, associated vehicles, soil and material transport, and land clearing within and outside UPRR ROW, creating dust clouds that interrupt scenic vistas, although visual impacts resulting from these construction activities and equipment would be temporary. MM AES-1: Construction Area Visual Screening would be implemented to ensure that visual barriers are installed between construction work areas and sensitive receptors to minimize the impact on existing localized visual quality. MM AES-2: Construction Lighting Plan would be applied to limit construction to daylight hours, to the maximum extent feasible, to reduce the amount of construction experienced by the sensitive viewer groups. Implementation of these mitigation measures would reduce construction impacts to a less than significant level.

Impacts on a Scenic Vista from Proposed Structures

As described in Section 3.2.4.3, Proposed Project Elements, the proposed Project proposes track improvements, at-grade crossings, new sidings, new second main track, grade-separated crossings, water crossings, and the proposed Ardenwood Station. These improvements would be visible from one or more visual receptors identified in Section 3.2.4.2, Local Setting. Impacts on scenic vistas from the proposed Project structures are discussed below.

- Track Improvements and At-grade Crossings. Track improvements would upgrade infrastructure including the addition of fencing and signal equipment. New fencing will match the existing fencing within the RSA and is anticipated to be 6- or 8-foot-tall security fencing with 2-inch mesh galvanized chain link fabric and may have barbed wire top. These improvements would be compatible with the existing visual environment in the vicinity and in the existing rail corridor.

- New Siding. A new siding would allow trains on the same line to pass each other by providing space to temporarily store trains. Siding would be up to 15,000 feet in length along the existing tracks, making the rail corridor appear wider. Most new or additional sidings would be constructed within the existing UPRR ROW, however, and would not involve extensive regrading or add vertical elements that would adversely impact a scenic vista.

- New Second Main Track: The Project proposes up to 3.9 miles of new retaining wall to accommodate a second main track, which would affect the visual quality of the users on adjacent sites. Implementation of MM AES-3: Vegetation Impact, Protection, and Replacement Plan and MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges would soften the mass of these structures through vegetation screening and aesthetic design treatments and aid in blending these structures with their surroundings. Therefore, there would be no significant impacts to a scenic vista.

- Grade-separated Crossings. All grade-separated crossings proposed by the Project would be prominent elements in the visual environment and would partially obstruct scenic views of the foothills of the Diablo Range and Alameda Creek. Implementation of MM AES-3: Vegetation Impact, Protection, and Replacement Plan and MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges would soften the mass of these structures through vegetation screening and aesthetic design treatments and aid in blending these structures with their surroundings. Therefore, there would be no significant impacts to a scenic vista.

- Water Crossings. The proposed Project proposes water crossings consisting of two-track bridge structures. The Alameda Creek bridge would be constructed adjacent to, but at a slightly higher elevation than the existing rail bridge over the waterway. Section 3.2.6.1, *Viewpoint C: View from Alameda Creek Regional Trail* provides a detailed view of the Alameda Creek Regional Trail and creek with associated marshland. The proposed Project includes widening of the creek crossing with additional piers beneath the span. The superstructure mass will appear essentially the same as presently appears to trail viewers. Cyclists traveling east on the Alameda Creek Regional Trail towards I-880 currently have expansive and scenic views of Alameda Creek in the foreground and the foothills of the Diablo Range in the background with the existing rail bridge in the foreground. The elevated structure proposed by the Project would impede these views for trail users slightly more than the existing structure. By implementing MM AES-5: Aesthetic Plan for the Proposed Bridge Structures to Match Existing and MM AES-6: Aesthetic Plan for the Proposed Structural Features, the proposed structure will be similar in scale and height to the existing bridge in the viewshed of the Alameda Creek marshlands and the foothills of the Diablo Range, the impacts to a scenic vista would be less than significant.

- New Ardenwood Station. As described in Section 3.2.6.1, *Viewpoint Analysis: Views from SR 84*, the proposed Project would apply mitigation measures (MM AES-3: Vegetation Impact, Protection, and Replacement Plan, MM AES-4: Landscape Plan at Ardenwood Station, MM AES-5: Aesthetic Plan for the Proposed Bridge Structures to Match Existing, MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges, and BMP AES-1: Special Permits and/or Variance from Local Jurisdictions) to the proposed Ardenwood Station structures to ensure compliance with the applicable zoning and regulations for the Cities of Fremont and Newark pertaining to visual quality. Therefore, there would be no significant impacts to a scenic vista.

Impacts on a Scenic Vista from Operations

The proposed Project would shift Capitol Corridor passenger trains from the current Niles Subdivision route to the Coast Subdivision between Oakland and Newark. Increased passenger train frequency is not part of the Project. As illustrated in Figure 3.2-3**,** visual resources within the viewshed of the proposed Project include Martin Luther King Jr. Regional Shoreline, Oyster Bay Regional Shoreline, Marina Park, San Lorenzo Community Park, Hayward Regional Shoreline, Eden Landing Ecological Reserve, Eden Greenway, Coyote Hills Regional Park, Alameda Creek Regional Trail, Ardenwood Historic Farm, and Don Edwards San Francisco Bay National Wildlife Reserve. Thus, the Capitol Corridor train passengers would experience expansive scenic vistas and varied natural landscapes interspersed with urban elements as they travel along Coast Subdivision. The proposed Project would noticeably improve the quality of views for this viewer group.

Because passenger and freight trains already run on both the Niles and Coast Subdivision, and the proposed Project does not include any increase in the number of daily Capitol Corridor passenger trains, the quality of views for pedestrians, bicyclists, and recreational viewers would not greatly change from existing conditions.

Based on the analysis above, the level of impact after mitigation would be less than significant.

3.2.6.3 (b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Project Alternative

No Impact. Under the No Project Alternative, the Capitol Corridor passenger rail service between Oakland and San Jose would not be relocated from the Niles Subdivision to the Coast Subdivision. Capitol Corridor passenger trains and UPRR freight trains would continue to operate based on current routes with no changes to connectivity or rail efficiency. Therefore, the No Project Alternative would not result in direct impacts or changes to scenic resources within a State Scenic Highway.

Proposed Project

No Impact. There are two officially designated/eligible state scenic highways in the vicinity of the Project Study Area: I-580 and SR 84. The I-580 (McArthur Freeway) scenic highway segment runs in a north-south direction just east of the Project Study Area. The SR 84 (Niles Canyon Road) scenic highway segment is also just east of the Project Study Area. However, none of these officially designated/eligible state scenic highways occur within the aesthetics RSA. Construction and operation of the proposed Project would not take within the portions of I-580 and SR 84 that are designated as scenic. Therefore, there would be no impacts to scenic resources within a state scenic highway.

3.2.6.4 (c) Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Project Alternative

No Impact. Under the No Project Alternative, the Capitol Corridor passenger rail service between Oakland and San Jose would not be relocated from the Niles Subdivision to the Coast Subdivision. Capitol Corridor passenger trains and UPRR freight trains would continue to operate based on current routes with no changes to connectivity or rail efficiency. Therefore, the No Project Alternative would not result in neither direct impacts or changes to existing visual character or quality in non-urbanized areas nor conflict with applicable zoning and other regulations governing scenic quality in urbanized areas.

Proposed Project

Less than Significant Impact with Mitigation Incorporated. The proposed Project would include track improvements, at grade crossings, grade-separated crossings, water crossings, new sidings, and the proposed Ardenwood Station, all of which would be in urbanized areas.

Visual Impacts During Construction

Construction activities would introduce heavy equipment, associated vehicles, soil and material transport, and land clearing within and outside of UP ROW into the viewshed of all user groups. Visual impacts resulting from these construction activities and equipment would be temporary, and with implementation of mitigation measures MM AES-1: Construction Area Visual Screening and MM AES-2: Construction Lighting Plan, construction impacts are anticipated to be less than significant.

Visual Impacts from Proposed Structures

The Project proposes new two-track bridges to replace the existing single-track bridges over Lowry Road and Alameda Creek. Also, the proposed Project would include either new double-track bridges or culverts over Crandall creek (an engineered channel), and a drainage channel at MP 29.57. In addition to the bridges (or culverts), the proposed Project would include replacing eight existing timber structures with culverts. Conversely, there are seven existing grade separated crossings along the Coast Subdivision that may require some pier protection work, however, no additional changes to the seven grade separated crossings is proposed.

Retaining walls will also be required to accommodate railroad improvements on the Coast Subdivision. Potential locations include:

- Between MP 30.0 and MP 27.65: and approximately 5-foot-high retaining wall on one or both sides of the rail ROW
- Between MP 27.65 and MP 26.75: 5- to 30-foot-high retaining walls on one or both sides of the rail ROW

- Between MP 26.65 and MP 26.00: 5-20-foot-high retaining walls on one or both sides of the rail ROW

The proposed retaining walls proposed would be prominent elements in the visual environment and would significantly alter the visual character of their surroundings.

Implementation of MM AES-3: Vegetation Impact, Protection, and Replacement Plan and MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges would minimize clearing and grading, protect existing vegetation, soften the mass of these structures through vegetation screening outside of UPRR ROW and aesthetic design treatments, and aid in blending these structures with their surroundings. The level of impacts after mitigation are described in detail in Section 3.2.6.1, *Viewpoint Analysis*, as follows:

- Viewpoint C, Alameda Creek from Alameda Creek Regional Trail. With implementation of MM AES-3: Vegetation Impact, Protection, and Replacement Plan and MM AES-5: Aesthetic Plan for the Proposed Bridge Structures to Match Existing, impacts of the visual character or quality of public views are anticipated to be less than significant.
- Viewpoint D depicts a retaining wall needed to add a second main track. Concrete retaining walls create a more urban appearance than natural grass or soil. The level of impact after mitigation employing MM AES-3: Vegetation Impact, Protection, and Replacement Plan and MM AES-7: Aesthetic Plan at Ardenwood station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges would be less than significant.

Visual Impacts from Operations

Operations and maintenance of the proposed Project would be generally consistent with existing operations and maintenance within the rail corridors with occasional maintenance vehicles and work crews present on site. Passenger and freight trains already run on both the Niles and Coast Subdivisions, so the visual effects would be the same. The proposed Project does not include any increase in the number of daily Capitol Corridor passenger trains. As such, visual impacts of the operation and maintenance of trains in the corridor would not greatly change from existing conditions. Therefore, the visual impacts from operations would not be significant.

Conflicts with Applicable Zoning and other Regulations Governing Scenic Quality

All proposed Project elements are consistent with federal, state, and local regulations governing scenic quality as outlined in Section 3.2.2, Regulatory Setting.

Based on the analysis above, the level of impact after mitigation would be less than significant.

3.2.6.5 (d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Project Alternative

No Impact. Under the No Project Alternative, the Capitol Corridor passenger rail service between Oakland and San Jose would not be relocated from the Niles Subdivision to the Coast Subdivision. Capitol Corridor passenger trains and UPRR freight trains would continue to operate based on

current routes with no changes to connectivity or rail efficiency. Therefore, the No Project Alternative would not generate a new source of light or glare within the RSA.

Proposed Project

Less Than Significant Impact with Mitigation Incorporated. The existing built environment within the RSA consists of urban neighborhoods, multi-story buildings, highways, and rail corridors. The primary sources of existing daytime and nighttime light in this environment are residential lights, security lights, streetlights, parking lot lights, traffic signal lights, automobile headlights, and various sources of nighttime lighting.

Glare refers to the discomfort of vision experienced when a person is exposed to a direct or reflected source of light, causing objectionable brightness greater than that to which the eyes are accustomed. Sources of glare include sunlight reflected in the windows of buildings and cars and lighted signs on multistory buildings.

For open space areas within RSA such as Alameda Creek Regional Trail, Oyster Bay Regional Shoreline, and Eden Landing Ecological Reserve there is minimum light and glare under present conditions, except for lights from passing trains on existing rail lines and passing vehicles on surrounding roadways and freeways.

Impacts to Day or Nighttime View During Construction

The proposed Project would create new sources of both temporary and permanent light and glare. Temporary sources of light and glare would include construction vehicles and lighting for nighttime construction. MM AES-2: Construction Lighting Plan would be implemented during construction to minimize fugitive light from portable sources used for construction.

Impacts to Day or Nighttime View from Operations

Permanent sources of light and glare would include lights at the new Ardenwood Station and pedestrian overcrossing, new rail crossing signals, and train lights during nighttime operating schedules. New lighting sources, such as signal lights, would be balanced with existing conditions, because where signal lights are added in some areas, they would be removed in others. Further, the existing visual environment in urbanized areas of the proposed Project already contains many sources of light and glare including vehicle headlights, streetlights, traffic signals, parking lot lighting, storefront and signage lighting, and other lighting on buildings, so a slight increase in signal and train lighting would be negligible overall.

At-grade crossings are currently equipped with automatic flashing lights, bells, and gates that serve as visual warnings to travelers, pedestrians, and bicyclists approaching the crossing. The proposed Project would include these visual warnings operating 24 hours per day for an estimated 50-second duration for passenger trains and up to an estimated 240-second duration for freight trains projected in the year 2040. The proposed Project would increase the number of trains on the Coast Subdivision as all passenger trains (approximately 14 trains per day) would be shifted to this rail corridor. This would result in more frequent visual warnings in a day at each at-grade rail crossing on the Coast Subdivision; however, each warning light would be active for a shorter, 60-second duration for this proposed passenger trains-only corridor. The proposed Project would reduce the total number of trains on the Niles and Oakland Subdivisions. The proposed Project would not impact the number of freight trains but reduce the number of passenger trains per day on the Niles

and Oakland Subdivisions. This would result in less frequent visual warnings in a day at each at-grade rail crossing on the Niles and Oakland Subdivisions. In the urbanized context, the light and glare from these lights would be balanced along Niles/Oakland and Coast Subdivisions and would not substantially and adversely affect daytime or nighttime views.

In both urbanized and non-urbanized areas of the proposed Project, MM AES-8: Lighting Plan would be applied to further minimize light trespassing and glare.

Based on this discussion, and with the implementation of MM AES-2: Construction Lighting Plan and MM AES-8: Lighting Plan, impacts would be less than significant.

3.2.7 Mitigation Measures

The following mitigation measures associated with aesthetics would be implemented.

MM AES-1: Construction Area Visual Screening

Prior to the commencement of construction activities, Capitol Corridor Joint Powers Authority (CCJPA) will develop a visual resource construction plan for areas that may be affected by construction activities. Construction areas subject to this mitigation measure would be refined by CCJPA based on the size of the area, the nature of the construction activity, the proximity or visibility of the area to public vantage points or residential uses, and the type of visual screening to be implemented during construction activities. Potential visual screening may include, but is not limited to, the following:

- Fence with vinyl or mesh banners
- Fence with privacy screens
- Chain link fence with slat panels

MM AES-2: Construction Lighting Plan

Prior to commencement of construction activities, CCJPA will develop a construction lighting plan for areas that could be affected by construction activities. The construction lighting plan will consider the size of the area, the nature of the construction activity, the proximity or visibility of the area to sensitive receptors, and the type of lighting needed during construction activities. In addition, the construction lighting plan will evaluate the following:

- Lighting polices/requirements of the local jurisdiction;
- Use of glare-free lights, such as color corrected halide lights or balloon lights;
- Selection of light fixtures that meet or exceed industry standards for cutoff performance; and
- Installation of lights at the proper angle such that spill light is minimized beyond the construction site.

MM AES-3: Vegetation Impact, Protection, and Replacement Plan

During final design, CCJPA will develop a vegetation impact, protection, and replacement plan for areas outside of the UPRR right of way that would be affected by construction activities. The

Vegetation Impact, Protection, and Replacement plan will consider the following elements outside of UPRR ROW:

- Minimize size of area for clearing and grubbing;
- Require that any pruning activity be performed by a Certified Arborist;
- Including vegetation restoration requirements, including use of drought tolerant plant species and avoidance of invasive plant species in areas listed on Table 3.2-1;
- Incorporating landscape design options to soften vertical structures, minimize surface glare, reduce the visual monotony of the structures, and enhance the aesthetics of the structure;
- Using California native species with strong emphasis on vegetation and natural habitat restoration and screening of the rail corridor in non-urbanized areas;
- Selecting plant species from local (city or county) jurisdictional plant lists, if available, with an emphasis on adaptability to urban conditions and placing plants in accordance with Crime Prevention Through Environmental Design principles for urbanized areas;
- Developing an irrigation design and a maintenance program that will maximize retention of selected plant species and minimize potential for takeover by local invasive species.

Table 3.2-1. Potential Vegetation Replacement/Visual Softening Planting Area

Vegetation Replacement/Visual Softening Planting Area	Planting Character
Ardenwood Station area outside of UPRR ROW	Urbanized
North and South of Alameda Creek bridge outside of UPRR ROW	Urbanized
Alameda Creek bridge outside of UPRR ROW	Urbanized
Retaining Walls MP 30.0 to MP 27.65 outside of UPRR ROW	Urbanized
Retaining Walls MP 27.65 to MP 26.75 outside of UPRR ROW	Urbanized
Retaining Walls MP 26.65 to MP 26.00 outside of UPRR ROW	Urbanized
Lowry Road double-track bridge outside of UPRR ROW	Urbanized
Crandall Creek double-track bridge or culvert outside of UPRR ROW	Urbanized

MM AES-4: Landscape Plan for Ardenwood Station

During final design, CCJPA, in coordination with the City of Fremont, will develop a landscape plan for the proposed Ardenwood Station's surface parking lot, entrance plaza, and any disturbed vegetation at the Ardenwood Park and Ride or at other areas outside of UPRR ROW that would be affected by station construction. The landscape plan would include, at a minimum, the following measures:

- Shade trees and groundcovers at proposed surface parking lot, along the accessible walkways connecting south pedestrian overcrossing with the station, Dumbarton Court, and Overlake Place to improve aesthetics and to provide shade;
- Use of the City of Fremont's Landscape Development Requirements for all areas within the City's jurisdiction (City of Fremont 2019);
- Station entry plaza landscaping;
- Use of drought tolerant plant species and avoidance of invasive plant species;
- Mixed landscape plantings to provide multi-season visual interest while maintaining clear identification and visibility of the station for the public;
- Irrigation design and maintenance program to support landscaping and minimize takeover by invasive species.

MM AES-5: Aesthetic Plan for Proposed Bridge Structures

During final design, CCJPA will develop an aesthetic plan for proposed Project bridges that would replace single-track bridge structures with double-track bridge structures or where new bridges would be constructed adjacent to an existing bridge on the same roadway or waterway. The new bridge structures would match the height and aesthetic treatments of the existing bridge structures. See Table 3.2-2 for details.

Table 3.2-2. Mitigation Measure to Match, Height, Scale, and Color of Proposed Structures to the Existing Environment

Proposed Structure	Height	Color and Surface Finish
Alameda Creek bridge	Match existing Alameda Creek bridges removed as part of the proposed Project	Natural steel, CCJPA-approved
Lowry Road double-track bridge	Match existing Lowry Road bridge adjacent to the proposed bridge	Natural steel, CCJPA-approved
Crandall Creek double-track bridge or culvert	Approximately match existing Crandall Creek bridges removed as part of the proposed Project	Natural steel, CCJPA-approved

MM AES-6: Aesthetic Plan for Proposed Structural Features

During final design, CCJPA will develop an aesthetic plan for the coated new, relocated, and/or replaced ancillary features, fencing, and railings proposed along the proposed Project corridor, but outside of the UPRR ROW. The Aesthetic Plan will consider, but not be limited to, the following:

- Coloring or shading of ancillary features a shade that would be two to three shades darker than the general surrounding area using the prescribed color palette from U.S. Department of the Interior, Bureau of Land Management, with a finish to reduce the potential glare;
- Color and texturizing ancillary features, within or adjacent to UPRR ROW, such as signal equipment, safety gates, signal houses, and pavement markings, to be in accordance with UPRR requirements for consistency throughout the corridor;
- Constructing any new fences within the UPRR ROW to be in accordance with UPRR or CCJPA requirements. The existing fences affected by the proposed Project outside of the UPRR ROW to be replaced in kind or with black powder coated chain link fences or high-security fences, as determined by CCJPA;
- Cable railing to be used to maintain corridor-wide railing design consistency and not to block scenic vistas where applicable.

MM AES-7: Aesthetic Plan for Ardenwood Station structures, Pedestrian Overcrossings, Grade Separated Structures, Retaining Walls, and Bridges

During final design, CCJPA will develop an aesthetic plan for new structures with high visibility from SR 84 and Alameda Creek Regional Trail (Table 3.2-3). Aesthetic design treatments will consider but not be limited to the following:

- Selecting colors and textures to recede into views to reduce the overall apparent scale of the proposed structures. Use of earth-toned colors, such as light buff/tan or light gray colors to compliment the surrounding vegetation and provide a subtle foreground to surrounding scenic vistas. Using roughened concrete surfaces to provide visual texture, reduce glare, and deter graffiti;
- During design, considering the aesthetics of similar local structures to complement the existing cultural and natural landscape, and adhering to the local city or county jurisdictional regulations pertaining to aesthetics;
- Complying with UPRR requirements for railroad structures related to structural design and post-construction access to all facilities for inspection during operations;
- Incorporating aesthetics along the rail corridor for new, modified, or relocated retaining walls to correspond with existing retaining walls nearby or at the original locations, to the extent allowable by UPRR standards.

Table 3.2-3. Potential Aesthetic Design Treatments

Proposed Structure	Aesthetic Design Treatments
Ardenwood Station Plaza and platforms	Design structure in a manner that provides a welcoming feel and a sense of arrival to the viewer groups Incorporate Crime Prevention Through Environmental Design principles in the design Incorporate design elements and/or public art reflective of community aesthetics in coordination with the City of Fremont Select structure color and texture to be consistent with the surrounding built environment Design railings to be visually transparent to soften the mass of the structure
Ardenwood Station north overcrossing	To the extent possible, design overcrossing as a gateway element and incorporate design features reflective of the City of Fremont community aesthetics in coordination with the City Select structure color and texture to be consistent with the surrounding built environment Design railings to be visually transparent to soften the mass of the structure
Ardenwood Station south overcrossing	To the extent possible, design overcrossing as a gateway element and incorporate design features reflective of City of Newark community aesthetics Select structure color and texture to be consistent with the surrounding built environment Design railing to be visually transparent to soften the mass of the structure
Retaining Walls	Add texture to concrete. Add cap to retaining walls.
Lowry Road double-track bridge	Concrete texture on abutments
Crandall Creek double-track bridge or culvert	Concrete texture on abutments

MM AES-8: Lighting Plan

During final design, CCJPA will develop a lighting plan for the proposed Project to minimize light trespassing and glare. The lighting plan will consider, but not be limited to, the following:

- Lighting design will comply with the Engineering Society's design guidelines. Lighting fixtures and lighting control systems will conform to the International Dark-Sky Association's Fixture Seal of Approval program.
- Downcast cut-off type fixtures that direct light only toward objects requiring illumination and shields will be used where needed to minimize light pollution. Shielding for lights in parking lots, along pathways, and station platforms will be used to minimize off-site light spillage, ambient light glow, and glare.
- Lights will be installed at the lowest allowable height to cast low-angle illumination that minimizes incidental light spill onto adjacent properties and open spaces or backscatter into the nighttime sky. Lights will be screened and directed away from adjacent uses to the highest degree possible.
- The lowest allowable illuminance level and intensity feasible will be used for security, safety, and personnel access. The number of nighttime lights will be minimized to the extent feasible.
- Non-glare finishes will be applied to light fixtures to avoid reflective daytime glare. Energy efficient design with daylight sensors or timed with an on/off program will be used. Aesthetically pleasing light color rendering and fixture types will be selected.
- Note that railroad and traffic signals are subject to operational and regulatory requirements and may not meet this mitigation measure.

3.2.8 Cumulative Impact Analysis

3.2.8.1 Cumulative Impact Study Area

Cumulative impacts are two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The cumulative impact RSA for aesthetics is the area adjacent to the proposed Project.

3.2.8.2 Cumulative Condition and Contribution of the Proposed Project

A significant cumulative impact on aesthetics would occur if the cumulative effects of other projects, combined with the proposed Project, would result in adversely affecting scenic vistas or the existing visual character of public views in the cumulative impact study area.

Under the cumulative condition, the Proposed Project would be generally consistent with the visual character of the existing built environment. The projects included in this cumulative analysis RSA would be located predominantly within urban areas, and visual changes would be compatible with the existing visual character. As identified in Table 3-1 in Section 3.1, Introduction, multiple past,

present, and reasonably foreseeable projects were considered for the purpose of this cumulative impact analysis. These cumulative projects include infrastructure projects, transportation and transit projects, recreational and community facility projects, and other private development projects in close proximity of the proposed Project. These projects would be subject to the same federal, state, and local regulations regarding scenic highways and other scenic viewsheds as the proposed Project, which would help reduce the risk of cumulative impacts.

The environmental documents of those projects, if available, concluded that they would have either no impact or less than significant impacts on the visual resources. The environmental documents for the Bidwell Park Master Plan Project have not been drafted yet, however, a minor VIA will be prepared based on the questionnaire from the Preliminary Environmental Analysis Report (PEAR).

Bidwell Park Master Plan is a planned park, recreational, and community facility project proposed by Hayward Area Recreation and Park District are in the City of Hayward within the RSA. This project would add recreational elements and structures within the designated land use, and thus would be compatible with existing land uses and visual character in the area. This project and the work performed for the proposed Project are separated by two rows of single-family housing, BART tracks, and a maintenance yard, and they will not visually interact. As such, the aesthetic impacts will not be cumulative.

Mixed-use development projects proposed on the north and south side of Niles Historic District, including Station East Residential/Mixed-Use and Niles Gateway Mixed-Use, would be subject to Union City's and the City of Fremont's zoning regulations protecting public views and community aesthetics, including restrictions on height, screening, and parking. Station East Residential/Mixed Use Project is two blocks away from the proposed Project, and a solid vegetation mass visually separates the two projects. Therefore, this project will not visually interact with a new siding and at-grade crossing improvements including sidewalk and signal equipment at Decoto Road the proposed Project will build. Niles Gateway Mixed Use Project constructs a residential development in the Niles Historical Overlay District and is in the proximity of the proposed Alameda Creek Bridge in Alternative D. The existing Alameda Creek Bridge, which is approximately the same height as the proposed bridge, will remain between this project and the proposed bridge. Therefore, the Alameda Creek Trail users will not see this project and the proposed bridge together, and the aesthetic impacts are not expected to be cumulative.

The 2075 Williams Street Industrial Project would modify the existing facility to increase the maximum tonnage of materials that could be received and processed and have no effects on the appearance of the project site or its surroundings. The proposed Project will add a new siding adjacent to this project as well as at-grade crossing improvements including sidewalk and signal equipment at Williams Street. The scope of the two projects will not visually interact with each other.

CEQA defines indirect or secondary effects as the impacts that are reasonably foreseeable and caused by a project but occur at a different time or place. Planned future transportation corridor improvements and multimodal facility project, the SR 84 Intermodal Bus Facility in the vicinity of the station, also planned by CCJPA, would promote multimodal connectivity at the Ardenwood Park and Ride area and would build upon the proposed Project's intent. This project is entirely within state ROW, which is elevated over the proposed Ardenwood Station, and the project components are not exposed to public views from the ground level. SR 84 Intermodal Bus Facility would add vertical structures such as bus shelters to SR 84, which is a designated scenic corridor in the City of Fremont.

These structures as well as the Ardenwood Station structures would be visible to the travelers on SR 84. However, the scale and extent of the visual impacts of these structures would be minimized following the Caltrans regulatory framework and would be in line with the existing urbanized environment. Mitigation measures such as reflecting the visual preferences of the community in the design of the bus stop structure and replacement of removed vegetation are also anticipated. As such, the cumulative impacts from two projects are not expected to be significant.

The indirect and cumulative impacts from these projects would not be cumulatively considerable due to their compliance with existing regulations governing visual quality, compatibility with the existing urban pattern, and improvement in public access to visual resources in the RSA. The cumulative impacts from these projects in addition to the impacts from the proposed Project would not alter the CEQA findings described in Section 3.2.6, Environmental Impacts.

3.2.8.3 Conclusion

The proposed Project, when considered in combination with other planned projects in the RSA that would also be constrained by the existing built environment, would be consistent with existing structures and viewsheds, and therefore would not result in a significant cumulative impact on visual resources.

3.2.9 CEQA Significance Findings Summary Table

Table 3.2-4 summarizes the aesthetic impacts of the proposed Project.

Table 3.2-4. Aesthetic Resources Impacts Summary

Impact	Level of Significance Before Mitigation	Incremental Project Contribution to Cumulative Impacts	Mitigation	Level of Significance with Mitigation Incorporated	Incremental Project Cumulative Impact after Mitigation
Would the project have a substantial adverse effect on a scenic vista?	S/M	NCC	MM AES- 1, MM AES-2, MM AES-3, MM AES-4, MM AES-5, MM AES-6, MM AES-7	LTS	NCC
Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?	NI	NCC	N/A	NI	NCC
Would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the proposed Project is in an urbanized area, would the proposed Project conflict with applicable zoning and other regulations governing scenic quality?	S/M	NCC	MM AES-1, MM AES-2, MM AES-3, MM AES-4, MM AES-5, MM AES-6, MM AES-7	LTS	NCC
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	S/M	NCC	MM AES-2, MM AES-8	LTS	NCC

Notes: LTS = Less than Significant Impact, NI = No Impact, N/A = Not Applicable, SI = Significant Impact, S/M = Significant Impact but Mitigable to a Less than Significant Level, CC = Cumulatively Considerable, NCC = Not Cumulatively Considerable.

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