City of Fremont Initial Study

1. **Project**: Dumbarton Quarry Regional Park (PLN2013-00126)

2. **Lead Agency name and address (including e-mail address/fax no. as appropriate):**
   City of Fremont Community Development Dept.
   39550 Liberty Street, 1st Floor
   Fremont, CA 94538

3. **Lead Agency contact person:**
   Scott Ruhland, Associate Planner
   Phone: (510) 494-4453
   E-mail: sruhland@fremont.gov

4. **Project location**: 9600 Quarry Road, Fremont, CA 94555 (APN: 537-0851-002-02)

5. **Project Sponsor’s name and address:**
   Bob McCarrick
   Dumbarton Quarry Associates
   11555 Dublin Blvd
   Dublin, CA 94568
   Phone: (925) 828-7999

6. **General Plan Land Use Designation**: Open Space – Resource Conservation/Public

7. **Current Zoning**: Planned District P-81-12(Q)

8. **Description of project:**
   The project sponsor, on behalf of East Bay Regional Park District (EBRPD), has submitted an application for a Planned District Major Amendment to Planned District, P-81-12(Q), for development of a 91-acre regional park facility. This facility will become the camping and recreation area for the existing Coyote Hills Regional Park, which is adjacent to the site along the northern boundary. The project includes formal picnic areas with BBQs, children’s playground and play areas, trails, park furniture, parking areas, restroom facilities, and irrigated and non-irrigated turf meadows. The project also includes overnight camping facilities with 63 recreational vehicle (RV) sites, 17 walk-in camp sites and 20 car camp sites. In addition, a small store, laundry and shower facilities are proposed to serve the campsites. The project also includes construction of a 13,000-square-foot event center and 150-person outdoor amphitheater with outdoor camp fire pit. A one-half acre corporation yard and maintenance facility is also proposed.

   The project site is 91 acres in size and located at the former Dumbarton Quarry. Dumbarton Quarry was operated as a rock and gravel quarry for approximately 40 years. Quarry operations ceased in 2007 and the Quarry recently received approval (2012) for an Amended Reclamation Plan. The Amended Reclamation Plan changed the disposition of the quarry pit from being filled with water to create a lake to being filled with dirt to create a meadow. Grading in quantities of up to six million cubic yards of material, and associated on-site earthwork and erosion control were approved with the Amended Reclamation Plan. The ongoing operation to fill the quarry pit is expected to last 12-17 years depending on the availability of material. This proposed regional park facility is consistent with the Dumbarton Quarry Amended Reclamation Plan.

   Environmental analysis was completed and a Mitigated Negative Declaration was adopted for the Amended Reclamation Plan. This prior environmental review evaluated the import of up to six million cubic yards of material for placement in the quarry pit. It also evaluated associated site grading, erosion control and revegetation measures on the project site. The analysis resulted in identification of potential impacts and resulting mitigation in the areas of air quality, biological resources, hydrology and air quality.
Due to the ongoing fill operation, the project is proposed to be constructed in two phases. The first phase involves the eastern portion of the site between the quarry pit and eastern property line. Improvements in this phase include park entry and access driveways, parking lots, outdoor amphitheater, the RV camping area and associated facilities, irrigated turf areas, and trails and pathways. Construction of the event center and maintenance facilities may also occur as part of the first phase, at the discretion of EBRPD. The second phase includes the continued filling of the quarry pit and the eventual grading, compaction and revegetation of this area into a day-use meadow. This phase also includes the installation of the 17 walk-in and 20 car camp sites.

9. Surrounding land uses and setting:
The site is located in the northwest portion of Fremont in an area characterized by open space lands and natural resources. The site is located in the Baylands Community Plan Area and surrounded by water, open space and vacant lands. The site is directly adjacent to San Francisco Bay which is located to the west. Coyote Hills Regional Park and open land owned by Alameda County Flood Control District is located to the north. A large industrially zoned vacant parcel owned by Cargill is located directly to east. State Route 84 and the Dumbarton Bridge toll plaza are located directly to the south, and Don Edwards National Wildlife Refuge is located further to the south beyond State Route 84. There are no active uses or residential population in the immediate vicinity of the site.

10. Congestion Management Program - Land Use Analysis: The project analysis must be submitted to the Alameda County Congestion Management Agency for review if “Yes” to any of the following:

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>This project includes a request for a General Plan Amendment. If yes, send appropriate forms to Alameda County Congestion Management Agency.</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>X NO</td>
<td>A Notice of Preparation is being prepared for this project.</td>
</tr>
<tr>
<td>YES</td>
<td>X NO</td>
<td>An Environmental Impact Report is being prepared.</td>
</tr>
</tbody>
</table>

11. Other public agencies requiring approval: Regional Water Quality Control Board, California Department of Fish and Wildlife, Caltrans, Alameda County Flood Control District (ACFCD), Alameda County Water District (ACWD), Union Sanitary District (USD)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
The following list indicates the environmental factors that would be potentially affected by this project. Those factors that are indicated as a "Potentially Significant Impact" in the initial study checklist are labeled “PS” while those factors that are indicated as a “Potentially Significant Unless Mitigation Incorporated” are labeled “M.”

<table>
<thead>
<tr>
<th>Aesthetics</th>
<th>Agriculture and Forest Resources</th>
<th>Air Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological Resources</td>
<td>Cultural Resources</td>
<td>Geology / Soils</td>
</tr>
<tr>
<td>M Hazards &amp; Hazardous Material</td>
<td>Hydrology / Water Quality</td>
<td>Land Use / Planning</td>
</tr>
<tr>
<td>Greenhouse Gas Emissions</td>
<td>Mineral Resources</td>
<td>Noise</td>
</tr>
<tr>
<td>Population / Housing</td>
<td>Public Services</td>
<td>Recreation</td>
</tr>
<tr>
<td>Transportation / Traffic</td>
<td>Utilities / Service Systems</td>
<td>Mandatory Findings of Significance</td>
</tr>
</tbody>
</table>

PREVIOUS ENVIRONMENTAL ANALYSES: Previous environmental analysis relevant to the project include includes:

Mitigated Negative Declaration PLN2012-00143: A Mitigated Negative Declaration for the Dumbarton Quarry Amended Reclamation Plan was adopted on September 28, 2012. This analysis evaluated the potential on-site
impacts from earthwork activities to move material into the pit and establish contour grades in areas outside of the pit. This prior review evaluated an amendment to the approved Reclamation Plan for the quarry to import up to six million cubic yards of material for placement in the quarry pit, and associated site grading, erosion control and revegetation measures on the project site. The Amended Reclamation Plan is intended to prepare the site for future alternate use as a regional park facility considered under this environmental document, PLN2013-00126. The prior environmental analysis for the Amended Reclamation Plan identified potential impacts and recommended mitigation in the following environmental factors.

**Air Quality** – The previous analysis found that dust generated from the project could cause limited, short-term impact to air quality. The project would not expose sensitive receptors to substantial pollutant concentration as there are no schools, homes, hospitals or convalescent homes within the vicinity of the site. The scope of the project does not involve the creation of objectionable odors. However, construction could cause short-term impacts related to dust generation. As such, dust control mitigation was required.

**Mitigation Measure AIR-1: Dust Control Measures**

**Biological Resources** – The previous analysis found some areas of the site provide some degree of habitat value similar to the general surroundings. The hillsides are composed of non-native ruderal annual grasslands containing scattered eucalyptus trees. This habitat type is generally confined to the northern and western portions of the site. Remnant coastal sage scrub occurs to the south. The site also contains a drainage pond at the northeast corner of the site that has been historically used to collect surface run-off. A new storm drain system will collect on-site run-off and drain to the pond. A Biological Resource Assessment was conducted for the site by Olberding Environmental. On February 16, 2012, a field reconnaissance investigation of the property was conducted for the purpose of identifying sensitive plant and wildlife species, sensitive habitats, and biological constraints. The analysis found that some habitat, wetlands and special status species may occur on-site. As such, appropriate mitigation was required.

- **Mitigation Measure BIO-1: Wetland Delineation**
- **Mitigation Measure BIO-2: Regulatory Agency Review**
- **Mitigation Measure BIO-3: Special Status Plant Survey**
- **Mitigation Measure BIO-4: Burrowing Owl Survey**
- **Mitigation Measure BIO-5: Bird Nesting Survey**
- **Mitigation Measure BIO-6: Monarch Butterfly Survey**

**Hydrology and Water Quality** – The previous analysis found that water pollution impacts are possible. As such, the project requires standard storm water and erosion control measures following Best Management Practices (BMPs) to prevent polluted runoff and sedimentation from entering the riparian areas. Mitigation measures were included in the previous Mitigated Negative Declaration to reduce water quality impacts and would be applicable to the proposed project.

- **Mitigation Measure HYD-1: Revegetation**
- **Mitigation Measure HYD-2: Stormwater Pollution Prevention Plan**

Mitigation from Mitigated Negative Declaration PLN2012-00143 is still applicable to the proposed project and is hereby incorporated by reference. Refer to Section XIX (Mitigation Measures) of this Initial Study for a complete description of the previously adopted mitigation measures noted above.
DETERMINATION BY THE CITY OF FREMONT:

On the basis of this initial evaluation:

<table>
<thead>
<tr>
<th>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</th>
</tr>
</thead>
<tbody>
<tr>
<td>X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.</td>
</tr>
<tr>
<td>I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</td>
</tr>
<tr>
<td>I find that the proposed project MAY have a &quot;potentially significant impact&quot; or &quot;potentially significant unless mitigated&quot; impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</td>
</tr>
<tr>
<td>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</td>
</tr>
</tbody>
</table>

Signature: ________________________________ Date: ________________

Printed Name: Scott Ruhland, Associate Planner For: City of Fremont

Planning Manager Review: ________________
I. AESTHETICS - Would the project:

| ISSUES: |
|------------------|------------------|------------------|------------------|
| Have a substantial adverse effect on a scenic vista?  | Potentially Significant Impact | Potentially Significant Impact  | Less Than Significant Impact | No Impact |
| a. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | X |  |
| b. Substantially degrade the existing visual character or quality of the site and its surroundings? | X |  |
| c. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | X |  |

Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework
Local regulations that pertain to the proposed project related to aesthetics include:
- City of Fremont General Plan Community Character Chapter (adopted December 2011)
- City of Fremont Municipal Code, Title 18, Planning and Zoning (Reformatted October 2012)

Discussion/Conclusion/Mitigation
a-b) Would the project have a substantial adverse effect on a scenic vista? b) Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The General Plan does not identify any significant scenic resources in the vicinity of the project site although State Route 84 is identified as a scenic corridor. However, the project does not propose to alter or change State Route 84. Conversely, the project would increase the scenic value of the corridor by improving the aesthetic value of the site. There are several existing trees on the site that will be preserved. Therefore, impacts would be less than significant.

**Potential Impact:** Less than Significant

**Mitigation:** None Required

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed improvements to the site will enhance its overall appearance from a barren former rock quarry to a landscaped regional park. Therefore, the project would not substantially degrade the existing visual character or quality of the site or surrounding area and no impacts would result.

**Potential Impact:** No Impact
Mitigation: None Required

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

The proposed project would include some lighting along the main access drives and in the parking lot serving the event center. Lighting will also be included in the campground restroom/shower areas. Exterior lighting will be downcast to prevent illumination of adjoining properties or excessive lighting in the area. As such, the project would not create a new source of substantial light or glare and impacts would be less than significant.

Potential Impact: Less than Significant
Mitigation: None Required

II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td>1, 8, 20</td>
</tr>
<tr>
<td>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td>1, 8, 20</td>
</tr>
<tr>
<td>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>d. Result in the loss of forest land or conversion of forest land to non-forest use?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td>N/A</td>
</tr>
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Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the
eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

**Regulatory Framework**
State and local regulations that pertain to the proposed project related to agriculture and forest resources include:

- City of Fremont General Plan Conservation Chapter

**Discussion/Conclusion/Mitigation**

a) **Would the proposed project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

   According to the California Department of Conservation’s 2010 Alameda County Farmland Map, the site is not Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Therefore, no impact would result.

   **Potential Impact:** No Impact
   **Mitigation:** None Required

b-e) **Would the proposed project conflict with existing zoning for agricultural use, or a Williamson Act contract? Would the proposed project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)? Would the proposed project result in the loss of forest land or conversion of forest land to non-forest use? Would the proposed project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to nonforest use?**

   The project site is a former rock quarry and is zoned for such use. The site does not contain any farmland/agricultural resources. As shown on the California Department of Conservation’s 2010 Alameda County Farmland Map, the site is considered “other land” Further, the land is not zoned for agriculture use nor are there existing Williamson Act contracts within the project area. In addition, the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use since the site is not considered forested and no trees are being removed. Therefore, no agricultural resource or forest resource impacts would result from development of the project.

   **Potential Impact:** No Impact
   **Mitigation:** None Required
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
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<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Conflict with or obstruct implementation of any applicable air quality plan?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 21, 22</td>
</tr>
<tr>
<td>b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 21, 22</td>
</tr>
<tr>
<td>c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 21, 22</td>
</tr>
<tr>
<td>d. Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 3, 6, 21, 22</td>
</tr>
<tr>
<td>e. Create objectionable odors affecting a substantial number of people?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 3, 6</td>
</tr>
</tbody>
</table>

Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework
Federal, state and local regulations that pertain to the proposed project related to air quality include:

- City of Fremont General Plan Conservation Chapter (Air Quality)
- Clean Air Plan: The City of Fremont uses the guidance established by the Bay Area Air Quality Management District (BAAQMD) to assess air quality impacts associated with project construction and operation based on criteria pollutants contained in the adopted Clean Air Plan. The Clean Air Plan focuses on improvement of air quality throughout the basin. A network of BAAQMD monitoring stations continually measures the ambient concentrations of these pollutants for reporting purposes. The closest of such monitoring station is #1014 at 40733 Chapel Way in Fremont. Ozone precursors and particulate matter are the primary air pollutants of concern for development projects. These include reactive organic gases (ROG), nitrous oxides (NOx), and particulate matter (PM10 and PM2.5). Thresholds are whether a project would exceed the emissions of 10 tons per year or 54 lbs per day for ozone precursors.
- Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines (May 2011)
Discussion/Conclusion/Mitigation

a-c) Would the project conflict with or obstruct implementation of any applicable air quality plan? Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

In formulating its compliance strategies, BAAQMD relies on planned land uses established by local general plans. When a project is proposed in a jurisdiction with a general plan that has been deemed compliant with BAAQMD’s Clean Air Plan and that project conforms to the general plan, by rule it would not result in a cumulative impact to air quality. The project could cause temporary impacts to air quality from fugitive dust generated by construction-related activities. See response to questions d) and e), below, for mitigation that would be required to prevent temporary impacts to air quality from such activities.

The proposed project would be consistent with the existing General Plan land use designation of Resource Conservation/Public Open Space. Therefore, the proposed project would be consistent with the type of uses approved for the project area in accordance with the Clean Air Plan. The project would not conflict with or obstruct implementation of the applicable clean air plan nor result in a cumulatively considerable net increase of any criteria pollutant and no impact would result.

Potential Impact: No Impact
Mitigation: None Required

d-e) Would the project expose sensitive receptors to substantial pollutant concentrations? Would the project create objectionable odors affecting a substantial number of people?

There are no sensitive receptors in the vicinity of the site. The temporary effects of grading activities could cause airborne dust during construction if not managed through dust control methods. Mitigation from PLN2012-00143 is applicable and would reduce impacts associated with particulate matter (dust emissions) to a less-than-significant level. Given the nature of the proposed use, the project would not create objectionable odors affecting a substantial number of people.

Potential Impact: Less than Significant with Previous Mitigation Incorporated
Mitigation: Implement Mitigation Measure AIR-1

IV. BIOLOGICAL RESOURCES - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</td>
<td>X</td>
<td></td>
<td>1, 8</td>
</tr>
</tbody>
</table>
### Environmental Setting

The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

### Regulatory Framework

Federal, state, and local regulations that pertain to the proposed project related biological resources include:

- City of Fremont General Plan Conservation Chapter
- City of Fremont Tree Preservation Ordinance
- Federal Migratory Bird Treaty Act
- California Department of Fish and Wildlife Code
- U.S. Fish and Wildlife Service laws and requirements
- Alameda County Flood Control District laws and requirements

### Discussion/Conclusion/Mitigation

**a-c)** Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, ...
but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The majority of the site has been heavily impacted in association with general quarry operations including quarry excavation, and storage, processing and transport of rock. These activities have created large amounts of exposed dirt and rock on-site. There are no structures on the property. However, some areas of the site have been seeded and replanted, namely the surrounding hillsides which do provide some degree of habitat value similar to the general surroundings. The hillsides are composed of non-native ruderal annual grasslands containing scattered eucalyptus trees. This habitat type is generally confined to the northern and western portions of the site. Remnant coastal sage scrub occurs to the south.

The site also contains a drainage pond at the northeast corner of the site that has been historically been used to collect surface run-off. The project proposes to direct surface run-off through a series of drainage swales and storm drain pipes that will direct water to the pond in the northeast portion of the site and the drainage channel along the eastern property line. The pond currently receives surface run-off.

Previous environmental analysis included a Biological Resource Assessment that was conducted for the site by Olberding Environmental. On February 16, 2012, a field reconnaissance investigation of the property was conducted for the purpose of identifying sensitive plant and wildlife species, sensitive habitats, and biological constraints. The following findings were made in the Olberding Biological Resource Assessment:

**Wetlands** - Olberding Environmental biologists observed a seasonal wetland feature (existing pond area) on the property during the February 2012 survey. A one-acre seasonal wetland was identified in the northeastern corner of the property. The pond is used as a stormwater run-off collection area and was created over time as part of the quarry operations. This feature exhibited positive indicators of wetland soils, hydrology, and vegetation. Based on the results of the reconnaissance survey, the seasonal wetland contains all criteria used by the Army Corps of Engineers to determine wetland status. The project is proposing a new storm drain outfall and drainage into this feature.

**Special Status Plant Species** - Seven special-status plant species have the potential to occur on the property based on California Natural Diversity Data Base (CNDDB) occurrence information. The February 2012 survey resulted in a negative finding for all seven special status species it should be noted that the survey was conducted outside of the recognized blooming or survey season for all of the species. After reviewing the available literature and performing the reconnaissance survey only two of these plants (Congdon’s tarplant, and saline clover) were identified as having the potential to occur on the property. The rational for potential occurrence was associated with the close proximity of historic occurrences of both species (less than 1.4 miles away).

**Foraging or Nesting Raptor/Bird Species** – The habitats on and adjacent to the property provide suitable foraging habitat for a variety of raptor and migratory bird species. While no nesting activity was observed during the February 2012 survey there are suitable nesting trees to the north and west. A pair of red-tailed hawks, a great horned owl pair, and a single Cooper’s hawk were observed during the survey. In addition, several small mammal burrows were observed throughout the survey, offering areas where a burrowing owl could potentially nest. One occurrence of this species has been made within a five mile radius of the site in the last ten years. Neither the burrowing owl nor secondary evidence of their occupancy was observed during the
survey. However, they do have the potential to occur on property. Monarch butterflies were observed in large numbers on the property. They were observed in the eucalyptus grove on the north side of the property.

**Special-Status Reptile Species** – The Alameda whipsnake is the only CNDDB recorded reptile to occur in the vicinity of the property. While the CNDDB has recorded eleven occurrences of this species within the Nile quadrangle map in the last ten years, all occur in the hills east of Fremont. The property is physically isolated from known Alameda whipsnake habitat. This species is presumed to be absent from the property.

**Special-Status Mammal Species** – The San Francisco woodrat is the only special-status mammal to be identified by the CNDDB as having the potential to occur on or in the vicinity of the property. This species is presumed to be absent from the property due to the lack of recent occurrences within the vicinity of the site. Additionally, no evidence of this species such as tracks or stick nests was observed during the February 2012 survey.

To mitigate potential impacts to wetlands, special status plant species, borrowing owls, nesting birds and monarch butterflies, measures were included in the previous Mitigated Negative Declaration and would be applicable to the proposed project.

**Potential Impact:** Less than Significant with Previous Mitigation Incorporated  
**Mitigation:** Implement Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5 and BIO-6

d) **Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

The project does not propose any structures or barriers that would interfere with the movement of wildlife, block a wildlife corridor, or impede a native wildlife nursery site. The improvement of the site to a regional park facility would foster or encourage the movement of wildlife through the area. Thus, no impacts would occur.

**Potential Impact:** No Impact  
**Mitigation:** None

e-f) **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

Development of the project site as proposed would not conflict with any adopted Tree Preservation Ordinance since no trees are proposed for removal. The project would also not conflict with any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, as none exist that affect the area. Thus, no impacts would occur.

**Potential Impact:** No Impact  
**Mitigation:** None Required
V. CULTURAL RESOURCES - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.57?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 11, 28, 29</td>
</tr>
<tr>
<td>b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 11, 28, 29</td>
</tr>
<tr>
<td>c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 11, 28, 29</td>
</tr>
<tr>
<td>d. Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 11, 28, 29</td>
</tr>
</tbody>
</table>

Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework
State and local regulations that pertain to the proposed project related to cultural resources include:
- City of Fremont General Plan Land Use Chapter (Historic Resources)
- Fremont Municipal Code, Title 18, Planning and Zoning (Reformatted October 2012), Section 18.175 Historic Resources

Discussion/Conclusion/Mitigation

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.57?

There are no historical structures or other resources on the site. Therefore, the proposed project would not cause a substantial adverse change in the significance of any historic resources.

Potential Impact: No Impact
Mitigation: None Required

b-d) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Would the project disturb any human remains, including those interred outside of formal cemeteries?

The project site does not contain any known archaeological resources, paleontological resources, unique geologic features, or human remains nor is it located in an area where such resources are likely to occur. However, should any human remains or historical or unique archaeological resources be discovered during construction, the provisions of CEQA Guidelines Sections 15064.5(e) and (f) require notification and evaluation of such resources. Thus, no impact would result.

Potential Impact: No Impact
Mitigation: None Required
VI. GEOLOGY AND SOILS - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact: Value Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, D</td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, D</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, D</td>
</tr>
<tr>
<td>iv) Landslides?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, D</td>
</tr>
<tr>
<td>b. Result in substantial soil erosion or the loss of topsoil?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, 8, D</td>
</tr>
<tr>
<td>c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, D</td>
</tr>
<tr>
<td>d. Be located on expansive soil, as defined in California Building Code, creating substantial risks to life or property?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 5, 6, D</td>
</tr>
<tr>
<td>e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

Environmental Setting:
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework
State and local regulations that pertain to the proposed project related to geology and soils include:
- City of Fremont General Plan Safety Chapter (Seismic and Geologic Hazards)
- City of Fremont Municipal Code (Building Safety)
- 2010 California Building Code
Discussion/Conclusion/Mitigation

Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving a major seismic event? Would the project result in substantial soil erosion or the loss of topsoil? Would the project be located on a geologic unit or soil that is unstable or would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? Would the project be located on expansive soil, as defined in the California Building Code, creating substantial risks to life or property?

The subject property is located in areas known to be geologically unstable. Hence, any proposed structures must be designed in conformance with geotechnical and soil stability standards as required by the 2010 California Building Code (CBC). Conformance to the applicable 2010 CBC standards would reduce safety impacts to the structures, their occupants, and the adjacent properties. Furthermore, an erosion control plan is required with plans submitted for grading and/or building permits to ensure that the project would not result in substantial soil erosion or loss of topsoil during grading and construction activities. As such, impacts associated with geology and soils would be less than significant, and no mitigation is required.

Potential Impact: Less than Significant
Mitigation: None Required

VII. GREENHOUSE GAS EMISSIONS - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 3, 8, 21, 22, 23</td>
</tr>
<tr>
<td>b.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>1, 3, 8, 21, 22, 23</td>
</tr>
</tbody>
</table>

Environmental Setting

With the passage of the Global Warming Solutions Act of 2006 (Assembly Bill 32), the State of California acknowledged the role of greenhouse gases (GHG) in global warming and took action to reduce GHG emission levels. AB 32 set a Statewide goal of reducing GHG emissions to 1990 levels by the year 2020. In doing so, it contemplated economic expansion and growth of population to 44 million people by 2020. It also called for the State’s Air Resources Board (CARB) to prepare a Scoping Plan encompassing all major sectors of GHG emissions for achieving reductions consistent with AB 32’s goals. The Scoping Plan, adopted in December 2008, creates an overarching framework for meeting the GHG reduction goal of returning to 1990 emissions levels by 2020.

GHG analysis uses carbon dioxide equivalents (CO2e), measured in metric tons, to adjust for the different warming potential of a wide range of greenhouse gases, not just exclusively CO2. The State 2005 GHG emission inventory was 479 million metrics tons of CO2e. CARB projected that under business-as-usual conditions (no reduction effort) GHG emissions would grow to 596.4 million metric tons of CO2e by the year 2020. According to the Scoping Plan, reducing GHG emissions to 1990 levels requires cutting approximately 30 percent from the business-as-usual emission levels projected for 2020, or about 15 percent from 2010 levels. The target amount for the 2020 goal is an emission level of no more than 427 million metric tons of CO2e (the 1990 levels). On a per capita basis, this means reducing current annual emissions of 14 tons of CO2e for every person in California down to about 10 tons per person by 2020.
The City of Fremont GHG emission inventory estimate for 2010 was 1.99 million metric tons with a service population of jobs and residents of 304,489.

Regulatory Framework
State and local regulations that pertain to the proposed project related to GHG emissions include:
- City of Fremont General Plan Sustainability and Conservation Chapters
- State Assembly Bill (AB) 32
- California Green Building Code (Mandatory)

Discussion/Conclusion/Mitigation

a-b) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Because of the broad context and setting of the potential impacts of contributing to global climate change, the assessment of project-level emissions looks at whether a project’s emissions would significantly affect the ability of the State to reach its AB 32 goals. This is identified within the City’s General Plan Conservation Chapter and certified EIR as the context for reviewing project effects and global climate changes. The Fremont General Plan EIR established analysis considering the projected increase in emissions from new growth through the year 2020. The proposed project is consistent with the General Plan and its land use designation of Resource Conservation and Public Open Space. The project also provides a complementary use to the local regional housing market. As a project that is consistent with the General Plan and the GHG emission projections assumed in the General Plan, the project would not cause a cumulatively considerable projected increase in emissions and would not hinder or delay the ability of the State to reach the goal-levels set forth in the Scoping Plan. Therefore, impacts would be less than significant.

Potential Impact: Less than Significant
Mitigation: None Required

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Mitigated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 6, 7</td>
<td></td>
</tr>
<tr>
<td>b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 6, 7, C</td>
<td></td>
</tr>
<tr>
<td>c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 3</td>
<td></td>
</tr>
<tr>
<td>d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 18</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Question</td>
<td></td>
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<td>-------------------------------------------------------------------------</td>
<td>---</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>e.</td>
<td>For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>X</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f.</td>
<td>For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>X</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>g.</td>
<td>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>X</td>
<td>1, 6, 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h.</td>
<td>Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>X</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Environmental Setting:**
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

**Regulatory Framework**
State and local regulations that pertain to the proposed project related to hazards and hazardous materials include:
- City of Fremont General Plan Land Use and Safety Chapters
- City of Fremont Fire Code
- Department of Toxic and Substances Control (DTSC) Hazardous Waste and Substances Site List

**Discussion/Conclusion/Mitigation**

**a-c) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The project does not involve the transport or use of hazardous materials. All imported fill material being brought to the site is tested against regional water quality standards prior to import. All material imported to the quarry is considered clean fill. Although, construction equipment, namely bulldozers, use diesel fuel and oil, there is no fuel storage on-site.

However, there was diesel storage on-site in the past by way of above and underground storage tanks. This previous on-site storage resulted in a diesel leak that is still going through remediation. The area of the leak has been defined and is being excavated and tested to ensure the extent of the spill has been localized and contained. The excavated material will be hauled off-site and disposed at a permitted facility. The applicant has submitted a Site Investigation Work Plan to Alameda County Water District (ACWD) that outlines clean-up actions necessary for site closure.
ACWD is the lead agency in charge of the clean-up actions and site closure. To reduce impacts associated with soil contamination from diesel fuel to less than significant, Mitigation Measure HAZ-1 would require clean-up of the contaminated soil prior to issuance of building permit for site improvement work.

**Potential Impact:** Less than Significant with Mitigation Incorporated

**Mitigation Measure HAZ-1: Clean Up Actions and Site Closure** – The applicant shall complete site investigative and clean-up actions necessary to remediate soil contamination caused by a past diesel spill. The applicant shall complete the Site Investigation Work Plan dated May 24, 2013, and obtain a site closure letter from Alameda County Water District prior to obtaining a building or grading permit for site development.

d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

The project site is not listed on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (Cortese List). Thus, no impact would result.

**Potential Impact:** No Impact  
**Mitigation:** None Required

e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

The project site is not located within an airport land use plan nor are there any public or private airports within City limits. Thus, no impact would result.

**Potential Impact:** No Impact  
**Mitigation:** None Required

f-h) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

The project site is located in a wildland fire area although it is not adjacent to an urbanized area. As such, the project area and proposed structures will be required to implement controls such as vegetation management and defensible space requirements per the California Fire Code and the City of Fremont local amendment to the California Fire Code. The proposed project would not interfere with emergency response or evacuation plans and would be designed to meet all applicable federal, state and local fire safety codes. Thus, no impact would result.

**Potential Impact:** No Impact  
**Mitigation:** None Required
**IX. HYDROLOGY AND WATER QUALITY** - Would the project:

<table>
<thead>
<tr>
<th>ISSUES</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Violate any water quality standards or waste discharge requirements?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 14, 15, 16</td>
<td></td>
</tr>
<tr>
<td>b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td></td>
<td>X</td>
<td></td>
<td>1, 6, 8, 14, 15, 16</td>
<td></td>
</tr>
<tr>
<td>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 14, 15, 16</td>
<td></td>
</tr>
<tr>
<td>d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 14, 15, 16</td>
<td></td>
</tr>
<tr>
<td>e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 14, 15, 16</td>
<td></td>
</tr>
<tr>
<td>f. Otherwise substantially degrade water quality?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 14, 15, 16</td>
<td></td>
</tr>
<tr>
<td>g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
<td>X</td>
<td></td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 17</td>
<td></td>
</tr>
<tr>
<td>i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 17</td>
<td></td>
</tr>
<tr>
<td>j. Inundation by seiche, tsunami, or mudflow?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 6, 8, 17</td>
<td></td>
</tr>
</tbody>
</table>

**Existing Conditions**

The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

**Regulatory Framework**

Federal, state and local regulations that pertain to the proposed project related to hydrology and water quality include:
- City of Fremont General Plan Conservation Chapter (Water Quality)
- California Regional Water Quality Control Board, San Francisco Bay Region, Alameda Countywide NPDES Municipal Stormwater Permit, Order R2-2003-0021, National Pollution Discharge Elimination System Permit No. CAS00229831(NPDES C.3)
- Federal Clean Water Act 1987

Discussion/Conclusion/Mitigation

a-c, f) Would the project violate any water quality standards or waste discharge requirements? Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pro-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Would the project otherwise substantially degrade water quality?

The proposed development would not deplete groundwater supplies. The project would be required to connect to the existing public sanitary sewer and storm drain systems that serve the area, and would obtain its water from existing piped public water mains serving the site. ACWD has already confirmed that it is capable of meeting the project’s water demands without significantly impacting its supplies or its distribution system.

The project would create approximately 407,690 square feet (9.35 acres) of new impervious surface area on the subject property. Because the project would create in excess of 10,000 square feet of impervious surface area, it would be subject to the NPDES C.3 requirements of the Municipal Regional Stormwater Permit which regulate the treatment of stormwater runoff on the site. It would also be required to incorporate low impact development (LID) techniques to treat stormwater runoff from all on-site impervious surfaces in bio-retention planters before it is discharged into the public storm drain system. Compliance with C.3 requirements would result in no significant impacts to water quality. However, because construction impacts to stormwater quality could occur, previous mitigation measures are still required.

Potential Impact: Less Than Significant with Previous Mitigation Incorporated.

Mitigation: Implement Mitigation Measures HYD-1 And HYD-2

d-e) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The proposed project would not substantially alter existing drainage patterns or result in the alteration of the course of any water body. Drainage from the project would be directed into landscape-based treatment areas located throughout the site, then conveyed through storm drain pipes and ultimately discharge into the existing pond on-site and drainage channel along the eastern property line. Per Municipal Regional Stormwater Permit requirements, because it would generate more than one (1) acre of new impervious surface area the project would be required to implement hydromodification to temporarily store and meter its runoff using the Bay Area
Hydrology Model (BAHM) to size its storage capacity in order to accommodate 10 percent of a two-year storm event up to a 10-year storm event. Implementation of hydromodification using BAHM in accordance with the requirements of the Municipal Regional Stormwater Permit would ensure that the project would not exceed the capacity of the storm drainage system serving the area. Therefore, no impact would result.

**Potential Impact:** No Impact  
**Mitigation:** None Required

g-j) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place within a 100-year flood hazard area structures which would impede or redirect flood flows? Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Inundation by seiche, tsunami, or mudflow?

No housing is proposed as part of the project. The project site is located within Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), Panel No. 06001C0440G, and effective August 3, 2009. According to this FIRM, the majority of the project site is located within an unshaded X zone and is, therefore, mostly outside of the 100-year flood zone. Although small portions of the site are located in Zone AE with a base elevation of 11, no structures or improvements are proposed for this area. The project site is located in an area that could be inundated by a seiche or dam failure. However, given the open space and park use proposed for the site and lack of any permanent residences it would not be considered a significant risk to people or property. As such, no impact would result.

**Potential Impact:** No Impact  
**Mitigation:** None Required

X. **LAND USE AND PLANNING** - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Under Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Physically divide an established community?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>1, 2, 3, 8</td>
</tr>
<tr>
<td>b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>1, 2, 3, 8</td>
</tr>
<tr>
<td>c. Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td>1, 2, 3, 8</td>
</tr>
</tbody>
</table>
Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza. The site is zoned Planned District, Quarry Combining District, P-81-12(Q), and has a General Plan land use designation of Resource Conservation and Public Open Space.

Regulatory Framework
State and local regulations that pertain to the proposed project related to land use and planning include:

- City of Fremont General Plan Land Use and Community Character Chapters
- Habitat Conservation Programs, California Department of Fish and Wildlife

Discussion/Conclusion/Mitigation

a-c) Would the project physically divide an established community? Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

The proposed project would not physically divide an established community in that it would be located in an area of the City that is largely preserved for open space and natural uses consistent with the proposed project. Therefore, it would not introduce an incompatible land use to the area.

The General Plan land use designation for the site is Resource Conservation and Public Open Space. Land uses with this designation include regional parks such as Coyote Hills, and land owned by public agencies intended for conservation purposes. The project is consistent with the General Plan. However, the site is zoned as a Planned District that permitted the former quarry use and resulting reclamation. An amendment to the existing Planned District is proposed to allow the proposed regional park use and would not result in a conflict with any applicable land use plans or policies.

In addition, the project would not conflict with any General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Finally, there is no habitat conservation or natural community conservation plans adopted for the site. Therefore, no impact would result.

Potential Impact: No Impact
Mitigation: None Required
XI. MINERAL RESOURCES - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td>X</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td>X</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan.

Regulatory Framework
State and local regulations that pertain to the proposed project related to mineral resources include:

- City of Fremont General Plan Conservation Chapter
- Surface Mining and Reclamation Act (SMARA) 1975, California Department of Conservation

Discussion/Conclusion/Mitigation
a-b) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The site is a former rock quarry that was mined for approximately forty years. The quarry has exhausted its useful life as an operating rock quarry and is undergoing reclamation for conversion to an alternate use. Therefore, the project would not result in the loss of a known mineral resource and no impact would result.

Potential Impact: No Impact
Mitigation: None Required

XII. NOISE - Would the project result in:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>X</td>
<td>1, 3, 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>X</td>
<td>1, 3, 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>X</td>
<td>1, 3, 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. A substantial temporary or periodic increase in ambient noise</td>
<td>X</td>
<td>1, 3, 9</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
levels in the project vicinity above levels existing without the project?

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>e.</td>
<td>For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>X</td>
</tr>
<tr>
<td>f.</td>
<td>For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>X</td>
</tr>
</tbody>
</table>

**Environmental Setting**

The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

**Regulatory Framework**

State and local regulations that pertain to the proposed project related to noise include:

- City of Fremont General Plan Safety Chapter (Noise and Vibration)
- City of Fremont Municipal Code
- California Building Code

In accordance with Fremont General Plan Policy 10-8.1, the maximum acceptable outdoor noise level for an outdoor recreation or park use is an Ldn of 65 dB(A) or less; however, the maximum conditionally acceptable outdoor noise level is an Ldn of 80dB(A).

**Discussion/Conclusion/Mitigation**

**a-c) Would the project exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Would the project exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Would a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

The proposed project would not expose persons to or generate noise level in excess of established local noise standards, nor would it expose persons to or generate ground borne vibration. The site is large and well buffered from the nearest uses. There is not a daytime or nighttime population nor are there residences in the vicinity of the project site. The proposed regional park facility does not contain activities or uses that generate excessive noise levels. The outdoor amphitheater and campfire pit is intended for campfire programs and interpretive talks and will not be used for amplified live music or similar activities, although some theatrical performances and acoustic live music could occur. Any activities that could potentially generate excessive noise levels would be contained within the event center and limited to the hours of 6:00 a.m. – 11:00 p.m. As such, any potential impact would be less than significant and no project-specific mitigation is required.

**Potential Impact:** Less than Significant  
**Mitigation:** None required
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Development of the project could result in a temporary increase in noise levels during daytime hours, particularly from diesel-powered earth-moving equipment and other heavy machinery. All construction-related activities would be required to comply with the noise standards contained in the City of Fremont’s Municipal Code which limits such activities to certain times of the day and week to reduce noise impacts on adjacent properties. Noise impacts are not anticipated since there are no residential uses or sensitive populations in the vicinity of the site. Construction hours when a project site is not within 500 feet of residences, lodging facilities, nursing homes or hospitals are as follows:

Monday-Friday, 6:00 a.m. to 10:00 p.m.
Weekends and Holidays, 8:00 a.m. to 8:00 p.m.

**Potential Impact:** Less than Significant

**Mitigation:** None Required

e-f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

There are no public or private airports located in the City or vicinity. Thus, no impact would result.

**Potential Impact:** No Impact

**Mitigation:** None Required

XIII. POPULATION AND HOUSING - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 2, 4</td>
<td></td>
</tr>
<tr>
<td>b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 2, 4</td>
<td></td>
</tr>
<tr>
<td>c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 2, 4</td>
<td></td>
</tr>
</tbody>
</table>

**Environmental Setting**

The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved
Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework
Local regulations that pertain to the proposed project related to population and housing include:

- City of Fremont General Plan Land Use and Housing Chapters (referencing City Housing Element, July 2009)

Discussion/Conclusion/Mitigation
a-c) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed project would convert a former rock quarry into a regional park facility. It does not include the addition of new homes and businesses, or infrastructure that would induce development. In addition, the proposal does not involve the demolition of any existing housing stock and, therefore, it would not displace any residents or result in the loss of any dwelling units. Thus, no impacts would occur.

Potential Impact: No Impact
Mitigation: None Required

XIV. PUBLIC SERVICES:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td></td>
<td></td>
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<tr>
<td>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Fire protection?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 10</td>
</tr>
<tr>
<td>Police protection?</td>
<td></td>
<td></td>
<td></td>
<td>1, 10</td>
</tr>
<tr>
<td>Schools?</td>
<td></td>
<td>X</td>
<td></td>
<td>1, 10</td>
</tr>
<tr>
<td>Parks?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 10</td>
</tr>
<tr>
<td>Other public facilities?</td>
<td></td>
<td></td>
<td>X</td>
<td>1, 10</td>
</tr>
</tbody>
</table>

Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan.

Regulatory Framework
Local regulations that pertain to the proposed project related to public services include:
• City of Fremont General Plan Public Facilities Chapter  
• City of Fremont Municipal Code

Discussion/Conclusion/Mitigation

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire, police, schools, parks or other public facilities?

On September 3, 1991, the City Council passed resolutions implementing the levying of Development Impact Fees for all new development within the City of Fremont. These fees are required of any new development for which a building permit is issued on or after December 1, 1991. The concept of the impact fee program is to fund and sustain improvements that are needed as a result of new development as stated in the General Plan and other policy documents within the fee program. Development Impact Fees fall into the following categories: Traffic Impact Fees, Park Dedication and Park Facilities In-Lieu Fees, Capital Facilities Fees, and Fire Service Fees. Although, Impact Fees are not required for a regional park facility, fees from other projects ensure that the need for new facilities due to operation of a park facility is not warranted. Further, the project will not generate the need for additional school services since housing is not proposed. The proposed project is also located in an area of the City where public services needed to serve the facility are already in place. The applicant would be required to comply with the requirements of the California Building and Fire Codes and all local codes for building safety and security.

Potential Impact: No Impact  
Mitigation: None Required

XV. RECREATION:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant unless Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, 2, 3, 12</td>
</tr>
<tr>
<td>b.</td>
<td>Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td>X</td>
<td></td>
<td></td>
<td>1, A</td>
</tr>
</tbody>
</table>
Environmental Setting
The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework
Local regulations that pertain to the proposed project related to recreation include:

- City of Fremont General Plan Parks and Recreation Chapter

Discussion/Conclusion/Mitigation
a-b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The proposed project would not increase the use of an existing neighborhood or regional park or other recreational facility but would create a regional park facility for the enjoyment and use of Fremont residents and others. Picnic areas, passive open spaces and children’s play areas are proposed as well as camping facilities, including 63 recreational vehicle (RV) camp sites; 17 walk-in campsites and 20 car campsites. As the proposed park would add recreation opportunities to the City and region, it is anticipated that the project would have a beneficial impact.

Potential Impact: No Impact
Mitigation: None Required

XVI. TRANSPORTATION/TRAFFIC - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
<td>X</td>
<td>1, 3, 7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Conflict with an applicable congestion management program, including, but not limited to a level of service standard standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</td>
<td>X</td>
<td>1, 3, 7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td>X</td>
<td>1, 3, 7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses</td>
<td>X</td>
<td>1, 3, 7</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Environmental Setting

The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan. Access to the site is provided via Quarry Road from Paseo Padre Parkway. Access is also provided via an exit from State Route 84 at the Dumbarton Toll Plaza.

Regulatory Framework

Local regulations that pertain to the proposed project related to transportation/traffic include:

- City of Fremont General Plan Mobility Chapter

Discussion/Conclusion/Mitigation

Would the project exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? Would the project conflict with an applicable congestion management program, including, but not limited to a level of service standard standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

The City of Fremont identifies within its Mobility Chapter that a level of service (LOS) for signalized intersections of LOS “D” is the transportation operations threshold of significance. LOS “D” represents a moderate amount of vehicle delay during the peak hour of intersection operations.

Based on the Institute of Traffic Engineers (ITE) trip generation estimates, the proposed project consisting of 91 acres of regional park land use with 100 RV, car and park campsites is estimated to generate 781 weekday trips with 55 PM peak hour trips and 34 AM peak hour trips. The trip estimates were based on full occupancy of the campsites in order to present the worst case traffic scenario. The 13,000–square-foot “Events Center” use was not included in the trip estimates. Although open during the week, the events planned for this facility, such as weddings and banquets, would primarily occur on weekends and will have minimal or no impact to the weekday PM peak hour trip calculations. The distribution of these trips is expected to be divided amongst the three points of access to the site and not cause significant impacts to existing transportation facilities. The estimated trips generated under project conditions during the PM peak hour is less than 100 new PM peak hour trips, which is the City threshold for a traffic impact analysis (TIA). The site is located at the terminus of Quarry Road where no other uses exist and is served regionally by Paseo Padre Parkway from the north, Route 84 via the exit at Paseo Padre Parkway/Thornton Avenue or via the westbound exit at the Dumbarton Toll Plaza. Based on the site location, three points of access and the low increase of trips during the weekday peak hours, impacts would be less than significant.
**Potential Impact:** Less than Significant  
**Mitigation:** None Required

c-d) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The proposed project would not have an impact on air traffic patterns as there are no airports in Fremont. The design of the proposed access drives and circulation routes within the project site would be consistent with City and EBRPD development standards. Vehicular access to the project site would be provided via an existing driveway already serving the quarry along Quarry Road. Thus, no impact would result.

**Potential Impact:** No Impact  
**Mitigation:** None Required

e-f) Would the project result in inadequate emergency access? Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Emergency vehicle access would be provided throughout the entire project site by use of the drive aisle and interior roadways. No sharp curves or dangerous intersections would be created by the project or exist within the surrounding area. Furthermore, the proposal does not feature any other unusual design elements that could pose a substantial safety hazard to vehicular or bicycle traffic or pedestrians. The project would not conflict with or require the redesign or relocation of any existing sidewalks, bicycle lanes or transit stops in that all improvements will be constructed entirely on-site. The project would also not conflict with any plans, policies or programs supporting alternative transportation in that it will provide parking for both bicycles and motorcycles in addition to automobiles.

**Potential Impact:** No Impact  
**Mitigation:** None Required

**XVII. UTILITIES AND SERVICE SYSTEMS** - Would the project:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td></td>
<td></td>
<td>X</td>
<td>10, agency notice</td>
</tr>
<tr>
<td>b.</td>
<td>Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td></td>
<td>X</td>
<td></td>
<td>10, agency notice</td>
</tr>
<tr>
<td>c.</td>
<td>Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td></td>
<td>X</td>
<td></td>
<td>10, agency notice</td>
</tr>
<tr>
<td>d.</td>
<td>Have sufficient water supplies available to serve the project</td>
<td></td>
<td></td>
<td>X</td>
<td>10, agency notice</td>
</tr>
</tbody>
</table>
**Environmental Setting**

The project site consists of a 91-acre former rock and gravel quarry located in proximity to San Francisco Bay and other open space lands. The site consists of rock, gravel and natural hardscape surfaces, along with the former quarry pit which is slowly being backfilled with dirt and soil material. Some landscaping exists along the perimeter of the site and along an existing earthen stormwater channel adjacent to the eastern property line. Otherwise, the site is vacant and being graded in conformance with the approved Reclamation Plan.

**Regulatory Framework**

Local regulations that pertain to the proposed project related to utilities and service systems include:

- City of Fremont General Plan Public Facilities Chapter
- City of Fremont Municipal Code

**Discussion/Conclusion/Mitigation**

**a-e) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?** Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The project intends to use surface flow through landscaped areas to existing and new storm drain outlets to convey stormwater across the site and into an existing retention pond and drainage channel. All installation will meet City of Fremont specifications for storm drains. The project also proposes to install new eight-inch water and sanitary sewer on-site. These facilities will connect to existing facilities to the north of the site and would be installed per the requirements and specifications of the Union Sanitary District (USD) and ACWD. The location, alignment, and construction of these lines would be subject to approval by the USD, ACWD, and City of Fremont Public Works Department. Construction of these lines would not result in a significant impact.

The proposed use would not generate a significant increase in wastewater or stormwater runoff levels that could exceed the capacity of the sewer and storm drain lines serving the property, nor would it require excessive amounts of water that could not be provided by the existing water lines.
serving the site. As such, the existing and proposed sewer, storm drain, and water lines serving the site need are adequate to accommodate the proposed development. Thus, no impacts would occur.

**Potential Impact:** Less than Significant  
**Mitigation:** None Required

**f-g)** Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Would the project comply with federal, state, and local statutes and regulations related to solid waste?

The project is not anticipated to generate large amounts of waste. The project would be served by the City’s franchised waste hauler agreement in compliance with applicable standards for conventional waste products and recyclables. Thus, no impacts would occur.

**Potential Impact:** No Impact  
**Mitigation:** None Required

### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

<table>
<thead>
<tr>
<th>ISSUES:</th>
<th>Potentially Significant Impact</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td>X</td>
<td>See Previous</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b.</td>
<td>Does the project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
<td>X</td>
<td>See Previous</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c.</td>
<td>Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td>X</td>
<td>See Previous</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Discussion/Conclusion/Mitigation**

The above discussion adequately addresses all potential impacts the proposed project may have on the environment. This initial study has found that the proposed project would not have the potential to degrade the quality of the environment. The implementation of the identified mitigation measures listed in Section XIX, below, combined with the project conditions of approval, would reduce all impacts the project may have to a less-than-significant level.
XIX: MITIGATION MEASURES: Mitigation from Mitigated Negative Declaration PLN2012-00143 is hereby incorporated by reference, as well as one new mitigation measure:

- **Mitigation Measure AIR-1: Dust Control Measures**: Prior to the issuance of a grading permit, the following best management practices shall be included in a dust control plan and noted on construction plans with a designated contact person for on-site implementation of the dust control plan.

  1. Water all active construction and site preparation work areas at least twice daily and more often during windy periods.
  2. Cover all hauling trucks or maintain at least two feet of freeboard.
  3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
  4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
  5. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas
  6. Enclose or cover securely exposed stockpiles.
  7. Replant vegetation in disturbed areas as quickly as possible.
  8. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.

- **Mitigation Measure BIO-1: Wetland Delineation** - Prior to any disturbance to the Phase 1 site area, and in order to determine the presence or absence of jurisdictional waters of the U.S. and State, a formal wetland delineation shall be performed by a qualified wetland consultant and submitted to the USACE for verification since project related activities are to affect potential the wetland features in the northeast corner. A copy of the formal jurisdictional delineation report and map and USACE verification letter shall be provided to the City of Fremont.

- **Mitigation Measure BIO-2: Regulatory Agency Review** - Prior to any disturbance to the Phase 1 site area, the project sponsor shall obtain permits under Sections 401 and 404 of the Clean Water Act for all grading or ground disturbance work to the identified probable wetland in the northeast corner of the site. These permits, administered by the RWQCB and USACE, respectively, would identify mitigation measures to be imposed on the project as permit conditions. A Wetland Mitigation and Monitoring Plan shall be prepared and submitted for agency review. Detailed wetland protection, replacement, and restoration plans shall be prepared by a qualified wetland restorationist hired by the City of Fremont and paid for by the project sponsor, or hired by the project sponsor and peer reviewed by the City. The plans shall accurately identify the total wetlands and other jurisdictional areas affected by the project. The plans shall provide for a one-to-one ratio of re-establishment, enhancement, and/or replacement of wetland habitat and vegetation, and be approved by the regulatory agencies; in certain instances, cash contributions earmarked specifically for wetland creation, enhancement or restoration offsite may be deemed appropriate and acceptable to the regulatory agencies. Wetland mitigation areas shall be monitored for five years following completion or as otherwise specified in the permit conditions. Annual reports shall be submitted to the City of Fremont, USACE, and RWQCB as part of the Surface Mining Annual Report as required by SMARA. Prior to disturbance of the Phase 1 site area and potential wetlands, the project sponsor shall provide evidence of the required approvals from the USACE and RWQCB to the City of Fremont.

- **Mitigation Measure BIO-3: Special Status Plant Survey** - Two special-status plant species (Congdon’s tarplant, and saline clover) were identified as having the potential to occur on the property. Focused plant surveys shall be performed for these species during the appropriate blooming or survey period which is identified as May-October for the Congdon’s tarplant and April-June for the saline clover. In order to provide a presence/absence determination, a single survey shall be performed in April, May and June. A
survey report shall be prepared by a qualified botanist and submitted to the City of Fremont prior to disturbance of the Phase 1 site area.

- **Mitigation Measure BIO-4: Burrowing Owl Survey** - To avoid impacts to Burrowing Owls, a site survey shall be performed prior to any disturbance to the Phase 1 site area. The burrowing owl survey shall be prepared 30 days prior to any disturbance of the Phase 1 site area by a qualified wildlife biologist and submitted to the City. An annual burrowing owl survey, submitted as part of the SMARA annual report, shall also be prepared for any areas that have been undisturbed for a period of 12 months or more.

- **Mitigation Measure BIO-5: Bird Nesting Survey** - Although no trees are currently proposed for removal, any trees that may need to be removed shall be felled outside of the general bird nesting season (February 1 through August 31), or a pre–construction bird nesting survey shall be conducted prior to tree removal by a qualified biologist. If conducted during the early part of the breeding season (January to April), the survey shall be conducted no more than 14 days prior to initiation of demolition/construction activities; if conducted during the late part of the breeding season (May to August), the survey shall be performed no more than 30 days prior to initiation of these activities. A pre-construction report will be prepared and a copy submitted to the City of Fremont. If active nests are identified, a 200–foot fenced buffer (or an appropriate buffer zone determined in consultation with the California Department of Fish and Game) shall be established around the nest tree and the site shall be protected until September 1st or until the young have fledged.

- **Mitigation Measure BIO-6: Monarch Butterfly Survey** - Although no trees are currently proposed for removal, to avoid impacts to monarch butterflies any eucalyptus tree removal that may be proposed shall occur outside the migratory season for this species. Any trees that need to be removed shall be felled outside of the general monarch butterfly migratory or wintering season (October 1 through February 28), or a pre–construction butterfly use survey shall be conducted no more than 14 days prior to tree removal by a qualified biologist. A pre-construction report shall be prepared by a qualified biologist and submitted to the City of Fremont prior to any proposed tree removal.

- **Mitigation Measure HYD-1: Revegetation** – Upon completion of grading and site work to the Phase 1 site area, the area shall be revegetated with native plants and seed mix. Revegetation will be monitored until all success criteria are met. Monitoring data will include a list of species present, plant cover and composition estimates and an evaluation of the effectiveness of erosion control. Performance standards to be met will include a cover value of 90% and established diversity of five species. Revegetated areas shall be monitored for five years following completion or as otherwise specified in the permit conditions. Annual reports shall be submitted to the City of Fremont as part of the Surface Mining Annual Report as required by SMARA.

- **Mitigation Measure HYD-2: Stormwater Pollution Prevention Plan** - All grading and construction activities are subject to existing regulatory requirements including the SWRCB statewide NPDES General Permit for Storm Water Discharge Associated with Construction Activity (Construction General Permit) (Order No. 2009 0009-DWQ, NPDES No. CAR000002). The NPDES General Construction Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must list BMP’s that the discharger will use to protect stormwater runoff, including the placement and timing of those BMP’s. Additionally, the SWPPP must contain a visual monitoring program; and a chemical monitoring program for nonvisible pollutants to be implemented if there is a failure of BMP’s.
New Mitigation Applicable to the Project

- **Mitigation Measure HAZ-1: Clean Up Actions and Site Closure** – The applicant shall complete site investigative and clean-up actions necessary to remediate soil contamination caused by a past diesel spill. The applicant shall complete the Site Investigation Work Plan dated May 24, 2013 and obtain a site closure letter from Alameda County Water District prior to obtaining a building or grading permit for site development.
GENERAL SOURCE REFERENCES:

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Fremont Department of Community Development. References to publications prepared by federal or state agencies may be found with the agency responsible for providing such information.

1. Existing land use.
2. City of Fremont General Plan (Land Use Element Text and Maps)
3. City of Fremont Municipal Code Title 18, Planning and Zoning (including Tree Preservation Ordinance)
4. City of Fremont General Plan (Certified 2009 Housing Element)
5. Alquist-Priolo Earthquake Fault Zoning Act and City of Fremont General Plan (Safety Element)
6. City of Fremont General Plan (Safety Element)
7. City of Fremont General Plan (Mobility Element)
9. City of Fremont General Plan (Safety Element, subsection Noise & Vibration)
10. City of Fremont General Plan (Public Facilities Element)
11. City of Fremont General Plan (Community Character Element)
12. City of Fremont General Plan (Parks and Recreation Element)
13. City of Fremont General Plan (Community Plans Element, Measure T)
14. RWQCB National Pollutant Discharge Elimination System (NPDES) Municipal Permit October 2009
15. RWQCB, Construction Stormwater General Permit, September 2009
17. Flood Insurance Rate Map (FEMA online) and City of Fremont General Plan (Safety Element)
18. Hazardous Waste & Substances Sites List, consolidated by the State Department of Toxic Substances Control, Office of Environmental Information Management, by Ca./EPA, pursuant to Government Code Section 65962.5 (accessed online)
19. Department of Conservation Important Farmland Map 2010
21. Bay Area Air Quality Management District: Clean Air Plan (Bay Area Ozone Strategy 2010)
22. CARB Scoping Plan December 2008
23. City of Fremont Greenhouse Gas Emissions Inventory 2005
24. City of Fremont Municipal Code Title 8, Health and Safety (e.g. solid waste, hazardous materials, etc.)
25. City of Fremont Municipal Code Title 12, Streets, Sidewalks & Public Property
26. City of Fremont Municipal Code Title 15, Building Regulations
27. City of Fremont Wireless Telecommunications Ordinance
28. Fremont Register of Historic Resources and Inventory of Potential Historic Resources
29. Local Cultural Resource Maps (CHRIS)
30. Fremont High Fire Severity Zone Map
PROJECT RELATED REFERENCES:
A. Project site plan, grading/utility plans, landscape plans
B. Applicant Statement of Operations