City of Fremont Initial Study

1. **Project**: Ardenwood Technology Park Planned District Rezoning (PLN2015-00023)

2. **Lead Agency name and address (including e-mail address/fax no. as appropriate):**

   City of Fremont Community Development Department
   39550 Liberty Street, 1st Floor
   Fremont, CA 94538

3. **Lead Agency contact person:**

   Stephen Kowalski, Associate Planner
   Phone: (510) 494-4532
   E-mail: skowalski@fremont.gov

4. **Project location:** Multiple parcels, generally bounded by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and State Route 84 (SR 84) to the southeast. Refer to Figure 1 (Project Vicinity Map) and Figure 2 (Proposed Floor Area Ratios).

5. **Project Sponsor's name and address:**

   City of Fremont Community Development Department
   39550 Liberty Street, 1st Floor
   Fremont, CA 94538

6. **General Plan Land Use Designation:** Industrial - Tech

7. **Current Zoning:** Planned District P-81-15NN (portion), Planned District P-81-15NN(F) with Flood Combining District Overlay (portion) and Planned District P-2001-7(F) with Flood Combining District (portion)

8. **Proposed Zoning:** Planned District P-2015-23

9. **Description of Project:**

   The proposed project would rezone 32 existing industrial parcels located within a portion of the Ardenwood Technology Park (project area) from Planned District P-81-15NN (portion), Planned District P-81-15NN(F) with Flood Combining District Overlay (portion) and Planned District P-2001-7(F) with Flood Combining District (portion) to a new Planned District P-2015-23(F) to allow the current maximum allowable floor area ratio (FAR) for those parcels to be increased from 0.35 up to 0.75 to enable more intensive Class A office, advanced manufacturing, and research and development uses, as well as small-scale retail/service uses to meet the everyday needs of employees. The FAR is the ratio between a lot's size and the total floor area allowed on that lot; for example, a 10,000-square-foot lot with a maximum 0.50 (50 percent) FAR would be allowed to have a building or buildings containing a combined maximum of 5,000 square feet of floor area, or 50 percent of the total square footage of the lot.

   The proposed FAR increase would change the allowable FAR for 17 of the 32 parcels from 0.35 to 0.55, ten of the parcels from 0.35 to 0.65, and five of the parcels from 0.35 to 0.75. These proposed increases could potentially allow development of up to approximately 4,024,872 square feet overall. This represents approximately 1,772,885 square feet of additional floor area across the 32 parcels than would otherwise be allowed under the current maximum 0.35 FAR established in the General Plan for the Tech Industrial land use designation. Nineteen of the 32 parcels comprising approximately ±96 acres or 65 percent of the project area are already developed. The existing floor area on developed parcels totals 1,387,181 square feet. Thus, the proposed FAR increase could allow approximately 2,637,691 square feet of additional floor area over existing floor area. Table 1 shows the average FAR and floor area of existing development, existing allowable FAR and allowable floor area, and proposed allowable FAR and allowable floor area. Figure 2 shows the parcels subject to the proposed FAR increase.

Location	Avg. FAR for Existing Development	Developed SF	Existing Allowable FAR	Existing Allowable SF	Proposed Allowable FAR	Proposed Allowable SF
Campus Drive (16 parcels)	0.28	876,503	0.35	1,103,963	0.55	1,780,073
Dumbarton Circle/Kaiser Drive (10 parcels)	0.34	510,678	0.35	770,380.5	0.65	1,435,562.5
Campus Court (five parcels)	0	0	0.35	377,643.5	0.75	809,236.5
Totals:	**0.31**	**1,387,181**	**0.35**	**2,251,987**	**Varies**	**4,024,872**
Difference in SF Between Existing Allowable FAR and Proposed Allowable FAR:						**1,772,885**
Difference Between Existing Developed SF and Proposed Allowable SF:						**2,637,691**

The Ardenwood Technology Park (ATP) currently has a maximum height limit of 75 feet and four stories, and these limitations would continue to remain in effect with the proposed Planned District rezoning except for the four parcels located on Campus Court adjacent to the intersection of Paseo Padre Parkway and SR 84, where the height limit would be increased to a maximum of seven stories and 115 feet to allow a clustering of taller buildings at this location to serve as the future focal point of the technology park.

The 32 subject parcels total a combined ±147.7 acres. The parcels are currently zoned either as Planned District P-81-15NN, Planned District P-81-15NN(F) with Flood Combining District, or Planned District P-2001-7(F) with Flood Combining District, and are all designated Tech - Industrial in the Land Use Element of the City's General Plan. Throughout its history, the ATP has not always been developed to a uniform FAR limit. The original Planned District for the Ardenwood Forest - New Town development project (Planned District P-81-15) approved by the City Council in 1981, which included the project area, applied a 50 percent lot coverage limit. As such, a number of the subject parcels were developed with FARs greater than 0.35. Changes in development standards over time have resulted in FARs within the project area ranging from 0.20 to 0.41, with an average FAR across the project area (including all developed parcels) of 0.31. As noted above, 19 of the 32 subject parcels are developed, leaving 13 parcels that are currently vacant and have never been developed since the original approval of Planned District P-81-15 by Council in 1981.

The current allowed FAR limit for all of the industrial parcels in the ATP is 0.35 per the General Plan. However, the General Plan enables large sales tax and employment generators to receive special consideration for variations in development standards such as an increase in the maximum FAR, as a result of the significant economic benefit they provide to the City (Economic Development Policy 6-1.4). The proposed project reflects the City's goal to create a dynamic local economy that attracts investment, increases the tax base, generates public revenues, and creates employment opportunities (Economic Development Goal 6-1).

The proposed FAR increase would require a rezoning of the 32 subject parcels to a new Planned District in order to separate them from the remainder of the parcels comprising the ATP and to distinguish the increased FARs for the subject parcels from the current maximum FAR governing the remainder of the ATP. The new Planned District would also allow a greater maximum building height on the four parcels on Campus Court northeast of the intersection of SR 84/Paseo Padre Parkway, and would also allow the following additional uses within the project area in order to serve the expected employee populations of the new campuses that would be developed on the subject parcels: restaurants and cafes, convenience

stores, personal services such as dry cleaners and fitness clubs, daycare facilities for children of company employees only, and other similar services.

10. Surrounding Land Uses and Setting:

The project site consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the parcels are located within the ATP, which was originally created as part of the Ardenwood Forest - New Town development project approved by the City Council under Planned District P-81-15 in 1981.

Access to the project area is provided via the intersections of Paseo Padre Parkway/Kaiser Drive, Paseo Padre Parkway/Dumbarton Circle, and Ardenwood Boulevard/Kaiser Drive. The Ardenwood Boulevard/Kaiser Drive intersection is signalized while Paseo Padre Parkway/Kaiser Drive and Paseo Padre Parkway/Dumbarton Circle are controlled by a one-way stop sign on both Kaiser Drive and Dumbarton Circle. The nearest freeway interchange is the SR 84/Thornton Avenue/Paseo Padre Parkway interchange located approximately ¼ mile to the southwest of the intersection of Paseo Padre Parkway and Dumbarton Circle. Paseo Padre Parkway is classified as a primary arterial roadway in the Mobility Element of the General Plan, with two through lanes in each direction adjacent to the project site. Ardenwood Boulevard is classified as a minor arterial roadway, with two through lanes in each direction adjacent to the project site. Kaiser Drive and Dumbarton Circle are both classified as collector streets. Kaiser Drive has two through lanes in each direction, while Dumbarton Circle has one through lane in each direction and a center left-turn lane.

The industrial properties across Kaiser Drive to the north are designated Tech Industrial in the Land Use Element of the General Plan and zoned Planned District P-81-15A and P-81-15PP. The neighboring industrial properties along Dumbarton Circle and within Ardentech Court to the southeast are also designated Tech Industrial and zoned Planned District P-81-15NN. The vacant lands across Paseo Padre Parkway to the west and northwest are designated Open Space – Resource Conservation/Public in the General Plan and zoned Agricultural - A and Agricultural with Flood Combining District - A(F). The vacant parcel across Paseo Padre Parkway to the southwest is designated Industrial – Tech and zoned Restricted Industrial I-R(F) with Flood Combining District. The lands across SR 84 to the southeast lie within the City of Newark and are designated Special Industrial in that City's General Plan and zoned MT-1 High Technology Park District.

11. 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:

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

12. Other Public Agencies Requiring Approval: State of California Department of Transportation

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".

	Aesthetics		Agricultural / Forest Resources	**PS**	Air Quality
	Biological Resources		Cultural Resources		Geology / Soils

	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
PS	Greenhouse Gas Emissions		Mineral Resources	**PS**	Noise
	Population / Housing		Public Services		Recreation
PS	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

PREVIOUS ENVIRONMENTAL ANALYSES: None

DETERMINATION BY THE CITY OF FREMONT: On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	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.
X	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" 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.
	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.

Signature: _____ Date: 5/14/15

Printed Name: Stephen Kowalski For: City of Fremont

Planning Manager Review: _____

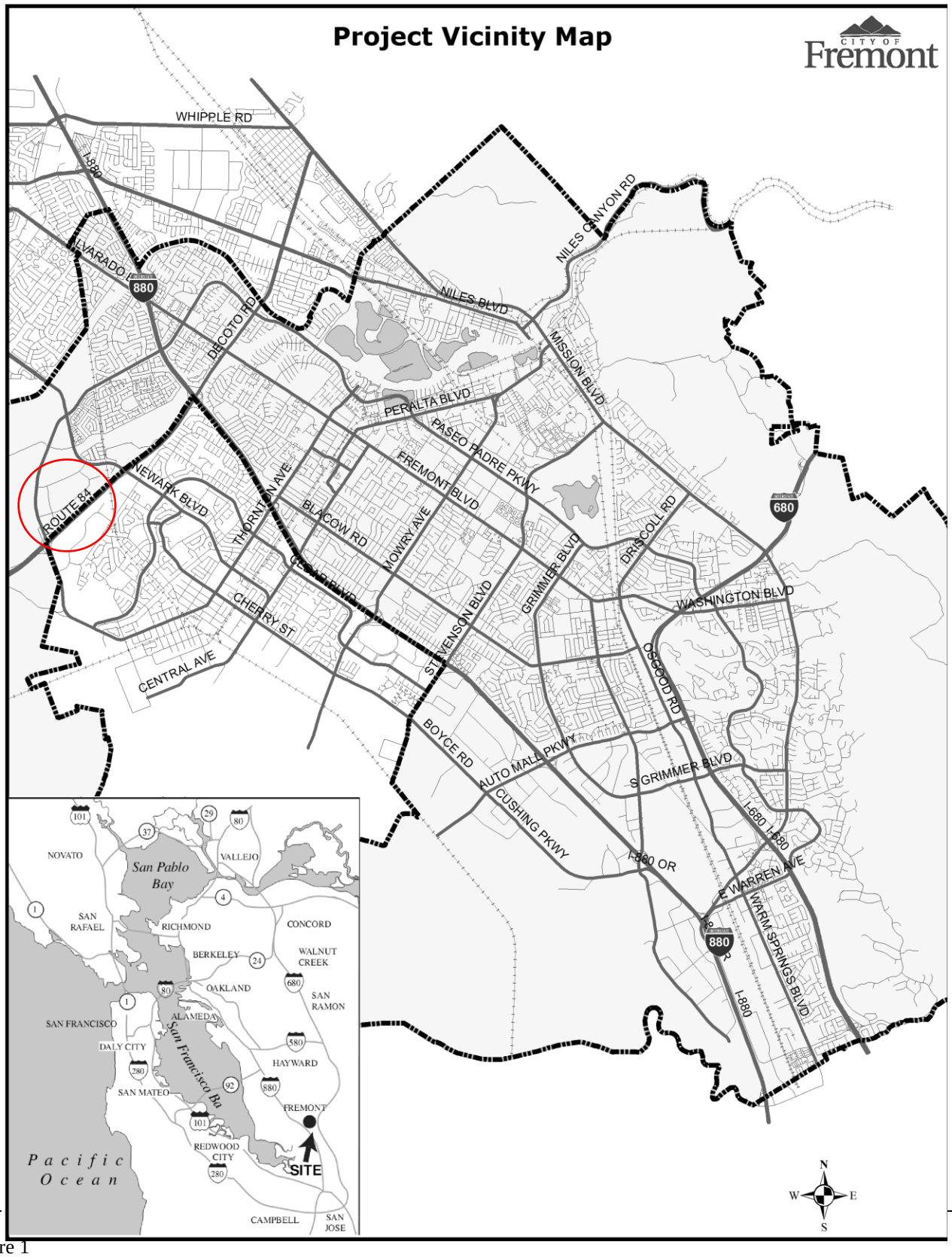
Project Vicinity Map
CITY OF Fremont
WHIPPLE RD
I-880
ALVARADO
880
DECOTO RD
NILES CANYON RD
NILES BLVD
MISSION BLVD
PERALTA BLVD
PASEO PADRE PKWY
FREMONT BLVD
NEWARK BLVD
ROUTE 84
THORNTON AVE
BLACOW RD
MOWRY AVE
GRIMMER BLVD
DRISCOLL RD
680
WASHINGTON BLVD
CHERRY ST
STEVENSON BLVD
CENTRAL AVE
OSSOD RD
BOYCE RD
AUTO MALL PKWY
S GRIMMER BLVD
CUSHING PKWY
I-680 I-880
I-880 OR
E WARREN AVE
WARM SPRINGS BLVD
NOVATO
San Pablo Bay
VALLEJO
SAN RAFAEL
RICHMOND
CONCORD
BERKELEY
WALNUT CREEK
OAKLAND
SAN RAMON
SAN FRANCISCO
ALAMEDA
DALY CITY
San Francisco Bay
HAYWARD
SAN MATEO
FREMONT
REDWOOD CITY
SITE
Pacific Ocean
CAMPBELL
SAN JOSE
N
W
E
S

Figure 1

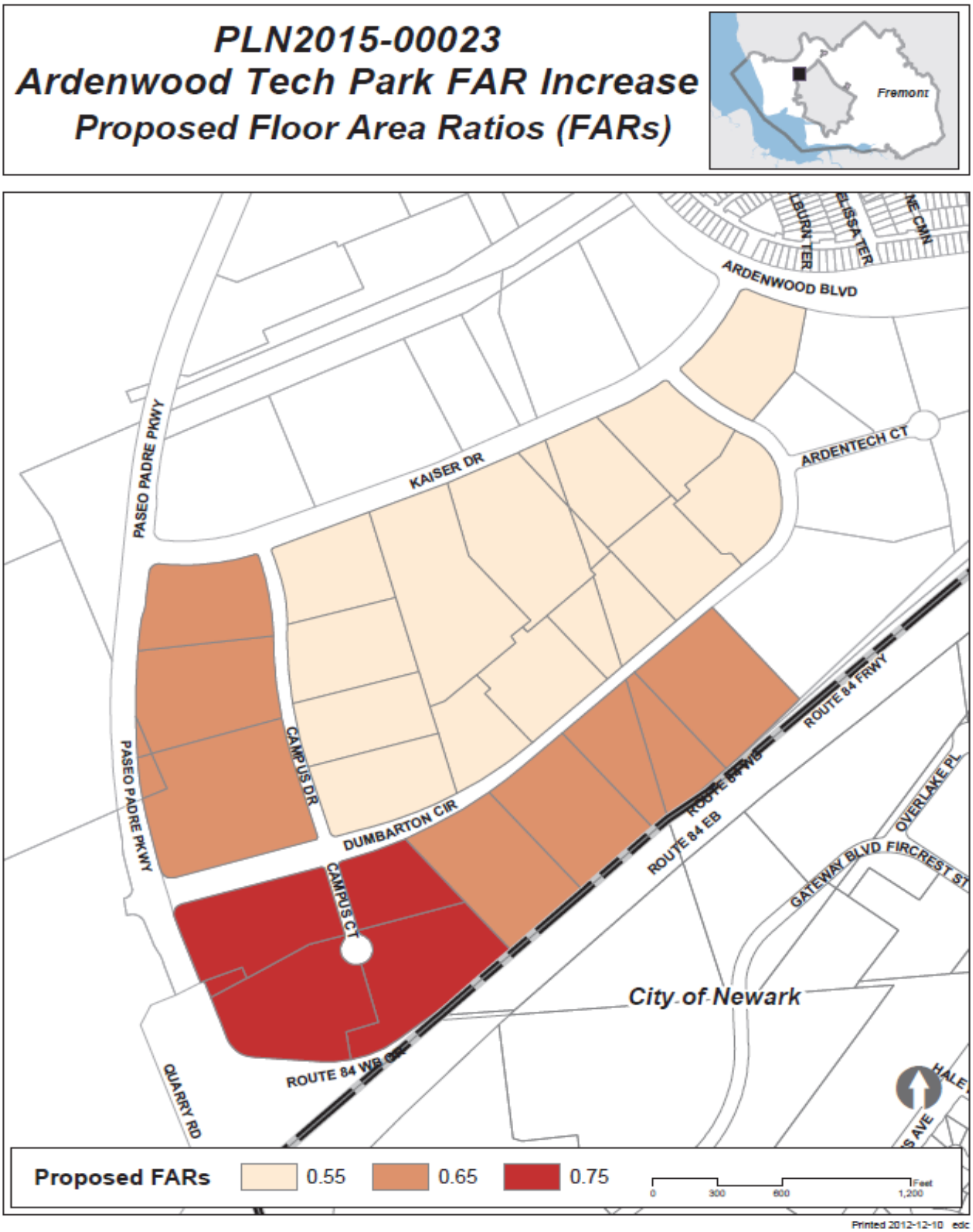
PLN2015-00023
Ardenwood Tech Park FAR Increase
Proposed Floor Area Ratios (FARs)
Fremont
ARDENWOOD BLVD
ARDENTECH CT
KAISER DR
PASEO PADRE PKWY
CAMPUS DR
DUMBARTON CIR
CAMPUS CT
ROUTE 84 FRWY
ROUTE 84 EB
ROUTE 84 WB
GATEWAY BLVD
OVERLAKE PL
FIRCREST ST
City of Newark
QUARRY RD
Proposed FARs
0.55
0.65
0.75
0
300
600
1,200
Feet
Printed 2012-12-10 edc

Figure 2

I. AESTHETICS - Would the project:

	ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Have a substantial adverse effect on a scenic vista?			X		1, 8, 11
b	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		1, 8, 11
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?				X	1, 8, 11
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X	1, 8, 11

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. The area known as Ardenwood Technology Park has been designated and zoned to allow research and development and light industrial urban development since the early 1980s. All of the existing buildings are either one or two stories in height. The Coyote Hills Regional Park is located approximately ½ mile west of the project area, with the San Francisco Bay located beyond.

Regulatory Framework

Local regulations that pertain to the proposed project related to aesthetics include:

- City of Fremont General Plan Community Character Element (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? 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 identifies SR 84 as a scenic route from Paseo Padre Parkway to I-880 because of its alignment through both the Coyote Hills Regional Park and Don Edwards San Francisco Bay National Wildlife Refuge west of the project area. The area directly across Paseo Padre Parkway west of the project site and leading to the Coyote Hills Regional Park is also vacant land designated as Open Space - Resource Conservation/Public (RCP). The area west of Paseo Padre Parkway and the project area provide a scenic vista along Route 84 and from the project site as well. The proposed project would not impact or adversely affect this existing scenic vista as the site lies at the edge of urban developed area that has been designated and zoned to allow industrial development with taller buildings since the early 1980s and the area designated as Open Space – Resource Conservation would remain as such.

The ATP currently has a maximum height limit of 75 feet and four stories, and these limitations would continue to remain in effect with the proposed FAR increases except at the four parcels located on Campus Court adjacent to the intersection of Paseo Padre Parkway and SR 84, where the height limit would be increased to a maximum of seven stories and 115 feet to allow a clustering of taller buildings at this location to serve as the future focal point of the ATP. As noted, the nearest scenic resource to the project area is the Coyote Hills, which rise approximately ½ mile to the west to a maximum elevation of approximately 290 feet above sea level, or

approximately 175 feet higher than the tallest buildings that would be allowed with the proposed maximum height increase. As such, the project would not result in significant impacts to any scenic vistas or resources in that the tallest buildings would still be significantly shorter than the scenic hills adjacent to the project area, and no mitigation is required. Since the tallest buildings would be confined to the four parcels at the southeastern most tip of the ATP, they would not preclude or block scenic vistas to the Coyote Hills Regional Park from existing buildings in the business park or from SR 84 westbound, except for a brief moment when traffic traveling along the highway approaches the tallest buildings.

All of the parcels in the ATP, both vacant and developed, are improved with perimeter landscaping along their individual street frontages, including several trees on each lot. Some of these trees may require removal if and when each lot is developed or redeveloped in accordance with the proposed FAR increases. However, none of these trees are considered to be scenic resources, and each new development or redevelopment project that would result in the removal of any trees would be subject to protection under the City's Tree Preservation Ordinance (Chapter 18.215 of the Municipal Code) and would be required to conform to the 1:1 tree replacement requirement of the Ordinance to the satisfaction of the City Landscape Architect. Furthermore, there are no other unusual or important resources such as rock outcroppings or historic structures on any of the subject parcels. As such, impacts from the proposed project on a scenic vista or scenic resources would be less than significant and no mitigation is required.

Potential Impact: Less than Significant Impact
Mitigation: None Required

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

The majority of the lots comprising the ATP are currently developed with either one or two-story industrial buildings. The area immediately surrounding the ATP is largely flat, with the Coyote Hills rising approximately ½ mile to the west to a maximum elevation of approximately 290 feet above sea level. The ATP currently has a maximum height limit of 75 feet and four stories, and these limitations would continue to remain in effect with the proposed FAR increases except for the four parcels located on Campus Court adjacent to the intersection of Paseo Padre Parkway and SR 84, where the height limit would be increased to a maximum of seven stories and 115 feet to allow a clustering of buildings at this location to serve as the future focal point of the ATP.

These parcels are located more than ½ mile from the base of the Coyote Hills, and the tallest buildings that could be constructed on them under the proposed maximum height increase would still be up to 175 feet shorter than the hills. Additionally, the clustering of the tallest building heights on only four select parcels at the southeasternmost part of the project site on Campus Court would reduce potential impacts to the existing visual character of the majority of the site. While the proposed FAR increases could result in buildings having larger footprints than is currently permitted with a 0.35 FAR (i.e., buildings could become wider than is currently permitted), the larger building footprints would not substantially degrade visual quality from what exists or what would be allowed under existing zoning. As such, the proposed increases in maximum building heights and FARs would not substantially degrade the existing visual character of the ATP and its immediate surroundings, and no mitigation is required.

The existing character of the area, which is primarily high tech office and light industrial park development along the City's boundary and adjacent to public open space would be preserved, and would not block existing views and scenic vistas to the Coyote Hills and the Bay beyond

from existing office buildings along the east side of Paseo Padre. New development would be subject to Citywide Design Guidelines for non-residential development and, within campus-style industrial parks, would be required to be compatible with and complement surrounding existing development and the character of the area.

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 majority of the lots comprising the ATP are currently developed with one- to two-story industrial buildings, while the adjacent neighborhoods to the north, south and east are developed with residential, commercial, or similar industrial uses. Although the proposed project would result in new sources of light on those lots that are currently vacant, and additional light on lots that are redeveloped with more intensive, taller buildings, the new lighting would be similar in nature and intensity to the existing conditions in the area. Only the adjacent lands to the west between Paseo Padre Parkway and the Coyote Hills are vacant and designated as Open Space in the City's General Plan, but these lands are separated from the project area by Paseo Padre Parkway and, therefore, too far away to be impacted by any new lighting. Furthermore, the City's Zoning Ordinance requires that all exterior light sources be designed so as not to create significant glare on adjacent properties through the use of concealed source and/or downcast light fixtures. Compliance with the lighting requirements of the Zoning Ordinance would ensure that the project would not create new sources of substantial light and glare on adjacent open spaces or properties. As such, impacts would be less than significant and no mitigation is required.

Potential Impact: Less than Significant Impact
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:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
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?				X	1, 8, 20
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	1, 8, 20

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)?				X	N/A
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X	N/A
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?				X	N/A

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the parcels are currently provided with full frontage improvements, including public streets, curbs, gutters and sidewalks and/or landscaped setbacks, and none have the potential for being used for agricultural purposes.

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 Element
- California Department of Conservation, Alameda County Farmland Map-Access via URL: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/ala10.pdf

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 project area is not Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Therefore, no impact to such lands would result from the project.

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 non-forest use?

As shown on the California Department of Conservation's 2010 Alameda County Farmland Map, the project area is classified as "urban and built-up land." In addition, the project would not result

in the loss of forest land or the conversion of forest land to non-forest use. Therefore, no agricultural resource or forest resource impacts would result from the development of the project, and no mitigation is required.

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:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Conflict with or obstruct implementation of any applicable air quality plan?	X				1, 21, 22
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X				1, 21, 22
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)?	X				1, 21, 22
d.	Expose sensitive receptors to substantial pollutant concentrations?	X				1, 3, 6, 21, 22
e.	Create objectionable odors affecting a substantial number of people?			X		1, 3, 6

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. The proposed rezoning would increase the maximum allowable FAR for 16 of the 32 parcels from 0.35 to 0.55, ten of the parcels from 0.35 to 0.65, and five of the parcels from 0.35 to 0.75. These proposed increases could potentially allow up to 1,772,885 square feet of additional floor area across the 32 parcels above what would be allowed under the current maximum 0.35 FAR for the ATP.

Regulatory Framework

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

- City of Fremont General Plan Conservation Element (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 such monitoring station is located at 935 Piedmont Road in San Jose. 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 (PM_{10} and $PM_{2.5}$). 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

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, the 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, then it would also be considered consistent with the *Clean Air Plan*. The Draft Environmental Impact Report (EIR) prepared for the 2011 General Plan concluded that development projects consistent with the General Plan would not cause or contribute to a violation of the ambient air quality standard for carbon monoxide. The proposed project would allow an increase in FAR resulting in the potential for an additional 1,772,885 square feet of floor area across 32 parcels. This increase in development potential would potentially result in additional vehicle trips and increased vehicle emissions. Long-term, vehicle emissions are the primary source of air pollution. The addition of traffic and changes in traffic patterns within and surrounding the project area has the potential to affect local and regional air emissions. The City has determined that an EIR will be prepared for the proposed Planned District rezoning, which will provide a detailed air quality analysis that addresses short-term emissions from construction activities, and long-term emissions from vehicle trips. The EIR will also assess the project's compliance with state legislation related to global warming and conformance with applicable regional air quality plans.

Potential Impact: Potentially Significant
Mitigation: Mitigation measures will be identified in the EIR as necessary.

d) Would the project expose sensitive receptors to substantial pollutant concentrations?

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (cancer risk). Construction and operation of the project could increase vehicle trips on area roadways and result in associated air pollutants. Grading and excavation operations may also have air quality impacts in the absence of mitigation. Sensitive populations (i.e., children, senior citizens, or acutely ill people) are more susceptible to the effects of air pollution than the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, hospitals, and retirement or convalescent homes. Air quality effects and impacts to sensitive receptors surrounding or in proximity to the project area will be further evaluated in the EIR.

Potential Impact: Potentially Significant
Mitigation: Mitigation measures will be identified in the EIR as necessary.

e) Would the project create objectionable odors affecting a substantial number of people?

The proposed project would not generate objectionable odors. Construction activity associated with the project may generate detectable odors from heavy-duty equipment exhaust. However, this impact would be short-term in nature and cease upon project completion. In addition, there

are no existing uses in the project vicinity that produce objectionable odors nor are any uses proposed that would produce objectionable odors affecting a substantial number of people. Therefore, impacts would be less than significant and no mitigation is required.

Potential Impact: Less Than Significant Impact
Mitigation: None Required

IV. BIOLOGICAL RESOURCES - Would the project:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	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?		X			1, 8
b.	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?				X	1, 8
c.	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?				X	1, 8
d.	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?		X			1, 8
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		1, 3, 8
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	1, 8

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. The project area has been designated and zoned for urban uses (research and development and high tech office) since the early 1980s. Consistent with the General Plan and zoning, 19 of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the parcels, both vacant and developed, are fully improved along their individual street frontages with curb, gutter, sidewalks (on streets where sidewalks are provided) and landscaped setbacks with mature trees.

Regulatory Framework

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

- City of Fremont General Plan, Conservation Element

- 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

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?

All of the parcels in the ATP, both vacant and developed, are improved with perimeter landscaping along their individual street frontages, including several trees on each lot. Some of these trees may likely require removal if and when each lot is developed or redeveloped in accordance with the proposed FAR increases. Some of these trees may provide suitable habitat for migratory birds and/or raptors. A mitigation measure is proposed in subsection (d), below, which would ensure that no migratory birds and/or raptors are using any of these trees for nesting purposes while construction of the project takes place.

Thirteen of the 32 parcels are currently vacant and may contain potential habitat for specific special status species of burrowing owls. Mitigation Measure Bio-1, below, would ensure there is no potential take or disruption of burrowing owls during the future development of each vacant parcel.

None of the vacant lots support riparian habitat given that they have all been previously graded to a flat level and improved along their individual frontages, and are regularly cleared of weeds and overgrown vegetation. Furthermore, there are no federally protected wetlands within the project area. Thus, no other impacts would result and no other mitigation is required beyond Mitigation Measure Bio-1.

Potential Impact: Less than Significant Impact with Mitigation Incorporated
Mitigation Measure Bio-1: *To mitigate the identified potential impacts to occupation of the vacant parcels in the Planned District by burrowing owls, the following measures shall be adhered to:*

a) No more than 14 days prior to any ground-disturbing activities (regardless of time of year), a qualified biologist shall conduct a take avoidance survey for burrowing owls and report the findings to the City of Fremont. If no owls are found during this first survey, a final survey will be conducted within 48 hours prior to ground disturbance to confirm that burrowing owls are still absent and the results reported to the City of Fremont. If ground-disturbing activities are delayed or suspended for more than 14 days after the initial take avoidance survey, the property must be re-surveyed.. All surveys shall be conducted in accordance with California Department of Fish and Wildlife (CDFW) 2012b guidelines.

b) If burrowing owls are found on the property during the surveys, mitigation shall be required in accordance with CDFW 2012b guidelines. If the surveys identify breeding or wintering burrowing owls on or adjacent to the property, occupied burrows shall not be disturbed and shall be provided with protective buffers. Where avoidance is not feasible, an exclusion plan shall be implemented to encourage owls to move away from the work area prior to construction. The exclusion plan shall be subject to CDFW approval and monitoring requirements and approved by the City prior to issuance of a permit for ground disturbing activities.

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?

There are multiple existing trees on each of the 32 subject parcels, some of which may provide suitable nesting habitat for some species of migratory birds and/or raptors. Construction activities related to the development and/or redevelopment of each lot adjacent to trees containing active bird or raptor nests, as well as removal of trees containing active bird nests, could result in the abandonment of nesting efforts and, thus, pose a potentially significant impact on migratory birds. Active bird nests are protected by the federal Migratory Bird Treaty Act and the California Department of Fish and Wildlife. Implementation of Mitigation Measure Bio-2, below, would reduce impacts to any nesting migratory birds or raptors occupying any of the trees within or adjacent to the subject parcels to a less-than-significant level.

Potential Impact: Less than Significant Impact with Mitigation Incorporated
Mitigation Measure Bio-2: *If project-related activities on any of the lots within the Planned District are scheduled to occur during the nesting season (February 1 through August 31 for protected raptors and migratory birds), a focused survey of the work area for active nests of such birds shall be conducted by a qualified biologist within 15 days prior to the beginning of any project-related activities. If a lapse in project-related work of 15 days or longer occurs during the nesting season, another survey shall be required before project work can be reinitiated. If an active nest is found, the applicant or developer shall establish a buffer area that surrounds the nest location. The width of the buffer shall be determined by the survey biologist and shall be dependent on the location of the nest and the affected species. No project-related work or activities shall be permitted within the buffer area until the biologist has determined the nest is no longer active. The final determination shall be made by the City of Fremont Planning Manager upon receipt of the biologist's recommendation.*

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?

There are multiple existing trees on each of the 32 subject parcels, several of which are subject to protection under the City's Tree Preservation Ordinance (Chapter 18.215 of the Municipal Code) due to their size and/or species. Any tree removal proposed as part of subsequent development and/or redevelopment of any of the 32 parcels would be required to conform to the 1:1 tree replacement requirement of the Ordinance to the satisfaction of the City Landscape Architect. As such, impacts would be less than significant and no mitigation is required.

Development of the project area as proposed would not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, as none exist that affect the area.

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

V. CULTURAL RESOURCES - Would the project:

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

Environmental Setting
The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. The project area has been previously disturbed and is located in a built-up urban environment containing numerous existing buildings. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the parcels, both vacant and developed, are fully improved along their individual street frontages with curb, gutter, sidewalks (on streets where sidewalks are provided) and landscaped setbacks with mature trees.

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

- City of Fremont General Plan Land Use Element (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 identified historical resources on any of the 32 subject parcels. All of the existing buildings were built in 1981 or thereafter, and, as such, are not considered historical resources. Therefore, the proposed project would not cause a substantial adverse change to any historical resources and no impact would result.

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 32 parcels comprising the project area are not known to contain any archaeological or paleontological resources or human remains. However, there is a possibility that unrecorded resources exist within the project area, which could be unearthed during grading activities or other disturbance activities. Implementation of Mitigation Measure Cult-1, below, would reduce any potential impacts to such resources to a less-than-significant level:

Potential Impact: *Less than Significant Impact with Mitigation Incorporated*
Mitigation Measure Cult-1: *If any archaeological or paleontological resources or human remains are encountered during grading or site disturbance on any of the parcels within the Planned District, all work shall cease within a 200-foot radius of the discovery until it can be evaluated by a qualified archaeologist and/or paleontologist. Work shall not continue until the archaeologist/paleontologist conducts sufficient research and data collection to make a determination as to the significance of the resource. If the resource is determined to be significant and mitigation is required, the first priority shall be avoidance and preservation of the resource. If avoidance is not feasible, an alternative archaeological/paleontological management plan shall be prepared that may include excavation. If human remains are discovered, the Alameda County Coroner's office shall be notified as required by state law. All excavation and monitoring activities shall be conducted in accordance with the prevailing professional standards, as outlined in the CEQA Guidelines and by the California Office of Historic Preservation.*

VI. GEOLOGY AND SOILS - Would the project:

	ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
	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.			X		1, 5, 6
	ii) Strong seismic ground shaking?			X		1, 5, 6
	iii) Seismic-related ground failure, including liquefaction?			X		1, 5, 6
	iv) Landslides?			X		1, 5, 6
b.	Result in substantial soil erosion or the loss of topsoil?			X		1, 5, 6, 8
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?			X		1, 5, 6
d.	Be located on expansive soil, as defined in California Building Code, creating substantial risks to life or property?			X		1, 5, 6
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?				X	N/A

Environmental Setting:
The City of Fremont is subject to fault rupture and related seismic shaking from several faults in the area. According to the 2004 State of Geologic and Seismic Hazard Zones map, the entire project area is located

within an earthquake-induced liquefaction zone. Furthermore, as with any land in the San Francisco Bay Area, the subject parcels could be subject to strong shaking during a major seismic event along one of the faults located in Northern California.

Regulatory Framework

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

- City of Fremont General Plan Safety Element (Seismic and Geologic Hazards)
- City of Fremont Municipal Code (Building Safety)
- 2010 California Building Code

Discussion/Conclusion/Mitigation

a-e) 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 project area is not located within a fault zone, however, according to the 2004 State of Geologic and Seismic Hazard Zones map, the entire project area is located within an earthquake-induced liquefaction zone. The 2013 California Building Code (CBC) requires a geotechnical report to be prepared by a licensed geotechnical engineer for all new construction within liquefaction zones, with the report containing recommendations for foundation, structural, underground utility and pavement design. Any new construction resulting from the proposed project would require preparation of, and conformance to the recommendations of a geotechnical report in accordance with the requirements of the 2013 CBC. Conformance to the recommendations of each geotechnical report would reduce safety impacts to the occupants of any new construction within the project area to a less-than-significant level. Furthermore, an erosion control plan would be required with any plans submitted for grading and/or building permits for any new construction to ensure that the project would not result in substantial soil erosion 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 Impact
Mitigation: None Required

VII. GREENHOUSE GAS EMISSIONS - Would the project:

	ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X				1, 3, 8, 21, 22, 23
b.	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	X				1, 3, 8, 21, 22, 23

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 GHGs, 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 Elements
- 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?

The BAAQMD CEQA Air Quality Guidelines contain methodology and thresholds of significance for evaluating the potential impacts of GHG emissions from land use projects. BAAQMD thresholds were developed specifically for the Bay Area after considering the latest GHG inventory and the effects of AB 32 Scoping Plan measures that would reduce regional emissions. The BAAQMD intends to achieve GHG reductions from new land use projects to close the gap between projected regional emissions with AB 32 Scoping Plan measures and AB 32 targets. BAAQMD suggests applying GHG efficiency thresholds to projects that would result in emissions of 1,100 metric tons (MT) of CO2e or greater per year. Projects that would have emissions below 1,100 MT of CO2e per year are considered to result in less-than-significant impacts associated with GHG emissions. Land use projects with emissions above the 1,100 MT per year threshold would then be subject to a GHG efficiency threshold of 4.6 MT per year per capita. Projects with emissions above the threshold would be considered to have an impact, which cumulatively, would be significant.

The proposed project would allow an increase in FAR that could potentially allow up to 1,772,885 additional square feet of industrial, high technology office floor area. This potential increase in floor area would exceed screening criteria analyzed and outlined by the BAAQMD CEQA Air Quality Guidelines to determine whether a proposed project would exceed the GHG emission threshold of 1,100 MT per year and, therefore, could result in a significant impact.

Further detailed air quality analysis will be conducted as part of the EIR to determine whether the proposed changes in FAR would result in emissions exceeding the thresholds established by BAAQMD.

Potential Impact: Potentially Significant
Mitigation: The EIR will identify mitigation measures as necessary

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

	ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials?				X	1, 6, 7, D, E, F
b.	Create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials?				X	1, 6, 7, D, E, F
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	1, 3, D, E, F
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?				X	1, 18, D, E, F
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?				X	N/A
f.	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?				X	N/A
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	1, 6, 7
h.	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?				X	N/A

Environmental Setting:
The closest residential development to the project area is the dormitory housing at DeVry University located at 34797 Ardentech Court approximately 800 feet (0.15 mile) to the east. Single-family residential development is also located directly across Ardenwood Boulevard to the northeast, while the nearest school, Snow Elementary School in Newark, is located approximately ½ mile away to the southeast across SR 84.

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 Elements

- 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 proposed project would not involve the routine transport, use or disposal of hazardous materials. Any buildings proposed for demolition would require demolition permit approval from the BAAQMD and City of Fremont Building Division to ensure that they contain no hazardous materials that could accidentally be released into the environment during demolition, including lead-based paint or asbestos. In addition, there are no schools within one-quarter mile of the project area. Thus, no impacts in this regard would result from the project.

Future industrial land uses that locate in the project area may require the use and/or transport of hazardous materials or waste products, but these uses would undergo individual environmental reviews in accordance with the requirements of CEQA on a case-by-case basis to determine whether they could have a potentially significant impact on the environment or the public health or safety.

Potential Impact: No Impact
Mitigation: None Required

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?

None of the parcels comprising the project area are listed on the Department of Toxic Substance Control's Hazardous Waste and Substances Site List (Cortese List). Therefore, 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 area is not located within an airport land use plan nor are there any public or private airports located near the area. As such, no impact would result.

Potential Impact: No Impact
Mitigation: None Required

f-g) 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 proposed project would not interfere with emergency response or evacuation plans in that all future development on the parcels comprising the project area would be designed to meet all applicable federal, state and local fire safety codes. Emergency vehicle access would be required to be provided for each new project via marked fire lanes and/or emergency vehicle access easements designed in compliance with City Fire Department and Public Works Department standards. Furthermore, the project is not located in an area susceptible to wildland fires. For these reasons, no significant impact to life safety would result from the project, and no mitigation is required.

Potential Impact: No Impact
Mitigation: None Required

IX. HYDROLOGY AND WATER QUALITY - Would the project:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Violate any water quality standards or waste discharge requirements?				X	1, 6, 8, 14, 15, 16
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 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)?				X	1, 6, 8, 14, 15, 16
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?				X	1, 6, 8, 14, 15, 16
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?				X	1, 6, 8, 14, 15, 16
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?				X	1, 6, 8, 14, 15, 16
f.	Otherwise substantially degrade water quality?				X	1, 6, 8, 14, 15, 16
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?				X	N/A
h.	Place within a 100-year flood hazard area structures which				X	1, 6,

	would impede or redirect flood flows?					17
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?				X	1, 6, 8, 17
j.	Inundation by seiche, tsunami, or mudflow?				X	1, 6, 8, 17

Environmental Setting:
The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. The project area is located in a built-up suburban area that has been developed with numerous existing industrial buildings and industrial parks. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the parcels, both vacant and developed, are fully improved along their individual street frontages with curb, gutter, sidewalks (on streets where sidewalks are provided) and have direct access to piped storm drainage systems located within the adjacent public streets.

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 Element (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 project would not violate any water quality standards, deplete groundwater supplies, substantially alter the existing drainage patterns within the project area, or substantially degrade water quality because future development proposed under the Planned District rezoning would be required to comply with existing state, regional and local regulations that protect water quality. Each project would also be required to connect to the existing public sanitary sewer and storm drainage systems serving the project area, and be required to obtain its water from the existing public water mains serving the area.

Because future development project on the 32 subject parcels would add or replace in excess of 10,000 square feet of impervious surface area, each project would be subject to the NPDES C.3 requirements of the Municipal Regional Stormwater Permit, which regulates the treatment of stormwater runoff on-site. As such, each development would 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 serving the project area. Compliance with the applicable C.3 requirements would ensure that no impacts to water quality would result from each future project, and no mitigation is required.

Potential Impact: No Impact
Mitigation: None Required

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 result in the alteration of existing drainage patterns or of the course of any water body. Drainage from each individual new development project on the 32 subject parcels would be required to incorporate stormwater best management practices including directing run-off into landscape-based treatment areas located throughout each project site (see response to questions IX, a-c and f, above), where the flow volumes would be metered and ultimately discharged into the public storm drain system serving the area via new piped systems that would be constructed on each site. Thus, no impact would result and no mitigation is required.

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?

The project area is located within two Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), Panels, Nos. 06001C0440G and 06001C0441G, effective August 3, 2009. According to these FIRMs, the majority of the project area is located within an Unshaded X zone and is, therefore, outside of the 100-year flood zone. However, the portion of the project area adjacent to the intersections of Paseo Padre Parkway and Dumbarton Circle and Paseo Padre Parkway and SR 84 is located within an AE zone and, as such, is located within a 100-year tidal flood zone that could be inundated in the event of a 100-year storm. To prevent flooding in the event of such a 100-year storm event, all new structures would be required to have raised building pads in compliance with the California Building Code. The project area is not located in close proximity to San Francisco Bay or directly downstream from a dam and, as such, would not be exposed to potential inundation by seiche, tsunami, mudflow or dam failure. Therefore, no impact would result.

Potential Impact: No Impact
Mitigation: None Required

X. LAND USE AND PLANNING - Would the project:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Physically divide an established community?				X	1, 2, 3, 8
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?				X	1, 2, 3, 8
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	1, 2, 3, 8

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the existing buildings are either one or two stories in height.

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 Elements
- 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 as it would only allow more intensive development in an established industrial park already allowed under the current zoning and General Plan land use designations. In addition, the project would not conflict with General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect but rather would further the following Economic Development goals and policies that are outlined in the General Plan regarding business attraction/retention and increasing the City's tax base.

Goal 6-1: **A Dynamic Local Economy** – Create and sustain a dynamic local economy that attracts investment, increases the tax base, generates public revenues, creates employment, provides recreational, shopping and service opportunities for residents, and maintains a balance of jobs and housing.

Policy 6-1.1: Increasing the Tax Base – Encourage economic development that generates sales tax, property tax and other revenues that help sustain municipal services.

Policy 6-1.2: Fremont as a Business-Friendly Community – Promote Fremont as a business-friendly community and location of choice for a broad range of business types.

Offer programs that expedite permitting and create a supportive environment for local business to increase local employment and revenues.

Goal 6-3: A Diverse Mix of Industrial and Technology Uses – Support and promote a diverse mix of industrial and technology uses to provide jobs and tax revenues for the community.

The proposed project would also be consistent with General Plan goals related to sustainability and an emphasis on in-fill development and strategic urbanization by allowing more intensive light industrial development on lands already suitable for such development. Finally, there are no habitat conservation or natural community conservation plans adopted for the area. Therefore, no impact would result.

Potential Impact: No Impact
Mitigation: None Required

XI. MINERAL RESOURCES - Would the project:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
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?				X	8
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?				X	8

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the existing buildings are either one or two stories in height. The Coyote Hills Regional Park is located approximately ½ mile west of the project area, with the San Francisco Bay beyond.

Regulatory Framework

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

- City of Fremont General Plan Conservation Element
- 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?

According to local and state mineral resources maps, there are no known mineral resources of importance to the state or region on the site or within the surrounding area. Therefore, no impact to such resources would result.

Potential Impact: No Impact
Mitigation: None Required

XII. NOISE - Would the project result in:

ISSUES:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
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?	X				1, 3, 9
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		X			1, 3, 9
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X				1, 3, 9
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the	X				1, 3, 9

	project?					
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 expose people residing or working in the project area to excessive noise levels?				X	N/A
f.	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?				X	N/A

Environmental Setting

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant. All of the existing buildings are either one or two stories in height. The most significant noise source that would affect the project area is roadway noise from vehicular traffic along SR 84 which abuts the area to the south.

Regulatory Framework

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

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

Fremont General Plan Policy 10-8.1.A and Table 10-4, Land Use Compatibility for Exterior Noise Environments, provides the following guidance regarding office noise levels:

- The goal for maximum "normally acceptable" outdoor noise level in professional business areas such as the ATP is an Ldn of 70 dB(A).
- The City evaluates commercial and industrial interior noise exposure levels on case-by-case basis as suitable to the actual use per the Safety Element of the General Plan. Interior noise levels in offices generally should be maintained at a 45 Leq (hourly average) or less.

Discussion/Conclusion/Mitigation

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

Future project construction and operation would result in short-term (temporary) and long-term (permanent) increases in noise levels. Short-term noise impacts would occur during grading and construction activities. Long-term noise impacts would be associated with noise from vehicular traffic including employees, visitors, truck deliveries, and noise from the operation of stationary mechanical equipment. The noise created could potentially exceed the thresholds established by the City of Fremont General Plan and may adversely affect nearby sensitive receptors. While building code requirements and typical development standards such as building setbacks, walls, landscaping, and building insulation may prevent substantial increases in ambient noise levels, it is unclear whether anticipated increases in noise levels from the project would exceed established noise thresholds. This is considered a potentially significant impact and will be further evaluated in the EIR.

Minimal, temporary groundborne vibrations and groundborne noise maybe be created during the construction and site development during a short period of time. Impacts are expected to be less than significant with mitigation. However, this will be further evaluated in the EIR.

Potential Impact: Potentially Significant
Mitigation: The EIR will identify mitigation measures as necessary

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

A noise assessment will be prepared that provides analysis of short-term and long-term noise levels. This evaluation will use the City of Fremont's Safety Element Noise Land Use Compatibility goals and standards. The EIR will evaluate the noise assessment and determine applicable mitigation measures, as needed.

Potential Impact: Potentially Significant
Mitigation: The EIR will identify mitigation measures as necessary

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 the project vicinity. No impact would result and no mitigation is required.

Potential Impact: No Impact
Mitigation: None Required

XIII. POPULATION AND HOUSING - Would the project:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
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)?			X		1, 2, 4
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	1, 2, 4
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	1, 2, 4

Existing Conditions
The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Nineteen of the parcels are currently developed with industrial buildings while the other 13 are currently vacant.

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 Elements (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 could potentially allow for up to 1,772,885 additional square feet of industrial floor area above what would otherwise be allowed under the current maximum FAR for the ATP.

The 2011 General Plan EIR assumed an average of 2.07 employees per 1,000 square feet of building square footage that would accommodate industrial and research and development land uses. Using this assumption, the additional floor area allowed by the proposed project could generate up to approximately ±3,600 new jobs at full development potential. Over the course of 20 years, this would equate to an average of approximately 180 new jobs per year. More recent metrics used in the Warm Springs/South Fremont Community Plan assumed approximately 35 jobs per acre for industrial – technology, and research and development uses, which equates to approximately 1,425± new jobs. The proposed project could potentially generate between 1,425 and up to 3,600 new jobs. For comparison purposes, the California Employment Development Department indicates that, as of February 2014, the City of Fremont had 5,400 unemployed persons. This serves to indicate that there would be ample available local labor such that the new jobs generated by the proposed project would not result in significant indirect growth in population.

There are no existing residential units located within the project area. Therefore, the project would not displace any residents or necessitate the construction of replacement housing. As such, no impact would result and no mitigation is required.

Finally, the plan area is currently served with urban services and utilities, including roadways, fire protection, police protection, potable water, sewer, storm drainage, electricity, and natural gas. As such, the proposed Planned District rezoning would not require the extension of urban infrastructure into unserved areas in a manner that would constitute the removal of a barrier to growth. For these reasons, the project would not induce substantial population growth, and no impacts would occur.

Potential Impact: Less than Significant Impact
Mitigation: None Required

XIV. PUBLIC SERVICES:

ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
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 protection?				X	1, 10

Schools?				X	1, 10
Parks?				X	1, 10
Other public facilities?				X	1, 10

Existing Conditions
The project area is located in an industrial area of the City of Fremont where all public services needed to meet the demand of the proposed project are already in place.

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

- City of Fremont General Plan Public Facilities Element
- 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 In-lieu and Park Facilities Fees, Capital Facilities Fees, and Fire Service Fees.

Future development that would be allowed under the proposed Planned District rezoning would be located in an area of the City where public facilities and services needed to serve the project are already in place. The applicable Development Impact Fees for new industrial development that would be collected in the amounts required for each type of public service would be sufficient to continue to offset the project's impacts to those services. As such, no impacts to public facilities or services would result from the proposed FAR increases, and no mitigation is required.

Potential Impact: No Impact
Mitigation: None Required

XV. RECREATION:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	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?				X	1, 2, 3, 12
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which				X	1, A

	might have an adverse physical effect on the environment?					

Existing Conditions

The project area is located in an industrial area of the City and there are no existing recreational facilities located within it. Coyote Hills Regional Park is located approximately ½ mile west of the project area, and Norvik Park (a City park) is located approximately 750 feet to the northeast of the easternmost boundary of the project area.

Regulatory Framework

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

- City of Fremont General Plan Parks and Recreation Element

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 include any new residential development that would result in a direct increase in use of existing neighborhood or regional parks or recreational facilities. The proposed Planned District rezoning would generate new jobs, which could indirectly generate population growth, however, as discussed in Section XIII above (Population and Housing), it is anticipated that the amount of new jobs generated could be accommodated by available local labor and that any indirect growth would be nominal and would not require any expansion or new recreation facilities.

Potential Impact: Less than Significant Impact
Mitigation: None Required

XVI. TRANSPORTATION/TRAFFIC - Would the project:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
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?	X				1, 7, A
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?	X				1, 7, A
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?				X	1, 7
d.	Substantially increase hazards due to a design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses?				X	1, 7
e.	Result in inadequate emergency access?				X	1, 6, 7

f.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X	1, 7

Existing Conditions

The project area consists of 32 parcels totaling ±147.7 acres bounded generally by Paseo Padre Parkway to the southwest, Kaiser Drive to the northwest, Ardenwood Boulevard to the northeast and SR 84 to the southeast. Freeway access to the project area is provided via off ramps at the intersections of Route 84/Paseo Padre Parkway and Route 84/Ardenwood Boulevard/Newark Boulevard, and at the intersections of Interstate 880/Decoto Road and Interstate 880/Alvarado Boulevard.

Regulatory Framework

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

- City of Fremont General Plan Mobility Element

Discussion/Conclusion/Mitigation

a-b) 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?

Project-related traffic could significantly impact, either cumulatively or individually, the level of service established by the City of Fremont and the regional transportation authority. A Traffic Analysis was conducted for the proposed project by Whitlock & Weinberger Transportation, Inc. on November 12, 2014, which determined that the project would result in potentially significant traffic impacts to three freeway segments and three arterial roadway segments near the project area from the anticipated number of new vehicle trips that would be generated by the increased FARs. The analysis also identified five intersections that would have the potential to be significantly impacted by the proposed project. Additional detailed traffic analysis will be prepared for the EIR that will analyze project generated traffic on and surrounding the area. Appropriate mitigation measures will be recommended as necessary.

Potential Impact: Potentially Significant
Mitigation: The EIR will identify mitigation measures as necessary

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 or near the project area. The project would not increase hazards due to unusual design features because vehicular access to each individual site would be provided via driveway entrances from the adjacent public street, which would be designed to City standards for traffic safety and accessibility purposes. Thus, no impacts would result and no mitigation is required.

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)?

The proposed project would not alter any emergency access routes or conflict with any plans, policies or programs supporting alternative transportation in that it would not obstruct or otherwise impact any transit stops or bicycle lanes. No impact would result and no mitigation is required.

Potential Impact: No Impact
Mitigation: None Required

XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		10, agency notice
b.	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?			X		10, agency notice
c.	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?			X		10, agency notice
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		10, agency notice
e.	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?			X		10, agency notice
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		10, 24
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				X	10, 24

Existing Conditions

The project area is located in an area that has been planned and zoned for light industrial and high tech research and development uses since the early 1980's. The project area has already been predominantly urbanized and all public services needed for future development in the project area are already in place. Each new development within the project area would be required to connect to existing public and private utilities, including water, sewer and storm drain facilities, via underground connections within the public right-of-ways adjacent to each parcel.

Regulatory Framework

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

- City of Fremont General Plan Public Facilities Element
- 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?

Each parcel within the project area would connect to existing water and storm drain lines located in the public right-of-way along which it fronts. The utility companies that would provide services to the project area, including water, sanitary sewer, natural gas/electric and telecommunications services would receive notification from the City for each proposed development in the project area as well as copies of any proposed plans that are submitted for their review to ensure that their existing facilities could accommodate the proposed development. Any required infrastructure extensions or upgrades to existing water, sanitary sewer, gas/electric or telecommunications services would be required at the time of construction of each future development to the satisfaction of the appropriate utility agency. Existing storm drain lines serving the project are owned and maintained by the City, and the City's Public Works Department has confirmed that the project would not generate an increase in stormwater runoff levels that could exceed the capacity of the storm drain system serving the project area. As such, impacts to utilities from the proposed project would be less than significant and no mitigation is required.

Potential Impact: Less than Significant Impact
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?

All future developments within the project area would be served by the City's franchised waste hauler agreement with Republic Services in compliance with applicable standards for conventional light industrial business waste products and recyclables. This agreement provides landfill capacity for anticipated growth within the City. The City's Environmental Services Division reviews proposals involving new development to ensure that the proposed use(s) would not generate unusually large volumes of solid waste that may not be able to be accommodated by the landfill space guaranteed the City under the franchise agreement. Thus, impacts would be less than significant and no mitigation is required.

Potential Impact: Less than Significant Impact
Mitigation: None Required

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

ISSUES:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Does the project have the potential to degrade the quality of		X			See Previous

	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?					
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" 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)?		X			See Previous
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			See Previous

Discussion/Conclusion/Mitigation

Based on the analysis provided herein, the proposed project does not have the potential to 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. It is expected that all potential impacts to biological and cultural resources can be reduced to a level of less than significant after mitigation. Mitigation measures designed to minimize construction-related environmental effects on biological resources and cultural resources are listed in previous sections. No significant operational impacts related to the project are anticipated. Any potential short-term increases in potential effects to the environment during construction or use would be reduced to a less-than-significant level by existing regulations and mitigation measures, as described throughout the Initial Study.

Potentially significant cumulative impacts and potentially significant adverse effects on human beings, either directly or indirectly, associated with air quality, greenhouse gas emissions, noise, and traffic generated by the project will be analyzed in the EIR.

XIX. MITIGATION MEASURES:

Mitigation Measure Bio-1: *To mitigate the identified potential impacts to occupation of the vacant parcels in the Planned District by burrowing owls, the following measures shall be adhered to:*

a) No more than 14 days prior to any ground-disturbing activities (regardless of time of year), a qualified biologist shall conduct a take avoidance survey for burrowing owls and report the findings to the City of Fremont. If no owls are found during this first survey, a final survey will be conducted within 48 hours prior to ground disturbance to confirm that burrowing owls are still absent and the results reported to the City of Fremont. If ground-disturbing activities are delayed or suspended for more than 14 days after the initial take avoidance survey, the property must be re-surveyed. All surveys shall be conducted in accordance with California Department of Fish and Wildlife (CDFW) 2012b guidelines.

b) If burrowing owls are found on the property during the surveys, mitigation shall be required in accordance with CDFW 2012b guidelines. If the surveys identify breeding or wintering burrowing owls on or adjacent to the property, occupied burrows shall not be disturbed and shall be provided with protective buffers. Where avoidance is not feasible, an exclusion plan shall be implemented to encourage owls to move away from the work area prior to construction. The exclusion plan shall be subject to CDFW approval and monitoring requirements and approved by the City prior to issuance of a permit for ground disturbing activities.

Mitigation Measure Bio-2: *If project-related activities on any of the lots within the Planned District are scheduled to occur during the nesting season (February 1 through August 31 for protected raptors and migratory birds), a focused survey of the work area for active nests of such birds shall be conducted by a qualified biologist within 15 days prior to the beginning of any project-related activities. If a lapse in project-related work of 15 days or longer occurs during the nesting season, another survey shall be required before project work can be reinitiated. If an active nest is found, the applicant or developer shall establish a buffer area that surrounds the nest location. The width of the buffer shall be determined by the survey biologist and shall be dependent on the location of the nest and the affected species. No project-related work or activities shall be permitted within the buffer area until the biologist has determined the nest is no longer active. The final determination shall be made by the City of Fremont Planning Manager upon receipt of the biologist's recommendation.*

Mitigation Measure Cult-1: *If any archaeological or paleontological resources or human remains are encountered during grading or site disturbance on any of the parcels within the Planned District, all work shall cease within a 200-foot radius of the discovery until it can be evaluated by a qualified archaeologist and/or paleontologist. Work shall not continue until the archaeologist/paleontologist conducts sufficient research and data collection to make a determination as to the significance of the resource. If the resource is determined to be significant and mitigation is required, the first priority shall be avoidance and preservation of the resource. If avoidance is not feasible, an alternative archaeological/paleontological management plan shall be prepared that may include excavation. If human remains are discovered, the Alameda County Coroner's office shall be notified as required by state law. All excavation and monitoring activities shall be conducted in accordance with the prevailing professional standards, as outlined in the CEQA Guidelines and by the California Office of Historic Preservation.*

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)
8. City of Fremont General Plan (Conservation Element, including Biological Resources, Water Resources, Land Resources, Air Quality, Energy Conservation and Renewable Energy)
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
16. Alameda Countywide Clean Water Program Hydromodification Susceptibility Map 2007
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
20. City of Fremont Agricultural Preserves Lands Under Contract (2007 Map and List)
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. Ardenwood Business Park Traffic Analysis prepared by Whitlock & Weinberger Transportation, Inc., dated November 12, 2014