

Mitigation Monitoring and Reporting Program
 PLN2017-00285 – The Cottages

Impacts	Mitigation Description	Implementation	Monitoring Responsibility	Status / Timing
<p>Air Quality: Demolition, grading and construction activities for the project could impact air quality through the generation tailpipe emissions from operating and idling heavy equipment.</p>	<p>Air-1: All diesel-powered off-road equipment operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines or the equivalent. Note that the construction contractor could use other measures to minimize construction period diesel particulate matter emissions to reduce the predicted cancer risk below the thresholds. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled (i.e., non-diesel) equipment would meet this requirement. Other measures may be the use of added exhaust devices or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less-than-significant levels.</p>	<p>Demolition, Civil and/or General Contractors</p>	<p>City of Fremont Public Works Department and Building Division</p>	<p>During all grading & construction activities.</p>
<p>Cultural Resources: The project's construction activities could expose as-yet undiscovered buried archaeological resources.</p>	<p>Cult-1: <u>Archaeological Resources.</u> The applicant/developer shall include a note on any plans that require ground disturbing excavation that there is potential for exposing buried cultural resources. If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 200 feet of the find shall halt until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or tool making debris; culturally darkened soil (“midden”) containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.</p>	<p>Demolition, Civil and/or General Contractors</p>	<p>City of Fremont Planning and Building Divisions</p>	<p>During all site clearance, grading, and construction activities.</p>

Impacts	Mitigation Description	Implementation	Monitoring Responsibility	Status / Timing
<p>Cultural Resources: The project's construction activities could expose as-yet undiscovered buried human remains.</p>	<p>Cult-2: <u>Human Remains</u>. In the event of the discovery of any human remains, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains. The Alameda County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission within 24 hours. The Commission shall attempt to identify the deceased or descendants of the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. If the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent fails to make a recommendation within 24 hours after notified, or the landowner or his authorized representative rejects the recommendation of the descendent, and mediation by the Commission fails to provide measures acceptable to the landowner, then the land owner shall re-inter, with appropriate dignity, the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p>	<p>Demolition, Civil and/or General Contractors</p>	<p>City of Fremont Planning and Building Divisions</p>	<p>During all site clearance, grading, and construction activities.</p>
<p>Cultural Resources: The project's construction activities could expose as-yet undiscovered buried paleontological resources.</p>	<p>Cult-3: <u>Paleontological Resources</u>. The applicant/developer shall include a note on any plans that require ground disturbing excavation that there is potential for exposing buried cultural resources. In the event of the discovery of Paleontological resources during construction or demolition, there shall be no further excavation or disturbance of the site within a 200 foot radius of the location of such discovery until it can be evaluated by a qualified archeologist or paleontologist. Work shall not continue until the archeologist or 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. All feasible recommendations of the paleontologist shall be implemented. Mitigation may include, but not limited to, in-field documentation and recovery of specimens, laboratory analysis, preparation of a report detailing the methods and findings of the investigation, and curation at an appropriate paleontological collection facility.</p>	<p>Demolition, Civil and/or General Contractors</p>	<p>City of Fremont Planning and Building Divisions</p>	<p>During all site clearance, grading, and construction activities.</p>

Impacts	Mitigation Description	Implementation	Monitoring Responsibility	Status / Timing
<p>Hazardous Materials: Disturbance of the site could result in the accidental release of contaminated soils into the environment which could pose a public health hazard.</p>	<p>Haz-1: The applicant/developer shall work with the Alameda County Department of Environmental Health, the Department of Toxic Substance Control, and any other agencies having jurisdiction over the ongoing investigation to develop a detailed Human Health Risk Assessment, Groundwater Remediation System (if necessary) and Soil Management Plan to outline procedures and protocols to remedy the site for future residential use. The applicant shall provide the Planning Division with a final closure letter or other form of formal correspondence which contains confirmation from the agency/ies having jurisdiction that the site is suitable for residential development prior to issuance of any demolition, building or grading permits.</p>	Demolition Contractor	City of Fremont Planning and Building Divisions	Prior to issuance of demolition permits for any existing structures and/or grading permit.
<p>Hazardous Materials: Demolition of the existing buildings could result in the accidental release of hazardous materials into the environment which could pose a public health hazard.</p>	<p>Haz-2: Prior to issuance of a demolition permit for the existing structure, testing for asbestos-containing materials and lead-based paint shall be conducted by a certified environmental professional. If asbestos-containing materials or lead-based paint are detected, then an asbestos operations and maintenance plan or lead-based paint management plan shall be developed for the structures by said professional and submitted to the Planning Manager for review and approval.</p>	Demolition Contractor	City of Fremont Planning and Building Divisions	Prior to issuance of demolition permits for any existing structures.
<p>Hazardous Materials: Demolition of the existing buildings could result in the accidental release of hazardous materials into the environment which could pose a public health hazard.</p>	<p>Haz-3: Prior to recordation of the final map, the project applicant shall demonstrate to the satisfaction of the City of Fremont Planning Division that the proposed project facilitates soil and groundwater remediation activities associated with the former leaking underground storage tank located at 37343 Blacow Road. All impacted soil shall be abated and disposed of at an appropriate facility prior to commencement of grading activities. Project plans shall accommodate any ongoing groundwater monitoring and abatement activities or facilities required by Alameda County Water District (ACWD), Alameda County Department of Environmental Health or the Department of Toxic Substance Control, as may be necessary.</p>	Developer	City of Fremont Planning Division	Prior to final tract map approval.

Impacts	Mitigation Description	Implementation	Monitoring Responsibility	Status / Timing
<p>Noise: The project's occupants could be exposed to noise levels that exceed the City's acceptable thresholds for residential uses.</p>	<p>Noise-1: To reduce potential railroad noise impacts, the following measures shall be implemented by the applicant/developer:</p> <ul style="list-style-type: none"> a) A 12-foot-high sound wall shall be constructed along the northwest edge of the project adjacent to the railroad right-of-way behind Lots 14 through 25 (per Exhibit 1). b) A 10-foot high sound wall shall be constructed along the northeast sides of Lots 1, 25, 26 and 37 (per Exhibit 1). c) For Lots 14 through 26, and Lot 37, exterior walls with direct line of sight to the railroad right-of-way shall be constructed to Sound Transmission Class 55 standards. This can be achieved through the use of 2x4 or 2x6 wood studs, fiberglass insulation, sound absorption bats or resilient channels, a single layer of gypsum board attached to the inside of the studs, and a 7/8-inch exterior cement plaster (stucco) or fiber cement (HardiPlank) siding finish. d) For Lots 14 through 26, window assemblies for second floors with line of sight to the railroad right-of-way shall be a minimum of 45 STC rating. A design change of reducing window sizes or number of windows on the walls facing the railroad could further reduce this required STC rating. Therefore, prior to issuance of final building permits for the project, wall design specification showing the exterior-to-interior noise to achieve the interior maximum noise exposure standard shall be submitted to the City. e) All dwelling units shall be equipped with forced-air mechanical ventilation, satisfactory to the City's Building Official, to allow occupants to have the option of closing their windows to attenuate noise. f) An acoustical consultant of the City's choosing shall be retained during the design phase of the project to review and confirm STC ratings based on the architectural design and exterior features contained in the construction documents (CDs). A letter confirming compliance with this mitigation measure by the acoustical consultant shall be submitted to the City prior to issuance of building permits for any of the residential units. 	<p>Developer</p>	<p>City of Fremont Planning and Building Divisions</p>	<p>Prior to issuance of building permit(s).</p>

Impacts	Mitigation Description	Implementation	Monitoring Responsibility	Status / Timing
<p>Noise: The project could temporarily expose neighboring sensitive receptors to significant noise levels from demolition, grading and construction activities.</p>	<p>Noise-2: To reduce potential construction-related noise impacts from the development of the project, the following measures shall be implemented by the applicant/developer:</p> <ul style="list-style-type: none"> a) The general contractor (and any subcontractors) shall locate stationary noise-generating equipment as far as possible from adjacent residences, and shall place such stationary noise sources so that emitted noise is directed away from the adjacent residences. b) The general contractor (and any subcontractors) shall, the maximum extent practical, locate on-site equipment staging areas to maximize the distance between construction-related noise sources and the adjacent residences during all project construction. c) The general contractor (and any subcontractors) shall designate a noise disturbance coordinator who would be responsible for responding to any local complaints regarding construction-related noise. The disturbance coordinator would determine the cause of the noise complaints (i.e., starting up too early, a bad muffler, etc.) and establish reasonable measures necessary to correct the problem. The general contractor shall post a sign with a phone number and/or email address for the disturbance coordinator at the construction site in plain sight from the Blacow Road right-of-way. d) The general contractor shall ensure that construction activities are limited to the weekday hours of 7:00 AM to 7:00 PM and the Saturday/Holiday hours of 9:00 AM to 6:00 PM, and ensure that no construction activities take place on Sunday. 	<p>Demolition, Civil and/or General Contractors</p>	<p>City of Fremont Planning and Building Divisions</p>	<p>During all site clearance, grading and construction activities.</p>

Exhibit 1

