

DRAFT MITIGATED NEGATIVE DECLARATION

The following proposed project has been reviewed, pursuant to the provisions of Resolution No. 3231, as amended, of the City Council of the City of Fremont for the purpose of determining the likelihood of a significant adverse environmental impact occurring as a result of project completion.

NAME OF PROJECT: Mission Clay Products Soil Remediation Project

PROJECT NO.: PLN2018-00272

DESCRIPTION OF PROJECT: The proposed project includes a Preliminary Grading Plan to facilitate the excavation of 152,000 cubic yards of soil and relocation of up to 20,693 cubic yards of contaminated soil from the Mission Clay property at 2225 Old Canyon Road in the City of Fremont to the Newby Island Landfill in the City of San Jose, a landfill that can accept the soil. The project also includes dewatering of excavated areas and treatment of the impacted groundwater at an on-site treatment plant, which would be used on-site and not allowed to run off to Alameda Creek. The project would require up to 18 temporary employees for the excavation and hauling of the contaminated soil. Soil excavation would occur over a period of approximately 60 days. The timing for the haul has been designed to minimize or eliminate disruptions to local school operations. Approximately 30 days would be needed to haul the contaminated soil to Newby Island, which is estimated to be completed prior to the first day of the 2018–2019 academic year on August 29, 2018, but would be completed no later than the first week of September 2018. The Preliminary Grading Plan has been reviewed in coordination with the San Francisco Regional Water Quality Control Board and the Alameda County Water District, both of which are responsible agencies for the approval of the soil remediation work. Removal of the soil is necessary to prevent potential contamination of groundwater.

LOCATION OF PROJECT: Mission Clay Products, 2225 Old Canyon Road, Fremont, Alameda County, CA 94536 (APNs: 507-762-1, 507-762-2-2, 507-762-4 and 507-762-6); Republic Services Newby Island Landfill 1601 Dixon Landing Road, Milpitas (San Jose), CA 95035; and haul route between above locations.

GEOGRAPHIC LOCATION WITHIN CITY: The Mission Clay Products property consists of approximately 87 acres on the south side of Alameda Creek in Niles Canyon in the City of Fremont. The project site is within the Mission Clay Products property, located between Vargas Plateau on the south and Alameda Creek and State Route 84 (also known as Niles Canyon Road) on the north.

NAME OF AUTHORIZED AGENT OF APPLICANT: John Zentner, 120A Linden Street, Oakland, CA 94607, email: johnz@zentner.com, phone: (510) 622-8110.

MAILING ADDRESS OF APPLICANT/AGENT: BBG KRG, Inc., P.O. Box 1839, Corona, CA 92878

TYPE OF ENTITLEMENT(S) SOUGHT: Preliminary Grading Plan

EXPLANATION OF REASONS FOR THE FINDING: A finding is proposed that this project would not have a significant effect on the environment. The project is excavation and relocation of contaminated soil from the Mission Clay property in Fremont to the Newby Island Landfill in the City of San Jose. The project includes specific mitigation measures which address potentially significant impacts to air quality (from equipment emissions), biological resources (from excavation activities), cultural resources and tribal cultural resources (from excavation activities), and traffic (from soil-hauling activities).

Public Hearing: Public hearings are not required for this project, as a Preliminary Grading Plan may be approved by the City Engineer subject to the findings provided in Fremont Municipal Code Section 18.205.100. All environmental

documents are available for review by the public at the Planning Division office located at 39550 Liberty Street, Fremont, CA 94538 and online at: <http://www.fremont.gov/430/Environmental-Review>.

Any comments as to whether the Draft Mitigated Negative Declaration should become final or whether an EIR should be prepared for the project must be submitted within 20 days of the posting of this Draft Mitigated Negative Declaration. **The comment period begins July 13, 2018 and ends August 1, 2018.**

Any person who wishes to appeal such final action must do so within ten days of the date it becomes final by the filing of an appeal with the Community Development Department and by payment of the required appeal fee.

Posted within the Development Services Center on July 13, 2018.

Notice of Intent to be sent to:

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| <input checked="" type="checkbox"/> | Posting of Notice | <input checked="" type="checkbox"/> | County Clerk |
| <input checked="" type="checkbox"/> | Mailed to owners of contiguous property | <input type="checkbox"/> | Clearinghouse |
| <input type="checkbox"/> | Publish notice | | |

IF THERE ARE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT:

Bill Roth	Associate Planner	510-494-4450
NAME	TITLE	PHONE NUMBER