
City of Fremont Initial Study

1. **Project:** The Cottages (PLN2017-00285)
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:** 37343 and 37359 Blacow Road (two contiguous parcels), Fremont, CA 94536 (APNs: 501-0350-015-00 and 501-0350-016-00) (See Project Vicinity Map)
5. **Project Sponsor's name and address:**
MLC Holdings, Inc. (Chris Zaballos – agent)
12657 Alcosta Blvd., Suite 175
San Ramon, CA 94583
Phone: 925-543-4012
E-mail: Chris.Zaballos@mlcholdings.net
6. **General Plan Land Use Designation:** Service Industrial
7. **Zoning:** I-S Service Industrial
8. **Description of Project:**

The applicant is proposing a General Plan Amendment to change the land use designation of a 3.29-acre site from Service Industrial to Low-Medium Density Residential (8.8-14.5 units per net acre), a Rezoning of the site from I-S Service Industrial to Preliminary and Precise Planned District P-2017-285, Vesting Tentative Tract Map No. 8404, and a Private Street entitlement for a new 37-unit residential development at 37343 and 37359 Blacow Road. The proposed project would be accessed via a new loop-shaped private street with two driveways leading from Blacow Road into the site. The subdivision would consist of three commonly-owned parcels (one of which would consist of the private streets, and two more which would contain the common open spaces), seven single-family lots, and 30 duet lots (“duet” units are two adjacent units which share a common wall but which are located on separate lots, with the common wall serving as the property line separating the two units).

The duet units would feature two different two-story floor plans ranging in size from 1,831-2,201 square feet, with three to four bedrooms each. The seven detached single-family lots would feature two slightly different two-story floor plans ranging in size from 2,258-2,325 square feet with four bedrooms each. All 37 dwelling units would be provided with side-by-side two-car garages. Each unit would be provided with private backyard ranging in size from ±360 square feet for the smallest duets to ±800 square feet for the detached single-family lots. A large, commonly-owned, landscaped open space with a play structure and picnic tables would be provided at the center of the site. A total of 22 on-street guest parking spaces (including one accessible stall) would be provided throughout the development. The proposed central private street would feature a single 5-foot wide accessible sidewalk along the inner side of the loop which would connect out to the Blacow Road public sidewalk. Off-site improvements would include the construction of new curb, gutter, sidewalk and planter strip with street trees along Blacow Road, and a reconstructed median in the street with new street trees and permeable pavers fronting the project site. Accessible curb ramps would also be provided where the new public sidewalks along Blacow Road would cross the two entrances to the private street.

The property is currently zoned I-S Service Industrial and designated Service Industrial in the Land Use Element of the General Plan. Five separate buildings occupy the project site, all of which are currently occupied by various light industrial uses including auto repair shops and body shops, and small contractor businesses. The applicant proposes to demolish all of the existing buildings and rezone the site to a new, all-residential Planned District. A General Plan Amendment would also be required to re-designate the site from Service Industrial to Low-Medium Density Residential (8.8-14.5 units per net acre). A Vesting Tentative Tract Map is also required to allow the proposed subdivision, and a Private Street entitlement and encroachment permit are required to allow the development of the proposed private streets that would connect the project to the Blacow Road public right-of-way.

9. Surrounding Land Uses and Setting:

The project site consists of two parcels totaling 3.29 acres located at 37343 and 37359 Blacow Road. Five light industrial buildings currently occupy the site, along with paved parking and circulation areas, small pockets of landscaping, and an inactive railroad spur which connects to the adjacent Union Pacific railroad tracks approximately 100 feet to the northwest. Both parcels are accessed via individual driveways located along Blacow Road, and a third, shared driveway also straddles the property line between the two parcels. Joint access easements exist across all of the driveways and parking and circulation areas, enabling people to drive freely across the property lines between the two parcels. Prior to the mid-1950s, both parcels were used for agricultural purposes, but all agricultural activities ceased by the late 1950s when the properties were first developed with commercial buildings and the railroad spur. The existing buildings currently occupying the site were built in the 1970s and 1980s.

The site is bounded by Blacow Road and single-family residential development across Blacow Road to the northeast, a concrete-lined flood control channel owned and maintained by the Alameda County Flood Control and Water Conservation District and Union Pacific railroad tracks to the northwest, single-family residential development immediately to the southeast, and a Federal Aviation Administration facility to the southwest. Blacow Road is classified as a minor arterial street in the Mobility Element of the General Plan with two lanes in each direction separated by a sparsely-landscaped median fronting the project site. The proposed residential development would be accessed via a new looped (or “U”-shaped) private street that would connect to Blacow Road via two separate driveways spaced approximately 115 feet apart.

The single-family residential developments directly to the southeast and across Blacow Road to the northeast are designated Low-Medium Density Residential (8.8-14.5 units per net acre) in the Land Use Element of the General Plan and zoned as two separate 1996 Planned Districts, with the homes to the southeast zoned P-96-14 and the homes across Blacow Road zoned P-96-5. The flood control channel and railroad right-of-way to the northwest are designated Resource Conservation & Public Open Space and Railroad Corridor, respectively, while the channel is zoned O-S Open Space and the railroad right-of-way is zoned RR-COR Railroad Corridor. The single-family residential neighborhood located beyond the railroad tracks to the northwest is designated Low Density Residential (2.3-8.7 Dwelling Units per Acre) and zoned R-1-6 Single-Family Residential. The adjacent Federal Aviation Administration office facility to the southwest is designated Public Facility and zoned P-F Public Facilities.

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

<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	This project includes a request for a General Plan Amendment. If yes, send appropriate forms to Alameda County Congestion Management Agency.	
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO		A Notice of Preparation is being prepared for this project.
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO		

11. Other Public Agencies Requiring Approval: The project may also require permits and/or approvals from the Alameda County Flood Control District (ACFCD), Alameda County Water District (ACWD), and Union Sanitary District (USD)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

	Aesthetics		Agriculture and Forest Resources	M	Air Quality
	Biological Resources	M	Cultural Resources		Geology / Soils
M	Hazards & Hazardous Material		Hydrology / Water Quality		Land Use / Planning
	Greenhouse Gas Emissions		Mineral Resources	M	Noise
	Population / Housing		Public Services		Recreation
	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.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	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: _____

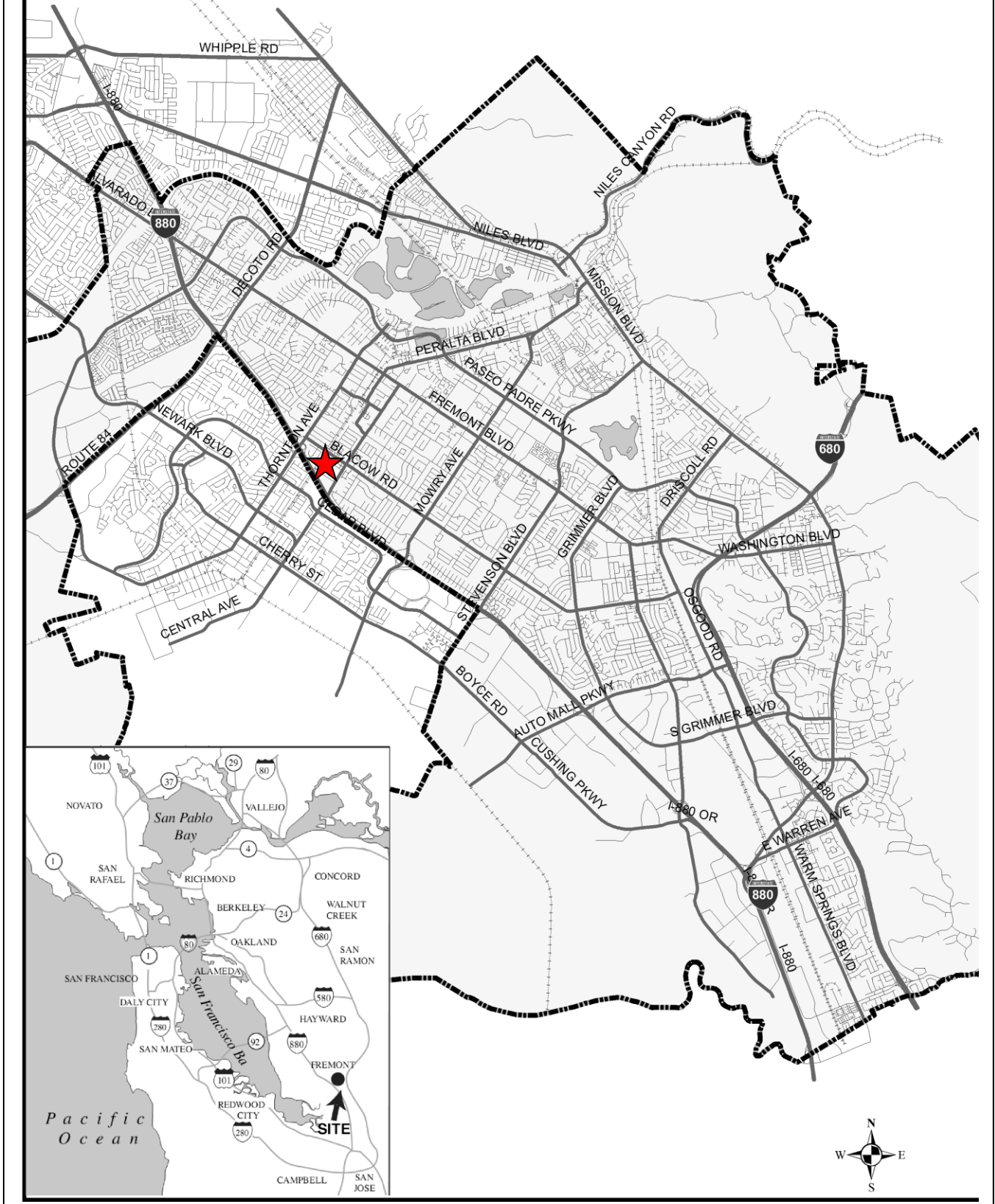
Date: _____

Printed Name: Stephen Kowalski

For: City of Fremont

Principal Planner Review: _____

Project Vicinity Map



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
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 site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings, which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. The site fronts Blacow Road, which is not a designated scenic corridor in the General Plan Community Character Element. The General Plan considers the East Bay hills as scenic views for neighborhoods and commercial centers, and Fremont residents have voted to protect these hills as open space on several occasions, confirming their value as a scenic resource. Views to the hills are not visible from the project site as a result of existing development and the distance to the hills. There is currently an existing sidewalk with curb, gutter and planter strip along the frontage of the project site, but no existing street trees within the planter strip.

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 does not identify any scenic resources in the vicinity of the project site and there are no scenic highways in the area. There are no identified existing scenic vistas that would be impacted by the proposed development, which would feature two-story homes of similar height as the homes in the adjacent single-family neighborhoods directly to the south and across Blacow Road to the north. There are no scenic vistas from the site to the East Bay hills due to existing development and distance from the hills. There are a small number of existing trees on the site that would be removed as part of the project, but none of these trees have been identified as scenic resources or of historical significance in a Tree Survey Report prepared for the site by WRA Environmental Consultants on March 1, 2017. The applicant would be required to replace trees identified for removal in accordance with the 1:1 replacement requirement of the City’s Tree Preservation Ordinance to the satisfaction of the City Landscape Architect. As such, impacts from the construction of the project on a scenic vista or scenic resources would be less than significant and no mitigation is required.

Potential Impact: Less than Significant
Mitigation: None Required

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

There are five existing light industrial buildings on the project site which are currently occupied by various automotive repair and small contractor businesses. All of the buildings are of similar size and range from 18-20 feet in height. Implementation of the proposed project would noticeably alter the existing character of the site. The area surrounding the site, however, is already developed with a mix of single-family residential and restricted federal land uses. Thus the change from an industrial land use to residential would be in keeping with the character of surrounding land uses. The nearest residential properties consist of two-story single-family dwellings directly across the property line to the south and directly across Blacow Road to the east, and single-story dwellings across the railroad tracks to the north. As designed, the proposed homes would be similar in height and mass to the two-story dwellings located directly to the south and across Blacow Road to the east. The project would provide all new front yard landscaping and street trees both in the sidewalk and within the median where none currently exist, which would enhance the visual quality of this stretch of Blacow Road. As such, the project would not be out of character with the existing development in the area or significantly degrade the visual character of the site or its surroundings, or impact the privacy of neighboring residential properties. Therefore, no impacts would result and no mitigation is required.

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 project site is currently developed with five light industrial buildings and is surrounded by urban development. Although the proposed project would result in new sources of light in certain areas of the site where no lighting currently exists, it would be similar in nature and intensity to the existing conditions in the vicinity. The City's Zoning Ordinance and Citywide Design Guidelines require 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 exterior lighting requirements of the Zoning Ordinance and Citywide Design Guidelines would ensure that the project would not create new source of substantial light and glare and impacts would be less than significant. As such, no mitigation is required.

Potential Impact: Less than Significant
Mitigation: None Required

II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Dept. of Conservation and Alameda County Important Farmland Map (2012) to assess 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, 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 site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings, which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. Both of the subject parcels were occupied by orchards through the early 1950s, but have been paved over, developed and occupied by light industrial land uses and a railroad spur since the mid-1950s.

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/2014/ala14.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 2014 Alameda County Farmland Map, the site is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance. It is designated as “Urban and Built-Up Land.” 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?**

The project site has been paved and occupied by the existing light industrial land uses since the 1970s. All agricultural activities that occurred historically on the two parcels ceased by the mid-1950s when the first commercial structure and railroad spur were constructed on the site.

As shown on the California Department of Conservation’s 2014 Alameda County Farmland Map, the site is classified as “urban and built-up land.” Furthermore, there are no agriculturally-zoned lands or existing Williamson Act contracts in the project area.

In addition, the project would not result in the loss of forest or timberland 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, G
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		1, 21, 22, G
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, G
d.	Expose sensitive receptors to substantial pollutant concentrations?		X			1, 3, 6, 21, 22, G
e.	Create objectionable odors affecting a substantial number of people?			X		1, 3, 6

Environmental Setting

The project site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. All of the existing buildings were constructed during the 1970s and 1980s, and all would be demolished as part of the project.

The site is bounded to the northeast by Blacow Road, a minor arterial, which has an average daily traffic volume (ADT) of less than 14,000 vehicles per day, and to the northwest by the Union Pacific railroad along which freight, Amtrak and ACE Commuter trains travel daily. Interstate I-880 is located approximately 750 feet southwest of the project.

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 (NO_x), and particulate matter (PM₁₀ 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. For TACs, the City of Fremont has established acceptable thresholds for new sources of increased cancer risk of 10 chances in a million as defined by BAAQMD for their individual TAC emissions. However, for sensitive receptors within developed in-fill areas of the City (such as the residential uses proposed by the project), the City uses the cumulative exposure threshold of 100 chances per million.¹
- Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines, 2017

Discussion/Conclusion/Mitigation

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

In formulating its compliance strategies, BAAQMD relies on planned land uses established by local general plans. When a project is proposed in a jurisdiction with a general plan that has been deemed compliant with BAAQMD's *Clean Air Plan* and that project conforms to the General Plan, 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,

¹ City of Fremont. *Fremont General Plan Update EIR*. Chapter 4, Section E. Air Quality: Page 4-137.

however, would require a General Plan Amendment to allow the conversion from industrial land uses to a residential use, so additional analysis is provided herein.

The proposed project, featuring 37 new residential units at a proposed net density of 11.56 units per acre, would require a General Plan Amendment to change the 3.29-acre site from Service Industrial to Low-Medium Density Residential (8.8-14.5 units per net acre). The proposed change in land uses from light industrial to low-to-medium density residential would result in net reductions in vehicle trips during the AM and PM peak hour periods and only a slight net increase in total daily trips. Specifically, the proposed development of 30 new duet (two-family) units and seven detached single-family dwellings is estimated to generate 28 AM peak hour trips, 37 PM peak hour trips, and 174 total weekday vehicle trips (reference: Land Use Code ITE #210, Single Family Detached Housing from ITE Trip Generation Handbook, 9th Edition). The existing light industrial land uses occupying the site are estimated to generate 64 AM peak hour trips, 85 PM peak hour trips, and 154 total weekday trips. Therefore, the trips generated by the project based on the proposed change in land uses would result in a net change of 27 fewer AM peak hour trips, 48 fewer PM peak hour trips, and 20 additional total weekday trips. The resulting reductions in AM and PM peak hour trips would not conflict with nor obstruct implementation of the regional Clean Air Plan or contribute substantially to an existing air quality violation since the times of peak roadway congestion are typically when air quality impacts in the region are most significant as a result of the accumulation of emissions from idling vehicle engines.

Consistency with the air quality plan is also determined through evaluation of project-related air quality impacts and demonstration that project-related emissions would not increase the frequency or severity of existing violations, or contribute to a new violation of the national ambient air quality standards. The BAAQMD CEQA Air Quality Guidelines include thresholds of significance that are applied to evaluate regional impacts of project-specific emissions of air pollutants and their impact on BAAQMD's ability to reach attainment (BAAQMD, 2017). Emissions that are above these thresholds have not been accommodated in the air quality plans and would not be consistent with the air quality plans. As discussed below in 3b, project-related construction and operational criteria pollutant emissions would not exceed BAAQMD significance thresholds. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan. The impact would be less than significant.

Potential Impact: Less than Significant

Mitigation: None Required

- b) **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)?**

Criteria Air Pollutants

The BAAQMD has established air pollutant screening criteria for different land use types to provide conservative guidance as to whether a proposed project could result in potentially significant air quality impacts for Operational Criteria Pollutants, Operational Greenhouse Gas Emissions (GHG), and Construction-Related Criteria Pollutants. Per Table 3-1, *Criteria Air Pollutant and Precursor Screening Level Sizes*, in BAAQMD's 2017 CEQA Guidelines, impacts from the project would be well below both the operational and construction emissions screening amounts for criteria air pollutants, as shown below.

Table: Criteria Air Pollutants and Precursors and GHG Screening Level Sizes

Land Use	Operational Criteria Pollutant Screening Size	Operational GHG Screening Size	Construction Related Screening Size
Single family and	325 du (ROG)	56 du	114 du (ROG)
>> <i>Proposed Project</i>	<u>7 du</u>	<u>7 du</u>	<u>7 du</u>
Condo/townhouse, general	451 (ROG)	78	240 du (ROG)
>> <i>Proposed Project</i>	<u>30 du</u>	<u>30 du</u>	<u>30 du</u>

Operational Emissions: For operational emissions resulting from new single- and two-family residential developments, the screening size is 325 total new units. Projects of this size or larger could have a potentially significant impact from criteria air pollutants as a result of their everyday operations. The proposed project only includes 37 new units, well below the screening level size, and therefore, would not result in significant long-term air quality impacts or result in a cumulatively considerable net increase of criteria air pollutants for which the region is classified as non-attainment. Operational emissions were calculated using CalEEMod, Version 2016.3.1 (*First Carbon Solutions, June 2017*). The following Table presents the proposed project’s average daily operational emissions and maximum annual emissions in tons/year.

	Average Daily Emissions (lbs/day)				Maximum Annual Emissions (tons/year)			
	ROG	NO _x	PM ₁₀ Exhaust	PM _{2.5} Exhaust	ROG	NO _x	PM ₁₀ Exhaust	PM _{2.5} Exhaust
Total Emissions	0.03	0.03	0.04	0.03	.73	.56	.23	.09
Threshold	54	54	82	54	10	10	15	10
Exceeds Threshold	No	No	No	No	No	No	No	No

As shown, the long-term operational emissions would not exceed thresholds of significance. Consequently, operational air emission impacts would be less than significant.

Construction Emissions: For construction-related emissions, BAAQMD’s screening size for a new single- and two-family residential development is 114 total new units. Projects of this size or larger could have a potentially significant impact from criteria air pollutants as a result of their construction. Given that the proposed project, at 37 units, is substantially below this screening size level, construction activities associated with the project would not be expected to generate significant amounts of air pollutants that would exceed the average daily emissions significance threshold established by the BAAQMD for construction-related emissions.

Construction-Related Dust

The temporary effects of demolition, grading, and construction activities could cause airborne dust during construction of the project which could pose a nuisance to the adjacent businesses and residential neighborhoods if not managed through dust control methods. BAAQMD recommends that all projects, regardless of the level of average daily emissions, implement applicable best management practices (BMPs), including those listed as Basic Construction Measures in the BAAQMD CEQA Guidelines (BAAQMD, 2017). The City of Fremont has adopted standard

development requirements (FMC Section 18.218.010) relating to resource protection including air quality impacts resulting from construction-related emissions, which are based on BAAQMD's Basic Construction Measures, and would reduce construction-related fugitive dust and exhaust emissions to a less than significant impact.

FMC Section 18.218.050 (a) Air Quality

(1) Construction Related Emissions. The following construction measures, as periodically amended by BAAQMD, are required for all proposed development projects to reduce construction-related fugitive dust and exhaust emissions:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
5. All parking lots, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. A publicly visible sign with the telephone number and person to contact at the City of Fremont regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Based on the above analyses, the project would not conflict with or obstruct implementation of the applicable clean air plan, violate any air quality standard nor result in a cumulatively considerable net increase of any criteria pollutant. Impacts would be less than significant.

Potential Impact: Less than Significant

Mitigation: None Required

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

Toxic Air Contaminants

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (cancer risk). Diesel exhaust is a predominant TAC in urban areas and represents about two-thirds of the cancer risk from TACs. Particulate matter emitted from diesel-fueled engines (diesel particulate matter [DPM]) was found to comprise much of that risk. In order to evaluate TAC impacts on land uses involving sensitive populations such as housing developments or school campuses, a health risk assessment will typically evaluate all significant sources of TACs within 1,000 feet of the project site.

As discussed in the General Plan EIR, in Fremont, there are basically three types of sources that would potentially expose sensitive receptors to TACs (General Plan EIR Page 4-131): roadways, rail lines, and stationary sources. Roadways are the most common source, where diesel trucks would be the greatest source of TACs, as further discussed below. Fremont includes rail lines that are also sources of diesel particulate matter (DPM) emissions associated with train movements. Fremont also includes numerous stationary sources that are permitted through BAAQMD that have mostly localized emissions.

The project site is located less than 100 feet from the Union Pacific Railroad right-of-way that passes through Centerville. Future project residents would be exposed to DPM and PM_{2.5} (fine particulate matter) from the emissions of locomotives traveling along the railroad right-of-way. The Conservation Element of the City's General Plan includes the following implementation measure:

Implementation 7-7.3.B: Limit New Residential Development in High Risk Areas

For infill development sites within existing neighborhoods, apply thresholds for review when new sensitive receptors are within areas exposed to health risk levels in excess of 100 additional incidents of cancer per million exposures. Infill development also includes conditional development of a mixed use and urban development nature within residential and commercial areas of Centers and Urban Corridors.

As documented in the EIR prepared for the General Plan Update (2011), dispersion modeling of locomotive emissions was conducted and found that within 50 feet of a rail line, the health risk level would be 21.6 incidents in one million. Since the project is located approximately 100 feet from the railroad right-of-way, the estimated health risk exposure to future occupants would be less than 21.6 incidents in one million, which is below the 100 additional incidents of cancer per million threshold; therefore, impacts would be less than significant. The EIR also concluded that PM_{2.5} concentrations of greater than 0.3ug/m³ would not occur along rail lines.

The Air Quality Analysis prepared for the project by FirstCarbon Solutions includes a cumulative screening level assessment that identified existing TAC emission sources located within the 1,000-foot radius of the project and their corresponding health impacts. The screening analysis applied a series of screening tools developed by the BAAQMD to provide conservative estimates of how much existing TAC sources would contribute to cancer risk, HI, and/or fine particulate matter (PM_{2.5}) concentrations in a community.

The project is close to two arterial roadways and one freeway, Interstate 880 (Nimitz Freeway). The screening assessment identified four stationary sources including two gas stations and two automotive repair shops. The cumulative analysis also included estimated the nearby rail line. The cumulative analysis estimated potential health impacts occurring during construction of the project and during operation. In both instances, the cumulative impacts for increased cancer risk (per million), chronic HI, and PM_{2.5} concentration (ug/m³) were below the cumulative thresholds of significance.

The Air Quality Analysis also estimated potential cancer risk and hazards associated with exposure to DPM and PM_{2.5} as a result of temporary construction-related activities such as demolition, site preparation and grading, and construction of the project. The use of diesel-powered heavy equipment during these activities could generate DPM concentrations that could pose a short-term health risk to the surrounding community. However, this impact would be of a temporary duration and would only occur while the project is under construction, and

implementation of Mitigation Measure Air-1, below, would reduce this impact to a less-than-significant level.

Potential Impact: Less than Significant Impact with Mitigation Incorporated

Mitigation Measure 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.

Objectionable Odors

Typical facilities that generate odors include wastewater treatment plants, sanitary landfills, composting facilities, petroleum refineries, and food processing facilities. The project would not be located in close proximity to any of these type of uses.

The proposed project would generate localized emissions of diesel exhaust during grading and construction activities due to heavy equipment and truck operations. These emissions may be noticeable from time to time by nearby receptors. However, they would be of a temporary duration and would not affect a substantial number of sensitive receptors such as children or the elderly. 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 which could pose a nuisance to the project’s future occupants (diesel locomotives would emit odors, but such odors would only linger temporarily before dissipating into the atmosphere). Therefore, impacts would be less than significant and no mitigation is required.

Potential Impact: Less than Significant

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, C
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, C

Environmental Setting

The project site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. The project site is located in an urbanized area fronting an arterial roadway and siding along an active railroad line and a concrete-lined flood control channel, and is surrounded by single-family residential to the northwest and southeast and federal government uses to the southwest.

There are nine existing trees either on the project site or within the Blacow Road right-of-way immediately adjacent to it. A Tree Survey Report was prepared for the project by WRA Environmental Consultants on March 1, 2017 which evaluated the condition of these 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?

The project site is paved over and developed with light industrial structures and an inactive railroad spur. Because the developed and paved portions of project site have been occupied for several decades by their current uses, the ground within the project site does not provide suitable

habitat for candidate, sensitive or special-status species. However, the Tree Survey Report prepared for the site identifies nine existing trees on or immediately adjacent to the project site, eight of which would be removed and replaced, and one of which would be preserved. Migratory birds and/or raptors that are using any of these trees for nesting purposes during the nesting season, could be disturbed by project-related activities, such as tree removal, or while construction of the project takes place. The City's adopted standard development requirements for resource protection, outlined in detail in 2d below would prevent bird nests from being adversely affected by the project. Furthermore, the site does not support riparian habitat given that it has previously been developed with light industrial buildings, pavement and a railroad spur, and there are no federally protected wetlands on-site. Thus, no impacts would result and no mitigation is required.

Potential Impact: No Impact

Mitigation: None Required.

- 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 nine existing trees either on or immediately adjacent to the project site, all of which may provide suitable nesting habitat for some species of migratory birds and/or raptors. Of these nine trees, eight are proposed for removal and one is proposed for preservation. Construction activities adjacent to trees containing active bird or raptor nests, as well as removal of trees containing active nests could result in the abandonment of the nesting effort and, thus, pose a potentially significant impact on migratory birds. Active nests are protected by the federal Migratory Bird Treaty Act and the California Department of Fish and Wildlife. Per FMC Section 18.218.010, all development projects that have the potential to adversely disturb or impact a) special-status species; b) cultural resources; and c) air quality due to construction activities such as grading, demolition, and tree removal, shall implement the adopted standard development requirements to address resource protection provided in FMC Section 18.218.050. This includes, FMC Section 18.218.050 (b), copied below, which addresses biological resources. As a standard project requirement, the proposed project shall implement FMC Section 18.218.050(b), which incorporates measures that would ensure the project would avoid impacts to nesting birds and roosting bats, and, therefore, would not create a significant impact to biological resources.

FMC Section 18.218.050 (b) Biology, Special-Status Species.

- (2) Nesting birds. New development projects with the potential to impact nesting birds through tree or shrub removal shall implement the following measures prior to removal of any trees/shrubs, grading, or ground disturbing activities:
- a. Avoidance. Proposed projects shall avoid construction activities during the bird nesting season (February 1 through August 31).
 - b. Pre-construction surveys. If construction activities are scheduled during the nesting season, a qualified biologist shall conduct a preconstruction survey to identify any potential nesting activity. The biologist shall determine the number and timeframe (prior to construction) of surveys to be conducted.
 - c. Protective buffer zone(s). If the survey indicates the presence of nesting birds, protective buffer zones shall be established around the nests. The size of the buffer zone shall be recommended by the biologist in consultation with the CDFW depending on the species of nesting bird and level of potential disturbance.
 - d. Initiation of construction activities. The buffer zones shall remain in place until the young have fledged and are foraging independently. A qualified biologist shall monitor the nests

closely until it is determined the nests are no longer active, at which time construction activities may commence within the buffer area.

- (3) Roosting Bats. New development with potential to impact special-status or roosting bat species through demolition of existing structures or removal of trees on site shall conduct the following measures prior to demolition:
- a. Preconstruction Surveys. A qualified biologist shall conduct a preconstruction survey during seasonal periods of bat activity (mid-February through mid-October) to determine suitability of structure(s) or trees as bat roost habitat.
 - b. Protective Buffer Zone(s). If active bat roosts are found on site, a suitable buffer from construction shall be established per the biologist. The biologist shall determine the species of bats present and the type of roost.
 - c. Mitigation and Exclusion. If the bats are identified as common species, and the roost is not being used as a maternity roost or hibernation site, the bats may be evicted using methods developed by a qualified biologist. If special-status bat species are found present, or if the roost is determined to be a maternity roost or hibernation site for any species, then the qualified biologist shall develop a bat mitigation and exclusion plan to compensate for lost roost. The site shall not be disturbed until CDFW approves the mitigation plan.

Because the above requirements apply to the proposed project, per FMC Section 18.218.05 (b), the impacts of project construction on nesting birds and roosting bats would be less than significant.

Potential Impact: Less than Significant

Mitigation: None

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

Eight existing trees are proposed for removal from the project site. Based on their size/species, these trees are subject to protection under the City's Tree Preservation Ordinance (Fremont Municipal Code Chapter 18.215). This ordinance requires replacement at a 1:1 ratio with new, minimum 24-inch box size replacement trees to the satisfaction of the City Landscape Architect or payment of an in-lieu fee for each tree that is unable to be replaced on the site. The City's Landscape Architecture Division has reviewed the project plans, including the proposed tree removal and replacement plan, and has authorized the removal of the trees subject to the planting of all new 24-inch box street trees throughout the proposed residential development on the grounds that the trees are non-native and non-landmark, and they would be replaced with more than 50 new trees, all of which would be species on the City's approved street tree list. As such, impacts would be less than significant and no mitigation is required.

Development of the project site 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

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, H
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X			1, 28, 29
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			1, 28, 29
d.	Disturb any human remains, including those interred outside of formal cemeteries?		X			1, 28, 29
e.	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:			X		
	i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			
	ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X			

Environmental Setting

The project site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. Both of the subject parcels were occupied by orchards through the early 1950s, but have been paved over and occupied by light industrial land uses and a railroad spur since the mid-1950s. There are five existing buildings on the site, most of which were constructed c. 1981. One building was constructed c. 1962. A pedestrian site survey was conducted by qualified archaeologist and architectural historian in May, 2017 to assess the location of any cultural or historic resources. The site is completely developed with industrial buildings and parking facilities, with no native soils or undisturbed soils visible. No prehistoric cultural resources or raw materials commonly used in the manufacture of tools were found within the project site.

Records Search

A records search was conducted with the Northwest Information Center. While cultural and paleontological resources were identified within a .67-mile radius of the project, nothing was identified on-site.

NAHC Sacred Lands Inventory

On April 22, 2017, a letter was sent to the Native American Heritage Commission (NAHC) in an effort to determine whether any sacred sites or Tribal Cultural resources are listed on its Sacred Lands File for the project area. A response was received on May 2, 2017, which indicated that the results of the survey were negative. The NAHC included a list of six tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential Tribal Cultural Resources (TCRs) that might be affected by the project were addressed, letters were sent to each representative containing project information and requesting any additional information.

Regulatory Framework

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

- City of Fremont General Plan Community Character 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?

A Cultural and Paleontological Resources Report (*FirstCarbon Solutions, June 2017*) was prepared for the project site, which included an historical assessment of the existing buildings on the site. The majority of the buildings were constructed in the early 1980's and therefore are not old enough to be considered historic resources under Fremont Municipal Code Section Chapter 18.175. An evaluation of the existing building constructed in 1962 found that it did not appear to meet the eligibility criteria for listing in the California Register. The building was assessed as having no distinguishing features and appeared as a standard example of construction design and techniques from its period. No evidence was found that the building significantly contributed to the overall history of Centerville or Fremont.

As such, demolition of the existing buildings 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 project site is not known to contain any archaeological or paleontological resources or human remains. However, there is a possibility that unrecorded resources exist on the site which could be unearthed during grading activities or other site disturbance activities. Implementation of Mitigation Measures Cult-1 through Cult-3, below, would reduce any potential impacts to such resources to a less-than-significant level:

Potential Impact: Less than Significant with Mitigation Incorporated

Mitigation Measures Cult-1 through Cult-3: Although there is no indication that archaeological, cultural, paleontological, Native American, or historic-period resources or human remains are present on the site or in the immediate vicinity, there is always a possibility that

unknown resources could be discovered during project construction. Implementing the following measures would reduce impacts to unknown cultural resources to a less-than-significant level:

Mitigation Measure Cult-1: Discovery of Archaeological Resources. The project proponent 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.

Mitigation Measure Cult-2: Discovery of Any Human Remains. 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.

Mitigation Measure Cult-3: Discovery of Paleontological Resources. The project proponent 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.

- e) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**
- (i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**
 - ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

No tribal cultural resources that are listed or eligible for listing in the CRHR or local register of historical resources were identified during background research with the NWIC or NAHC or during the site survey. However, these records maintained at the NWIC and NAHC are not exhaustive and negative results do not preclude the presence of tribal resources in the project site. Implementation of Mitigation Measures Cult-1, -2, and -3 listed above would reduce potential impacts to less than significant.

Notice of the proposed project was sent to the local California Native American Tribes named on the Native American Contacts list for Alameda County provided by the NAHC, to allow early consultation. No requests for such consultation were received by the City and no tribal cultural resources have been identified on the proposed project site. Thus, impacts would be less than significant with mitigation measures incorporated.

Potential Impact: Less than Significant with Mitigation Incorporated
Mitigation: See Mitigation Measures Cult-1, Cult-2 and Cult-3, above.

VI. GEOLOGY AND SOILS - Would the project:

ISSUES:		<div style="display: flex; justify-content: space-around; font-size: small;"> Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact </div>				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, D
	ii) Strong seismic ground shaking?			X		1, 5, 6, D
	iii) Seismic-related ground failure, including liquefaction?			X		1, 5, 6, D
	iv) Landslides?				X	1, 5, 6, D
b.	Result in substantial soil erosion or the loss of topsoil?				X	1, 5, 6, 8, D

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
d.	Be located on expansive soil, as defined in California Building Code, creating substantial risks to life or property?			X		1, 5, 6, D
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 project site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five commercial/light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. Both of the subject parcels were occupied by orchards through the early 1950s, but have been paved over and occupied by light industrial land uses and a railroad spur since the mid-1950s. The entire project site is generally level.

The City of Fremont is subject to fault rupture and related seismic shaking from several faults in the area. According to the most recent State Department of Conservation Geologic and Seismic Hazard Zones map, and the City’s GIS, the project site is not located within an earthquake fault zone. However, as with any land in the San Francisco Bay Area, the project site 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)
- 2016 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 site is located with an Alquist-Priolo Earthquake-Induced Liquefaction Zone as identified by the California Geological Survey, but is not located in either an Alquist-Priolo Earthquake Fault Trace Zone or an Earthquake-Induced Landslide zone.

According to a Geologic Hazards Study prepared for the project by ENGEO Incorporated on December 10, 2015, the project site was found to have minimal susceptibility to settlement caused by earthquake-induced liquefaction due to the substantial depth of those soils on the site that would be subject to liquefaction, and the amount of stable soils that overlay them up to the

ground’s surface. Nevertheless, the study contains recommendations for the design and construction of the building foundation, pavement, utility trenches, retaining walls and drainage facilities, which would minimize the exposure risk of these improvements to post-construction differential settlement and seismic shaking.

Furthermore, all proposed structures would be required to be designed in conformance with geotechnical and soil stability standards as required by the California Building Code (CBC). Conformance to the recommendations of the Geologic Hazards Study and all applicable 2016 CBC standards would reduce safety impacts to the dwelling units and their occupants from geological hazards to a less-than-significant level.

Construction of the project would involve demolition of existing structures and grading of the site. These activities have the potential to cause erosion and loss of topsoil. An erosion control plan would be required with plans submitted for grading and/or building permits to ensure that the project would not result in substantial soil erosion during grading and construction activities. Because disturbance to the site would be greater than one acre, it would require coverage under the Statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activities Stormwater Permit. To obtain coverage under the General Permit, submission of a Storm Water Pollution Prevention Plan (SWPPP) would be required, which requires implementation of Best Management Practices required by the SWPPP, the potential construction impacts related to erosion and topsoil loss would be less than significant.

As such, impacts associated with seismic ground-shaking, liquefaction, and soil expansion or erosion would be less than significant and no mitigation is required.

Potential Impact: Less than Significant
Mitigation: None Required

VII. GREENHOUSE GAS EMISSIONS - Would the project:

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, G
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, G

Environmental Setting

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

GHG analysis uses carbon dioxide equivalents (CO₂e), measured in metric tons, to adjust for the different warming potential of a wide range of greenhouse gases, not just exclusively CO₂. The State 2005 GHG

emission inventory was 479 million metric 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. 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 with operational emissions of 1,100 metric tons (MT) of CO₂e or greater per year. Projects that have emissions below 1,100 MT of CO₂e per year are considered to result in less than significant GHG emissions. Land use projects with emissions above the 1,100 MT per year per year threshold would then be subject to a GHG efficiency threshold of 4.6 MT of CO₂e per year per capita. Projects with emissions above this threshold would be considered to have an impact which, cumulatively, would be significant.

A GHG analysis was conducted by FirstCarbon Solutions (June, 2017), which analyzed the potential amount of construction- and operations-related greenhouse gas (GHG) emissions to determine whether they would exceed BAAQMD's identified thresholds. These thresholds include a "bright-line" emission level of 1,100 metric tons (MT) of equivalent carbon dioxide (CO₂e) per year for land use type projects. Land use projects with emissions above the 1,100 MT of CO₂e per year threshold would then be subject to a GHG efficiency threshold of 4.6 MT of CO₂e per year, per capita.

Project Construction

The project would generate GHG emissions during construction activities such as site preparation, grading, building construction, paving, and architectural coating from on-site heavy duty construction vehicle use, vehicles hauling materials to and from the project site, and construction worker trips. These emissions are temporary or short-term. The BAAQMD recommends that lead agencies quantify and disclose construction related GHGs.

The air quality analysis prepared for the project used CalEEMod to estimate GHG emissions for construction-related activities and assumed a 12-month time period for the demolition of all the existing buildings and the construction of the proposed project. Estimated construction-related GHG emissions for this project amounted to 378 MT of CO₂e, well below the 1,100 MT significance threshold.

Project Operations

The analysis also assessed the operations-related GHG emissions resulting from 37 new single-family dwellings, including tailpipe emissions from residents’ vehicle usage, water and power generation, transmission and consumption, and generation and processing of solid waste and sewage. Estimated operations-related GHG emissions for the project amounted to 409 MT of CO₂e, again well below the 1,100 MT significance threshold. Additionally, implementation of the City’s standard development requirement relating to air quality impacts resulting from construction-related emissions, which are based on BAAQMD’s Basic Construction Measures, and implementation of Mitigation Measures AIR-1 would help to reduce construction-related impacts from GHG emissions. Therefore, the project would not generate GHG emissions at levels that would have a significant impact on the environment and would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. Impacts would be less than significant, and no mitigation is required.

Potential Impact: Less than Significant

Mitigation: None Required

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, E, I
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, E, I
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, F, I
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, E, I
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
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Environmental Setting:

The project site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. An inactive rail spur dating back to the 1950s traverses the southwest corner of the site. All of the existing buildings were constructed during the 1970s and 1980s.

The closest residential neighborhood is located directly southeast of the site, while the nearest school, Fremont Christian High School (private), is located approximately ¼ mile away to the east.

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 beyond those commonly used by households for cleaning and by professional landscaping services for landscape maintenance. Therefore, no impacts in this regard on the adjacent residential neighborhoods or the nearby Fremont Christian High school would result from the project.

Both parcels contain automotive and light industrial uses which involve the daily use of various hazardous materials such as paints, solvents and petroleum products. Furthermore, the site was used as an orchard prior to the 1950s and contains an inactive railroad spur across its northwest corner. In order to determine the presence of any hazardous materials within the site in levels that would preclude redevelopment of the site with residential uses, A Phase I Environmental Site Assessment (ESA) was conducted by ENGEO Incorporated (ENGEO), in December 2015 which identified five Recognized Environmental Concerns associated with the project site. First, due to the property’s past use as agricultural land, pesticides, herbicides and fertilizers could still be present in the soil in concentrations above accepted human health risk screening levels. Second, due to the presence of an old rail spur on the property, locomotives and train cars idling or staging on the site could have historically leaked fluids onto the surface of the property. And finally, one (1) 550-gallon leaking underground storage tank was removed from the site in 1988, one (1)

1,000-gallon gasoline underground storage tank was removed from the site in 1999, and a second 550-gallon underground storage tank was also removed from the site in 1988, with total petroleum hydrocarbons as gasoline (TPH-g) identified in concentrations that exceed the San Francisco Regional Water Quality Control Board's (RWQCB's) environmental screening levels for groundwater resources at that tank's location. As such, the Phase I ESA recommended that a limited subsurface investigation be undertaken to assess soil conditions on the project site and confirm that no contaminants are present in excess of human health risk screening levels.

ENGEO subsequently conducted a limited subsurface investigation (Phase II ESA) on January 19, 2016. The investigation revealed the presence of pesticides, volatile organic compounds, various dissolved metals, and TPH-g and total petroleum hydrocarbons as diesel (TPH-d) in the soil. According to the Phase II ESA, the detected levels of these hazardous materials were either below the human health risk screening levels or located at a deep enough depth so as not to pose a concern for the proposed residential development. However, solvents were recently discovered in a subsequent analysis by ENGEO on November 21, 2017 which must be evaluated for their vertical and horizontal extent. Once the extent has been determined, a detailed Human Health Risk Assessment must be conducted by the applicant to determine their potential impact to the development. As such, contamination of the site caused by past land uses may exist in levels that could pose a significant health risk to future residents. Implementation of the Mitigation Measure Haz-1, below, would reduce this impact to a less-than-significant level.

Potential Impact: Less than Significant with Mitigation Incorporated:

Mitigation Measure 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.

Furthermore, due to the age the existing structures, the site could contain asbestos and lead-based paint which could cause a health hazard when the structures are demolished. Implementation of Mitigation Measure Haz-2 would reduce this impact to a less-than-significant level.

Potential Impact: Less than Significant with Mitigation Incorporated:

Mitigation Measure 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.

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

The project site is listed on two hazardous materials site databases compiled pursuant to Government Code Section 65962.5. One listing, Century Insulation, involved removal of a leaking underground storage tank, which was removed in 1988. A closure letter was issued by ACWD for that site in 1997 and, as such, no further action is required. Another listing, El Camino

Crop Supply, was attained when a 550-gallon leaking underground storage tank was removed in 1988, and TPH-g was identified at the location in concentrations that exceed the RWQCB's environmental screening levels for groundwater resources. This case is still open. Groundwater monitoring is ongoing at the site in accordance with ACWD protocols and under its supervision, pursuant to a cooperative agreement between the property owner, ACWD and the RWQCB. At this time, the property owner is required to prepare and submit a work plan for remediation to ACWD for approval.

In addition to groundwater contamination from TPH-g, solvent was also recently discovered in the soil and groundwater by ENGEO in November 2017 in concentrations that may exceed residential screening levels. Before the site can be redeveloped for residential use, the applicant must obtain clearance from the Alameda County Department of Environmental Health or Department of Toxic Substance Control. It is the property owner's responsibility to obtain final closure from the agencies having jurisdiction over the case once screening levels for groundwater resources and residential uses are no longer being exceeded. Accordingly, Mitigation Measure Haz-3 requires the applicant to demonstrate how abatement activities would be facilitated by the proposed project, including any ongoing activities such as groundwater monitoring. With implementation of this mitigation measure, impacts would be reduced to a less-than-significant level.

Potential Impact: Less than Significant with Mitigation Incorporated

Mitigation Measure 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.

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

The project site is not located within an airport land use plan nor are there any public or private airports located near the site. 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 and would be designed to meet all applicable federal, state and local fire safety codes. Emergency vehicle access would be provided throughout the project site via private streets and Emergency

Vehicle Access Easements that would be dedicated to the City for exclusive use by emergency vehicles, both of which would be 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 would impede or redirect flood flows?				X	1, 6, 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 site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five commercial/light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. Both of the subject parcels were occupied by orchards through the early 1950s, but have been paved over and occupied by light industrial land uses and a railroad spur since the mid-1950s. The entire project site is generally level. The site is located adjacent to a concrete-lined flood control channel owned and maintained by the Alameda County Flood Control and Water Conservation District that travels between the northwestern property line and the railroad tracks.

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 R2-2015-0049, National Pollution Discharge Elimination System Permit No. CAS612008 (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?

As discussed in Section VIII.d above, the project is listed on a hazardous materials site database compiled pursuant to Government Code Section 65962.5 due to a leaking underground storage tank (UST) that was removed in 1988. The El Camino Crop Supply UST is believed to be the source of localized TCE, and 1, 2-DCA groundwater contamination detected as recently as 2016. The San Francisco Bay Regional Water Quality Control Board is the lead agency, however, ACWD provides day-to-day oversight pursuant to a cooperative agreement. Mitigation Measure HAZ-2 requires the project applicant to demonstrate how abatement activities would be facilitated by the proposed project, including any ongoing activities such as groundwater monitoring. With implementation of this mitigation measure, impacts to water quality or related to waste discharge requirements would be reduced to a level of less than significant.

Construction activities such as grading, vegetation removal, excavation, and backfilling, have the potential to affect surface water quality.

The proposed project would be required to comply with existing state, regional and local regulations that protect water quality. The project would connect to the existing public sanitary sewer and storm drain lines in Blacow Road and would obtain its water from the existing public water main serving the site in Blacow Road. The Alameda County Water District has confirmed

that it is capable of meeting the project's water demands without significantly impacting the District's supplies or its distribution system.

Because the project would replace in excess of 10,000 square feet of existing impervious surface area with new impervious surface, it would be subject to the NPDES C.3 requirements of the Municipal Regional Stormwater Permit, which regulates the treatment of stormwater runoff on the site. The project site currently contains 137,400 square feet of impervious surface consisting of pavement and building rooftops. The project as proposed would remove this impervious surface area and redevelop the site with 90,120 square feet of new impervious area, resulting in a net reduction of 47,280 square feet of impervious area on the site. The applicant 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. Compliance with the applicable C.3 requirements would ensure that no impacts to water quality would result from the 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 substantially alter existing drainage patterns or result in the alteration of the course of any water body. Drainage from the project would be directed into landscape-based treatment areas located throughout the development (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 within Blacow Road via a new private piped system that would be constructed on the 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 site is located within Federal Emergency Management Agency Flood Insurance Rate Map (FIRM), Panel No. 06001C0442G, effective August 3, 2009. According to this FIRM, the project site is located within an Unshaded "X" zone and is, therefore, outside of the 100-year flood zone. The project site is also not situated within a Special Flood Hazard Area or an area that would be subject to inundation as a result of failure of a dam, levee, or reservoir. Finally, the project site is not located in close proximity to San Francisco Bay and would not be subject to inundation by seiche or tsunami. As such, no impact would result.

Potential Impact: No Impact
Mitigation: None Required

X. LAND USE AND PLANNING - Would the project:

ISSUES:		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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 site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. An inactive rail spur dating back to the 1950s traverses the southwest corner of the site. All of the existing buildings were constructed during the 1970s and 1980s.

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
- Centerville Community Plan
- City of Fremont Zoning Ordinance

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 replace a pocket of existing service industrial development abutting single-family neighborhoods to the north, south and east with a new single-family residential development containing homes of similar density, size, and scale as those in the surrounding residential neighborhoods.

In addition, the project would not conflict with General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect, but would instead further the goals and policies aimed at eliminating incompatible land uses from residential areas in Centerville between Central

Avenue and the railroad tracks. The project would increase the quality of life for residents in those areas by redeveloping an isolated light industrial site that contains uses that are generally incompatible with the surrounding single-family residential development. The project is consistent with the following goals and policies in the General Plan related to infill development and directing change for orderly growth and compatibility.

Land Use Element Goal 2.2: Directing Change

Growth and development that is orderly and efficient, leverages public investment, ensures the continued availability of infrastructure and public services, reduces adverse impacts on adjacent properties, and protects the natural environment.

Land Use Policy 2-2.5: Zoning and Subdivision Regulations

Use zoning and subdivision regulations to direct the city’s growth, ensure sufficient opportunities for new development, improve Fremont’s quality of life, create complete neighborhoods, reduce nuisances, achieve compatibility between adjacent properties and uses, address land use conflicts, and protect the health and safety of residents, visitors, and workers.

Centerville Community Plan Policy 11-3.12: Central Avenue to Railroad

Recognize the potential for change in the mixed commercial and residential area between Central Avenue and the railroad tracks below Maple Avenue. This area should continue to transition over time from commercial and light industrial uses to a mix of medium density residential uses, commercial uses, and more limited light industry. Over time, this area should be more strongly connected to the Centerville Town Center through changes in parcel patterns and the development of new through-streets which create more of a grid pattern.

Finally, there are no habitat conservation or natural community conservation plans adopted for the site. Therefore, no impact would result.

Potential Impact: No Impact

Mitigation: None Required

XI. MINERAL RESOURCES - Would the project:

ISSUES:		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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 site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair and body shops operating on the site. An inactive rail spur dating back to the 1950s traverses the southwest corner of the site. Nearly the entire site is paved and has been so since the 1950s when orchards that previously occupied the site were replaced with new buildings and the rail spur.

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

There are two main noise sources that affect the project site: roadway noise from vehicular traffic traveling along Blacow Road to the northeast, and noise from freight/passenger rail traffic traveling along the Union Pacific railroad tracks to the northwest. Blacow Road is designated as a minor arterial in the City’s General Plan. Approximately seven freight trains pass by the project site along the railroad each day, with another 24 commuter/passenger trains (both Altamont Corridor Express [or ACE] and Amtrak trains) passing the site on weekdays.

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

In accordance with Fremont General Plan Policy 10-8.1, the maximum acceptable average outdoor noise level (or L_{dn}) in residential areas is an L_{dn} of 60 dBA; however, the maximum conditionally acceptable outdoor noise level for new residential development is an L_{dn} of 70 dBA where railroad noise sources are present, as in this particular case. These levels would be applicable to common open space areas in new multi-family residential developments as well as in private rear yards of new single-family homes or duets. The maximum acceptable average indoor noise level for all new residential projects is an L_{dn} of 45 dBA, while the maximum instantaneous noise level (or L_{max}) from such temporary sources as train horns or emergency vehicle sirens is 50 dBA in bedrooms during the night and 55 dBA in bedrooms and all other habitable rooms (such as living rooms, offices, kitchens, etc.) during the day.

Discussion/Conclusion/Mitigation

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

Noise Analysis: The project site fronts along Blacow Road to the northeast and abuts the Union Pacific railroad tracks to the northwest. These are the two primary noise sources affecting the site. A Noise Impact Analysis was conducted by FirstCarbon Solutions on October 26, 2017, to analyze noise impacts from the adjacent roadway and railroad tracks on the proposed project, as well as temporary noise impacts from construction-related activities caused by development of the project on adjacent sensitive receptors (in this case, the surrounding single-family dwellings immediately to the southwest, as well as across Blacow Road to the northeast, and across the railroad tracks to the northwest). This Noise Analysis was also peer reviewed by Illingworth and Rodkin, Inc., acoustical consultants, to confirm that the correct significance criteria were used and that train passage noise was correctly analyzed with respect to noise limit policies set forth in the General Plan.

The analysis concluded that the proposed project would not cause a substantial permanent increase in noise levels in the area due to the residential nature of the project, and the fact that it would replace existing industrial uses that generate noise daily.

Exterior Noise Levels at Residences

Per General Plan Policy 10-8.1, the maximum exterior L_{dn} threshold for private rear yards and common outdoor areas in new residential developments is 60 dBA L_{dn} . When the City determines that providing an outdoor L_{dn} of 60 dBA or less cannot be achieved after application of appropriate mitigation measures, an L_{dn} of up to 70 dBA may be allowed in instances where railroad noise sources are a factor, as in this case.

The Noise Impact Analysis measured the current L_{dn} at the project site to be 81.9 dBA, primarily due to high noise levels caused by passing trains. As such, the future exterior L_{dn} for the private rear yards of those lots either abutting or having a direct line of site to the railroad right-of-way would exceed the 70 dBA maximum L_{dn} by nearly 12 dBA without any noise-reducing measures.

However, the analysis determined that construction of a 12-foot-tall sound wall along the rear property lines of those lots abutting the railroad right-of-way (Lots 14-25), along with 10-foot-tall walls along the side property lines of the four lots siding along Blacow Road (Lots 1, 25, 27 and 37) would reduce the L_{dn} in the rear yards of those lots to below 70 dBA, thereby bringing the project into compliance with the maximum acceptable exterior L_{dn} of the General Plan for new residential development subject to noise from railroad sources.

Potential Impact: Less-than-Significant with Mitigation Incorporated.

Mitigation: See Mitigation Measure Noise-1, below.

Interior Noise Levels within Residences

Per General Plan Policy 10-8.1, the maximum interior L_{dn} threshold for new dwelling units is 45 dBA, with a maximum instantaneous noise level (or L_{max}) not to exceed 50 dba in bedrooms during the night and 55 dba in bedrooms and all other habitable rooms during the day. Because the railroad tracks cross Blacow Road at-grade, all trains travelling through the area are required to sound their warning horns as they approach the crossing, and noise from the horns is typically 20-30 decibels louder than the noise from the trains, themselves. The Noise Assessment found that existing and projected noise levels from railroad traffic would exceed the maximum interior L_{dn} threshold in several of the proposed units within the project, while the noise from the horns of passing trains would also exceed the L_{max} threshold (the assessment identified an L_{max} of 99.4 dBA from the blowing of train horns).

The Noise Impact Analysis determined that implementation of certain noise-reducing construction methods and materials would reduce interior noise levels of the impacted units to acceptable levels. The identified mitigation involves the use of special construction methods and high-quality, sound-rated construction materials for most of the exterior walls and window systems of each dwelling unit in the project either abutting or having a direct line of sight to the railroad right-of-way. Furthermore, the analysis prescribes the provision of supplemental ventilation (e.g., air conditioning) for every unit in the project to enable occupants to keep their windows closed during warm weather in order to limit the amount of noise transmitted from outside into each unit. Implementation of Mitigation Measure Noise-1, below, would reduce impacts from noise caused by passing trains on the occupants of the affected dwelling units to a less-than-significant level. Also, see Figure 1 at the end of this Initial Study for a graphic depiction of the details contained in the mitigation measure.

Potential Impact: Less-than-Significant with Mitigation Incorporated.

Mitigation Measure Noise-1: To reduce potential railroad noise impacts, the following measures shall be implemented by the applicant/developer:

- 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. (See Exhibit 8 for the location of the façades that require this upgrade.)

- 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.

Vibration Analysis: The Noise Impact Analysis determined that while vibration from passing freight and passenger trains might be felt by the occupants of the units located closest to the railroad tracks, the vibration levels would not exceed the acceptable level prescribed by Policy 10-8.10 of the Noise/Vibration subsection of the Safety Element of the City's General Plan for residential land uses (75 vibration decibels [VdB] for infrequent events such as train passings). As such, impacts to the project from vibration caused by passing trains would be less than significant and no mitigation would be required.

Potential Impact: Less than Significant

Mitigation: None required

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

Construction of the project would result in a temporary increase in noise levels during daylight hours, particularly from diesel-powered earth-moving equipment and other heavy machinery needed to grade the site and construct the proposed buildings and private streets. Such impacts would be potentially significant, particularly for the existing residences immediately adjacent to the project site to the southeast. However, implementation of Mitigation Measure Noise-2, below, would reduce these temporary construction-related impacts to a less-than-significant level:

Potential Impact: Less-than-Significant with Mitigation Incorporated.

Mitigation Measure 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:

- 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.

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

There are no public or private airports located in the City or vicinity. 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 site consists of two contiguous parcels located at 37343 and 37359 Blacow Road totaling a combined 3.29 acres. The parcels contain a total of five light industrial buildings which are currently occupied by automotive repair uses and various contractor businesses, along with associated parking and landscaping. Several inoperable and/or damaged vehicles are parked throughout the site and awaiting repairs/servicing by the auto repair shops and body shops operating on the site. An inactive rail spur dating back to the 1950s traverses the southwest corner of the site. Nearly the entire site is paved and has been so since the 1950s when orchards that previously occupied the site were replaced with new buildings and the rail spur.

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, December 2014)

Discussion/Conclusion/Mitigation

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

Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed project would result in the construction of a maximum of 37 residential units. Construction of 37 new housing units could result in a population increase of 115 new residents (based on DOF’s 2017 estimate of 3.11 persons per dwelling units). This would represent a less than 0.1 percent increase growth (based on DOF’s population estimate of 229,324 as of January 2016). While the proposed project would result in population growth, the addition of 37 units would not result in a significant impact on public facilities. Furthermore, the project would be consistent with General Plan goals and policies which call for the transition of older commercial and light industrial uses that are no longer compatible with the more recent proliferation of residential development in the Centerville area west of Fremont Boulevard, and the use of zoning to reduce or eliminate nuisances and incompatible uses in residential neighborhoods to increase the quality of life for the City’s residents (Land Use Element Goal 2.2 and Policy 2-2.5, and Centerville Community Plan Policy 11-3.12). In addition, the project site is surrounded by existing single-family residential and federal government uses and would, therefore not require the extension of new infrastructure or services that could induce additional population growth in the area.

The site currently contains no existing dwelling units. Therefore, the project would not displace any residents necessitating the construction of replacement housing elsewhere. As such, no impact would result and no mitigation is required.

Potential Impact: No 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 site is located in an area that is designated in the General Plan predominantly for low and low-to-medium density residential uses to the north, south and east of the site. The land to the west of the site is designated for public facility uses and is occupied by a Federal Aviation Administration facility. The project site is located in a fully-developed area of the City of Fremont where all public services needed for the 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?**

Fire Protection: The Fremont Fire Department currently provides fire protection to the project site and would continue to do so in the future. The proposed project would develop 37 new dwelling units on the project site and add an estimated 115 persons to the City's population. Fire Station No. 6 is located 0.9 mile from the project site at 4355 Central Avenue. Using an average travel speed of 25 miles per hour, it would take a fire engine 2 minutes and 10 seconds to reach the project site from Station No. 6. This would be considered an acceptable response time and no new or expanded fire protection facilities would be required to serve the project.

Police Protection: The Fremont Police Department currently provides police protection to the project site and would continue to do so in the future. The proposed project would remove approximately 47,000 square feet of industrial buildings and develop 37 new dwelling units on the project site, which would add an estimated 115 persons to the City's population. This would be expected to yield a small increase in the number of calls for service but not enough to require new or expanded police protection facilities. Impacts would be less than significant.

Schools: The project site is within the Fremont Unified School District. The proposed project would develop 37 new dwelling units on the project site. Using a standard student generation rate of 0.7 student/single family dwelling unit, the proposed project would add 26 students to the Fremont Unified School District. Enrollment within the district was 34,852 in Academic Year 2015–2016; thus, the proposed project's estimated 26 students would represent an increase of less than 0.1 percent. This increase would not be significant enough to necessitate new or expanded school facilities.

Parks and Other Public Facilities: The proposed project would develop 37 new dwelling units on the project site, which would add an estimated 115 persons to the City's population. This would be expected to yield a small increase in demand for parks, libraries, or other public facilities, but not enough to require new or expanded 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.

The proposed development is 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 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 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 might have an adverse physical effect on the environment?			X		1, A

Existing Conditions

The City of Fremont maintains approximately 1,148 acres of parkland, spread over 53 parks, which provide recreational facilities and opportunities to the community. In addition, residents and community members also have access to park and trail systems maintained by other agencies including the East Bay Regional Parks District, the Don Edwards San Francisco Bay National Wildlife Refuge, the San Francisco Bay Trail, and other recreational facilities including five community centers, various sports facilities, a water park, and art gallery.

The project site is located in a mixed residential/light industrial area of the City; there are no existing recreational facilities located on or adjacent to the site.

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?

Construction of the proposed residential development could result in a slight increase in demand for and use of local and regional park and recreation facilities through the addition of 115 new residents. Increase demand would not be enough to require new or expanded facilities. However, payment of the required Park Dedication In-Lieu and Park Facility fees for new residential development as described in Section XIV, Public Services, above, would offset the increased demand in accordance with applicable City ordinances and reduce the impacts to such facilities to a less-than-significant level.

Potential Impact: No Impact
Mitigation: None Required

XVI. TRANSPORTATION/TRAFFIC - Would the project:

ISSUES:		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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
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
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 site is located on Blacow Road. The nearest major signalized intersections to the site are Blacow Road/Thornton Avenue to the north, and Blacow Road/Central Avenue to the south.

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?

Standard practice exercised by the City of Fremont typically requires a detailed transportation impact analysis (TIA) for projects generating 100 vehicle-trips or more during the weekday PM peak hours. This threshold is consistent with the threshold used by ACTC for determining whether a land use project requires preparation of a TIA to evaluate potential impacts to regional

roadways in the surrounding area that are designated as part of the CMP network. In the project vicinity, I-880 and State Route 84 are designated as CMP facilities.

The proposed development of 30 new duet units and seven detached single-family dwellings is estimated to generate 20 AM peak hour trips, 23 PM peak hour trips, and 242 total weekday vehicle trips (reference: Land Use Code ITE #210, Single Family Detached Housing from ITE Trip Generation Handbook, 9th Edition). The land uses currently occupying the existing light industrial buildings are estimated to generate 64 AM peak hour trips, 85 PM peak hour trips, and 154 total weekday trips. Therefore, the trips generated by the project based on the proposed change in land uses would result in a net change of 44 fewer AM peak hour trips, 62 fewer PM peak hour trips, and 88 additional total weekday trips. Based on the estimated PM peak hour trips that would be generated by the project, it would fall well below the City and ACTC thresholds for projects for which a detailed TIA would be required to evaluate potential transportation related impacts. The development intensity of the project is also consistent with the existing development in the surrounding residential community and would be less intense than the industrial land use anticipated in the General Plan.

Because the project is estimated to generate fewer trips than the existing land use during the AM and PM peak hour periods, it would not exceed the capacity of the existing circulation system nor would it conflict with the County Congestion Management Plan. Thus, no impacts would result and no mitigation is required.

Potential Impact: Less than Significant
Mitigation: None Required

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

The proposed project would not have an impact on air traffic patterns as there are no airports in Fremont or near the project site. The design of the proposed project, including the two entrances to the private street from Blacow Road, as well as all internal private streets, would be consistent with City development standards. The project would not increase hazards due to design because vehicular access to the site would be provided via driveway entrances to the site from Blacow Road 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)?**

Emergency vehicle access would be provided throughout the entire project over the proposed private streets in the form of a recorded emergency vehicle access easement (EVAE) benefiting the City's Fire Department. No sharp curves or dangerous intersections would be created by the project, as the entry driveways along Peralta Boulevard and Maple Street and all intersections between the project's internal private streets would be designed in accordance with the City's standards. Furthermore, the proposal does not feature any other unusual design elements that

could pose a substantial safety hazard to vehicular or bicycle traffic or pedestrians. The project would also not 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 site consists of two contiguous parcels totaling 3.92 acres at 43055 and 43077 Osgood Road. The site is located in a mixed commercial/industrial area of the City where all public services needed for the proposed development are already in place. The project would connect to existing public and private utilities, including water, sewer and storm drain facilities, via underground connections within the Osgood Road right-of-way.

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?

The proposed project would connect to existing water, sewer and storm drain lines located in Blacow Road that already serve the area. The utility companies that would provide utility services to the proposed dwellings were notified of the project and did not indicate that it would generate an increase in wastewater or stormwater runoff levels that could exceed the capacity of the sewer and storm drain lines serving the property or require excessive amounts of water that could not be provided by the existing water mains that already serve the area. As such, the existing sewer, storm drain, and water lines serving the area need not be expanded to accommodate the proposed development and impacts to utilities would be less than significant.

Potential Impact: Less than Significant
Mitigation: None Required

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

The project would be served by the City's franchised waste hauler agreement with Republic Services in compliance with applicable standards for conventional residential waste products and recyclables. The 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. Because the City currently maintains a robust diversion rate for residential uses (including commingled recycling service and organics composting service for single-family and townhouse developments), the proposed project of 30 duet units and seven detached single-family dwellings would not result in significant volumes of solid waste that could not be accommodated by the landfill facility with which the City maintains its waste disposal agreement. As such, impacts would be less than significant and no mitigation is required.

Potential Impact: Less than Significant
Mitigation: None Required

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

ISSUES:		<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		See Previous
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.

Mitigation measures designed to minimize project- and construction-related environmental effects on air quality, cultural resources, hazardous materials and noise are listed in previous sections of this Initial Study. 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.

MITIGATION MEASURES:

Mitigation Measure 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.

Mitigation Measure Cult-1: Discovery of Archaeological Resources. 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.

Mitigation Measure Cult-2: Discovery of Any Human Remains. 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.

Mitigation Measure Cult-3: Discovery of Paleontological Resources. 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.

Mitigation Measure 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.

Mitigation Measure 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.

Mitigation Measure 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.

Mitigation Measure Noise-1: To reduce potential railroad noise impacts, the following measures shall be implemented by the applicant/developer:

- 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.

Mitigation Measure 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:

- 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, to 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.

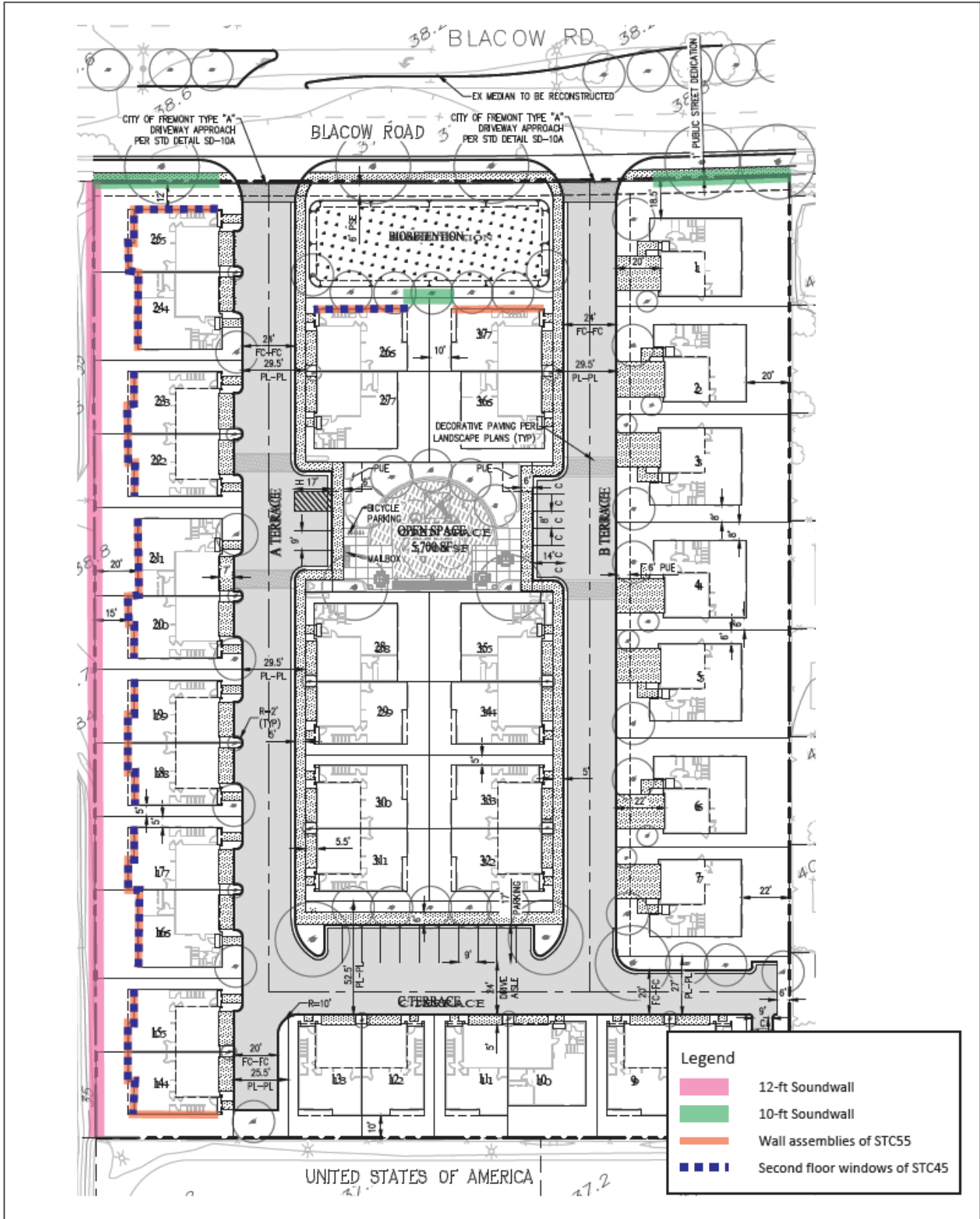


Figure 1 – Noise Mitigation Measure Graphic

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 2015 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 2014
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. Project plans prepared by KTG Y Group, Inc., et al., dated August 2017
- B. Site reconnaissance visit by City Planning Division, April 5, 2017
- C. Tree Survey Report prepared by WRA Environmental Consultants dated March 1, 2017
- D. Preliminary Geotechnical Exploration prepared by ENGEO Incorporated, dated December 10, 2015
- E. Phase II Environmental Site Assessment prepared by ENGEO Incorporated, dated January 19, 2016
- F. Noise Impact Analysis prepared by FirstCarbon Solutions, dated October 26, 2017
- G. Air Quality/GHG Modeling Analysis prepared by First Carbon Solutions, May 2017
- H. Cultural Resources Report prepared by First Carbon Solutions, June 2017
- I. Laboratory Results for Recent August 2017 Drilling prepared by ENGEO Incorporated, dated November 21, 2017