City of Fremont Initial Study

1. **Project**: Oliveira Farm Cottages (PLN2018-00292)

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:**

   James Willis, Associate Planner
   Phone: 510-494-4449
   E-mail: jwillis@fremont.gov

4. **Project location**: 39392 Blacow Road, Fremont, CA 94536 (APN: 531-12-125-2) (See Project Vicinity Map)

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

   DRG Builders, Inc. (Doyle Heaton – agent)
   3496 Bushkirk Avenue, Suite 104
   Pleasant Hill, CA 94523
   Phone: 925-939-3473
   E-mail: doyle@drgbuilders.com

6. **General Plan Land Use Designation:** Low Density Residential, 2.3 – 8.7 dwelling units per acre

7. **Zoning:** R-1-6

8. **Description of Project:**

   The applicant is proposing a Rezoning of the site from R-1-6 to Preliminary and Precise Planned District P-2018-292, Vesting Tentative Tract Map No. 8477, and a Private Street entitlement for a new eight unit residential development at 39392 Blacow Road. The proposed project would be accessed via a new private street connecting to a new extension of the Blacow Road frontage into the site. The subdivision would consist of two commonly-owned parcels (one of which would consist of the private street, and one would contain the stormwater treatment area), and eight single-family lots.

   The single family homes would be located on lots of between 4,075 and 4,481 square-feet. The homes would feature three different two-story floor plans ranging in size from 2,274 to 2,877 square-feet, with four bedrooms each. One lot would contain a single story three-bedroom home measuring 1,723 square feet. All eight single family homes would be provided with attached side-by-side two-car garages. A 1,345 square-foot stormwater treatment area would be located between lots seven and eight. A total of eight on-street guest parking spaces would be provided throughout the development. The proposed private street, which would feature a single 5-foot wide accessible sidewalk along the southeast side of the private street would connect out to the Blacow Road public sidewalk. Off-site improvements would include the completion of the Blacow Road frontage street, construction of new curb, gutter, sidewalk and planter strip with street trees along Blacow Road, and a reconstructed median between the Blacow Road frontage and the main Blacow Road. Accessible curb ramps and traffic calming bulb-outs would also be provided where the new public sidewalks along Blacow Road would cross the entrances to the private street.

   The property is currently zoned R-1-6 and designated Low Density Residential in the Land Use Element of the General Plan. The proposed net density for the site is 7.84 dwelling units per acre. Three separate buildings occupy the project site, a single family home which is currently occupied, a detached garage, and an agricultural shed. A historic evaluation resulted in the preparation of a state Department of Parks and Recreation (DPR) Historic Inventory form, which has determined that none of the buildings are

potentially historic. The applicant proposes to demolish all of the existing buildings and rezone the site to a new, residential Planned District. 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 one parcel totaling 1.19 acres located at 39392 Blacow Road. Three buildings (one single family home and two detached accessory structures) currently occupy the site. The parcel is currently accessed via a driveway located off of the Blacow Road frontage. Prior to the mid-1950s, the parcel was used for agricultural purposes, but all agricultural activities ceased by the 1940s when the area was subdivided for residential uses. The existing home currently occupying the site was built in 1929.

The site is bounded by Blacow Road and single-family residential development. The Hetch Hetchy aqueduct passes just south of the site. Blacow Road is classified as an 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. A two lane frontage road travels along Blacow Road, interrupted by the site's property lines which extend out to the edge of the main Blacow Road travel lanes. The proposed residential development would be accessed via a private street that would connect to the newly extended Blacow Road frontage.

The single-family residential developments surrounding the site are designated Low Density Residential (2.3 – 8.7 units per net acre) in the Land Use Element of the General Plan and zoned as R-1-6. The portion of the Hetch Hetchy aqueduct that crosses Blacow Road just south of the project site is zoned Open Space and designated Open Space, Resource Conservation/Public in the Land Use Element of the General Plan.

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:

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

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	X	Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
X	Hazards & Hazardous Material		Hydrology / Water Quality		Land Use / Planning
	Greenhouse Gas Emissions		Mineral Resources	X	Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

PREVIOUS ENVIRONMENTAL ANALYSES: None

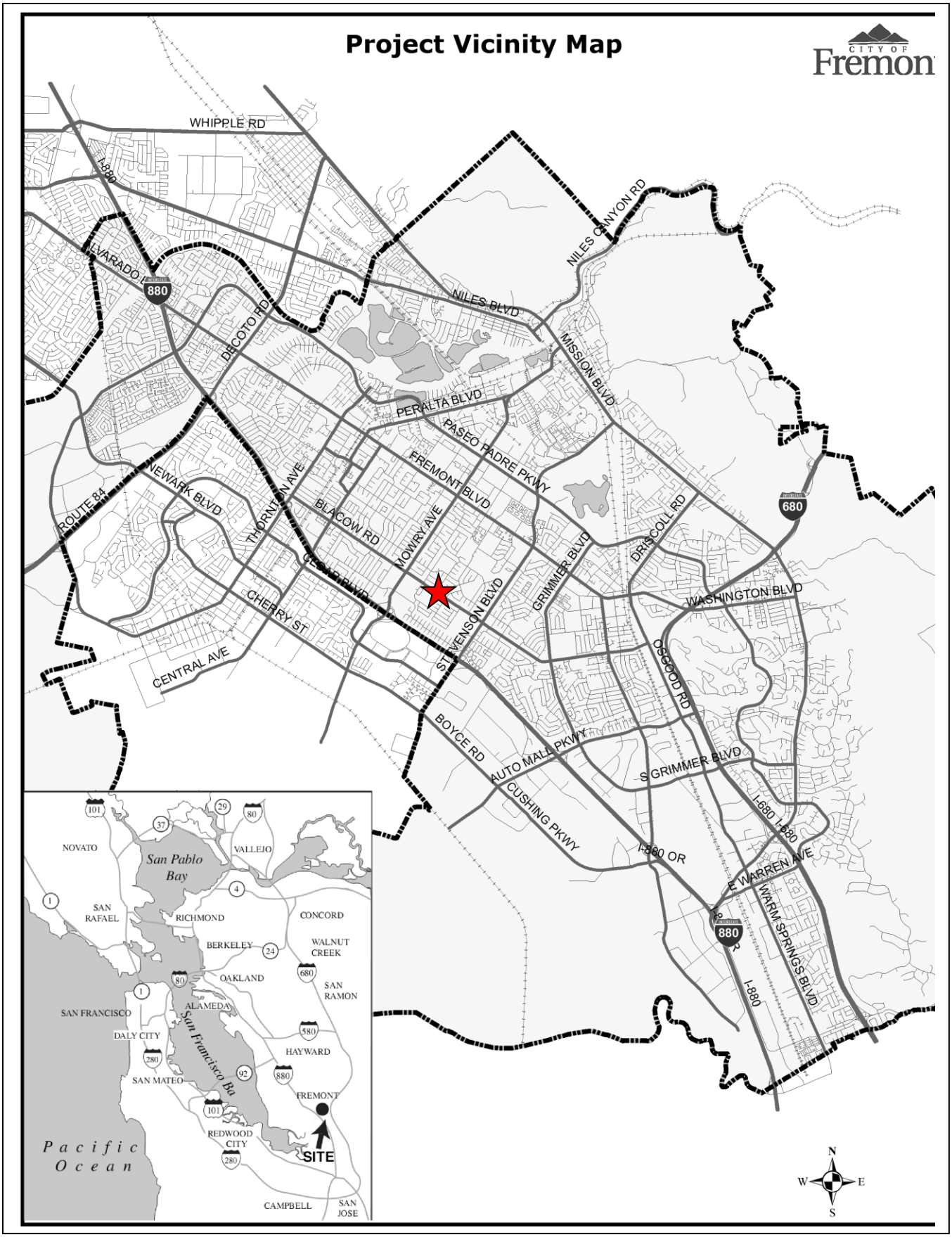
DETERMINATION BY THE CITY OF FREMONT: On the basis of this initial evaluation:

	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: James Willis Date: 11/16/2018

Printed Name: James Willis For: City of Fremont

Principal Planner Review: Ingrid Rademaker


Project Vicinity Map
CITY OF Fremont
WHIPPLE RD
I-880
ALVARADO
880
DECOTO RD
NILES CANYON RD
NILES BLVD
MISSION BLVD
PERALTA BLVD
PASEO PADRE PKWY
FREMONT BLVD
NEWARK BLVD
ROUTE 84
THORNTON AVE
BLACOW RD
MOWRY AVE
CESAR BLVD
CHERRY ST
CENTRAL AVE
STEVENSON BLVD
GRIMMER BLVD
DRISCOLL RD
680
WASHINGTON BLVD
OSGOOD RD
BOYCE RD
AUTO MALL PKWY
CUSHING PKWY
S GRIMMER BLVD
I-680
I-880
I-880 OR
E WARREN AVE
WARM SPRINGS BLVD
NOVATO
San Pablo Bay
VALLEJO
SAN RAFAEL
RICHMOND
CONCORD
BERKELEY
WALNUT CREEK
OAKLAND
SAN RAMON
SAN FRANCISCO
ALAMEDA
San Francisco Ba
DALY CITY
HAYWARD
SAN MATEO
FREMONT
REDWOOD CITY
SITE
Pacific Ocean
CAMPBELL
SAN JOSE
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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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home and two detached accessory structures. 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 northeast of the site 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 limited from the project site as a result of existing development and the distance to the hills. There is currently no existing sidewalk in front of the project site as the Blacow frontage road ends at the site. A curb and gutter exists along the main travel lanes of Blacow Road and the frontage road is proposed, as part of this project, to extend through the site to connect with the rest of the Blacow Road frontage.

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 surrounding the project site. There are very limited scenic vistas from the site to the East Bay hills due to existing development and the approximate 3 to 4-mile distance from the site to these hills. There are a 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 Trees, Bugs, Dirt Consulting on November 1, 2017. Fourteen trees are designated for removal as part of the proposed project. 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 is one single family home and two accessory structures at the site. The single family home is two stories while the accessory structures are single story. Much of the site is undeveloped and contains trees and grasses. Implementation of the proposed project would noticeably alter the existing character of the site. The area surrounding the site, however, is already developed with single-family residential land uses. Thus the development of the site to construct the proposed eight single family homes would be in keeping with the character of surrounding land uses. The surrounding residential properties consist of primarily single story structures with one two-story single-family dwelling to the south. As designed, the proposed homes would be two-story homes which are similar in height and mass to what would be allowed in the surrounding R-1-6 zoning. One lot would contain a single-story home which would also be similar to what would be allowed in the surrounding zoning. Existing regulations in the Citywide Design Guidelines requiring consistent neighborhood development patterns, and lower profile roof forms would regulate privacy and consistency with the surrounding neighborhood.

The project would extend the Blacow frontage road and 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: Less Than Significant 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 one single family home with two detached accessory structures. 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.

Construction activities for the site would be required to be within the City's construction hours, which are limited to the daytime hours (7am to 7pm on weekdays; 9am to 6pm on Saturdays and holidays, no construction allowed on Sunday). Compliance with these hours would reduce construction-related impacts from light and glare to less than significant.

Potential Impact: Less than Significant
Mitigation: None Required

II. AGRICULTURE AND FOREST RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Dept. of Conservation and Alameda County Important Farmland Map (2014) 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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home and two detached accessory structures. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's.

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: https://maps.conservation.ca.gov/dlrp/ciff/

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 2016 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 site is zoned single family residential (R-1-6) and all agricultural activities that occurred historically on the parcel ceased by the mid-1950s when the surrounding residential subdivisions were created.

As shown on the California Department of Conservation's 2016 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 site does not contain any forest or timberlands, thus 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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The parcel contains one single family home and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The project site is flat and interspersed with approximately fourteen trees.

The project is located in Alameda County, which is in the San Francisco Bay Area Air Basin. Ambient air quality standards have been established at both the State and federal level. The Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM10), and fine particulate matter (PM2.5).

Air Pollutants of Concern

High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NOX). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. The highest ozone levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources. High ozone levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort.

Particulate matter is another problematic air pollutant of the Bay Area. Particulate matter is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM10) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM2.5). Elevated concentrations of PM10 and PM2.5 are the result of both region-wide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Toxic Air Contaminants

TACs are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three quarters of the cancer risk from TACs (based on the Bay Area average). According to the California Air Resources Board (CARB), diesel exhaust is a complex mixture of gases, vapors, and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the CARB, and are listed as carcinogens either under the State's Proposition 65 or under the Federal Hazardous Air Pollutants programs. The most recent Office of Environmental Health Hazard Assessment (OEHHA) risk assessment guidelines were published in February of 2015.

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)
- BAAQMD 2017 Clean Air Plan, Spare the Air, Cool the Climate: 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 and provides a regional strategy to attain state and federal air quality standards by reducing ozone, PM, and toxic air contaminants (TACs).

- A network of BAAQMD monitoring stations continually measures the ambient concentrations of these pollutants for reporting purposes. The closest such monitoring station is located at 935 Piedmont Road in San Jose. Ozone precursors and particulate matter are the primary air pollutants of concern for development projects. These include reactive organic gases (ROG), nitrous oxides (NOx), and particulate matter (PM_{10} and $PM_{2.5}$). Thresholds are whether a project would exceed the emissions of 10 tons per year or 54 lbs. per day for ozone precursors. 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*. Projects that are consistent with the assumptions used in development of the air quality plan are considered to not conflict or obstruct the attainment of air quality levels identified in the plan.

The Draft Environmental Impact Report (EIR) prepared for the 2011 General Plan concluded that development projects consistent with the General Plan would not cause or contribute to a violation of the ambient air quality standard for carbon monoxide. The proposed project would not require a General Plan Amendment to allow construction of the proposed residential units. The proposed project would be consistent with the existing land use designation of low density residential, which allows a density range of between 2.3 to 8.7 dwelling units per acre. The proposed density/intensity of the site was anticipated for the site based on this General Plan designation. Therefore, the proposed project would not conflict with or obstruct implementation of the air quality plan, nor would it increase the severity of existing violations.

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

Potential Impact: Less than Significant
Mitigation: None Required

b-c) 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 Two family residential	325 du (ROG)	56 du	114 du (ROG)
>>Proposed Project	*8 du*	*8 du*	*8 du*

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

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?

Operational Community Risk Impacts:

Project impacts related to increased community risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of TACs or by introducing a new source of TACs with the potential to adversely affect existing sensitive

receptors in the project vicinity. The project would introduce new sensitive receptors (residences) in the proximity of nearby TAC sources, such as Blacow Road. Though not necessarily a CEQA issue, the effect of existing TAC sources on future project receptors (residences) is analyzed to comply with the Clean Air Plan goal of reducing population TAC exposure and protecting public health in the Bay Area. The BAAQMD recommends using a 1,000-foot screening radius around a project site for purposes of identifying community health risk from siting a new sensitive receptor or a new source of TACs.

The project would not be a substantial source of localized TACs. However, temporary project construction activity would generate dust and equipment exhaust on a temporary basis that could affect nearby sensitive receptors. Community risk impacts are addressed by predicting increased lifetime cancer risk, the increase in annual PM2.5 concentrations and computing the Hazard Index (HI) for non-cancer health risks.

Community health risk assessments typically look at all substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of a project site. These sources include freeways or highways, busy surface streets, and stationary sources identified by BAAQMD. Traffic on high volume roadways is a source of TAC emissions that may adversely affect sensitive receptors in close proximity to the roadway. A review of the project area indicates that traffic on Blacow Road would exceed 10,000 vehicles per day. Other nearby streets are assumed to have less than 10,000 vehicles per day. A review of BAAQMD's stationary source Google Earth Map Tool identified no stationary sources with the potential to affect the project site.

Local Roadways:

For local roadways, BAAQMD has provided the *Roadway Screening Analysis Calculator* to assess whether roadways with traffic volumes of over 10,000 vehicles per day may have a potentially significant effect on a proposed project. The average daily traffic (ADT) on Blacow Road was estimated to be approximately 17,000 based on a 20 percent increase from the City of Fremont's 2010 traffic counts table for Blacow Road between Stevenson Boulevard and Mowry Avenue. Using the BAAQMD *Roadway Screening Analysis Calculator* for Alameda County for a north-south directional roadway and at a distance of approximately 50 feet east of the roadway, estimated cancer risk from Blacow Road at the project site would be would be 8.2 per million and the PM2.5 concentration would be 0.24 micrograms per cubic meter (µg/m3). Chronic or acute HI for the roadway would be below 0.01.

The combined cancer risk, PM2.5 concentration, and non-cancer HI would not exceed the City of Fremont community risk significant thresholds, as shown in the table below. Therefore, community risk impact would be a *less-than-significant*.

Table: Community TAC Levels

Source	Cancer Risk (per million)	Annual $PM_{2.5}$ ($\mu g/m^3$)	Acute or Chronic Hazard Index
Blacow Road (north-south) at 50 feet east, ADT 17,000	8.2	0.24	<0.01
Fremont Combined Source Threshold Exceed?	*100.0* *No*	*0.8* *No*	*10.0* *No*

Construction Emissions: Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM2.5. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. A health risk assessment of the project construction activities was conducted by Illingworth and Rodkin, Inc. (*Oliveira Farm Cottages Air Quality Assessment, 2018)* that evaluated potential health effects of sensitive receptors at these nearby residences from construction emissions of DPM and PM2.5. The closest sensitive receptors to the project site are the adjacent single-family homes to the west, north, and east of the project site. There is also a school (Joseph Azevada Elementary School) south of the project site and on the opposite side of Blacow Road (see Figure 2). Children at the school are three years of age and older. Emissions and dispersion modeling was conducted to predict the off-site concentrations resulting from project construction, so that lifetime cancer risks and non-cancer health effects could be evaluated.

Construction activity is anticipated to include demolition, grading and site preparation, building construction, and paving. Construction period emissions of DPM and PM2.5 were modeled using the California Emissions Estimator Model (CalEEMod) Version 2016.3.2. A build-out construction schedule including equipment usage assumptions was developed based on CalEEMod defaults for a project of this type and size. The proposed project land uses were input into CalEEMod, which included 8 dwelling units entered as “Single Family Housing” on a 1.19-acre site. Up to 5,000 square feet of demolition was estimated from Google Earth and entered into the model.

Construction of the project is expected to occur over an approximate 12-month period beginning in January 2019. Construction period emissions were modeled using CalEEMod along with the anticipated project construction activity. The number and types of construction equipment and diesel vehicles, along with the anticipated length of their use for different phases of construction, were based on CalEEMod defaults for a project of this type and size. The CalEEMod modeling included emissions from truck and worker travel, assumed to occur over a distance of one mile on or near the site.

The CalEEMod model provided total uncontrolled annual PM10 exhaust emissions (assumed to be DPM) for the off-road construction equipment and for exhaust emissions from on-road vehicles, with total emissions from all construction stages of 0.061 tons (122 pounds). The onroad emissions are a result of haul truck travel during demolition and grading activities, worker travel, and vendor deliveries during construction. A trip length of one mile was used to represent vehicle travel while at or near the construction site. It was assumed that these emissions from onroad vehicles traveling at or near the site would occur at the construction site. Fugitive PM2.5 dust emissions were calculated by CalEEMod as 0.0085 tons (17 pounds) for the overall construction period. The maximum-modeled DPM and PM2.5 concentrations at a residential receptor occurred on the first floor of the residence adjacent to the eastern project boundary and for a school receptor occurred on the first floor in the northwest corner of the school.

Predicted Cancer Risks

Increased cancer risks were calculated using the maximum modeled concentrations and BAAQMD recommended risk assessment methods for an infant exposure (3rd trimester through two years of age) and for an adult exposure at residences and child exposures (three years to 16 years of age) at the learning center. The cancer risk calculations were based on applying the BAAQMD recommended age sensitivity factors to the TAC concentrations, as described in the Illingworth and Rodkin air quality assessment. Age-sensitivity factors reflect the greater

sensitivity of infants and small children to cancer causing TACs. Infant and adult exposures were assumed to occur at all residences through the entire construction period and child exposures were assumed to occur at the daycare through the entire construction period.

Results of this assessment indicate that the maximum increased residential cancer risks would be 58.0 in one million for an infant exposure and 1.0 in one million for an adult exposure. For a student exposure at the school, the maximum increased cancer risk would be 0.2 in one million. The locations of the residential and school receptors with the maximum cancer risk, or maximally exposed individual (MEI) are identified within the air quality assessment by Illingworth and Rodkin. The maximum residential excess cancer risk would exceed the significance threshold of 10.0 in one million. The air analysis conducted by Illingworth and Rodkin analyzed the percentage of reduction that would be achieved using, at a minimum, Tier 3 engines with CARB certified Level 3 Diesel Particulate Filers or equivalent. This would reduce the infant cancer risk to 6.1 in a million or less and annual PM2.5 concentration to .06ug/m3, which is less than the BAAQMD significance thresholds. Implementation of Mitigation Measure AQ-1 would be required to reduce this impact to a level of less-than-significant.

Potential Impact: Less Than Significant With Mitigation Incorporated
Mitigation Measure AIR-1: **Selection of equipment during construction to minimize emissions**. The project applicant shall develop a plan that demonstrates that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 83 percent reduction in particulate matter exhaust emissions or greater.

A feasible plan to achieve this reduction would be to require that all diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines with CARB-certified Level 3 Diesel Particulate Filters10 or equivalent. The use of equipment meeting U.S. EPA Tier 4 standards for particulate matter would also meet this requirement. Alternatively, the use of equipment that includes electric or alternatively-fueled equipment (i.e., non-diesel) 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.

Prior to issuance of a grading permit, the applicant shall provide a copy of the Plan to the Planning Division for review and approval and written documentation that the appropriate equipment has been secured.

Predicted Annual $PM_{2.5}$ Concentration
The maximum-modeled annual PM2.5 concentration, which is based on combined exhaust and fugitive dust emissions, was 0.43 µg/m3 at the residential MEI and 0.01 µg/m3 at the school MEI. The maximum residential PM2.5 concentration would exceed the significance threshold of 0.3 µg/m3. Implementation of Mitigation Measure AQ-1 outlined above would be required to reduce this impact to a level of less than-significant.

Predicted Non-Cancer Hazards
The maximum modeled annual DPM concentration (i.e., from construction exhaust) was 0.3531 µg/m3 at the residential MEI and less than 0.01 µg/m3 at the school MEI. The maximum computed Hazard Index (HI) based on this DPM concentration is 0.07 at the residential MEI and 0.00 at the school MEI. These concentrations do not exceed the BAAQMD significance criterion of an HI greater than 1.0.

Potential Impact: Less Than Significant
Mitigation: None Required.

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.

Cumulative Impact on Residential Construction Maximally Exposed Individual (MEI)
Both the single- and cumulative-source thresholds for health risks and hazards are evaluated for project construction impacts at the residential construction MEI. As shown in the table below, the project would have a *significant* impact because the project construction activities alone would exceed the single-source cancer risk threshold of 10.0 per million and single-source annual PM2.5 concentration threshold of 0.3 µg/m3. The project would not have a significant impact with respect to hazard impacts or the cumulative impacts at the residential MEI. *Implementation of Mitigation Measure AQ-1 would be required to reduce this impact to a level of less-than-significant.*

Combined Community TAC Levels at Residential MEI

Source	Cancer Risk (per million)	Annual $PM_{2.5}$ ($\mu g/m^3$)	Acute or Chronic Hazard Index
Project Construction Unmitigated Mitigated	**58.0 (infant)** 6.1 (infant)	**0.43** 0.06	0.07 <0.01
BAAQMD Single Sources Threshold	*10.0*	*0.3*	*1.0*
Exceed threshold?	**Yes (Unmitigated) No (Mitigated)**	**Yes (Unmitigated) No (Mitigated)**	**No**
Blacow Road (north-south) at 180 feet east, ADT 17,000	4.1	0.12	<0.01
Combined Sources *Unmitigated* *Mitigated*	62.1 10.2	0.55 0.18	<0.08 <0.02
Fremont Combined Source Threshold	*100.0*	*0.8*	*10.0*
Exceed threshold?	**No**	**No**	**No**

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 as the surrounding area is designated for and developed primarily with low density residential 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 implementation of the above listed standard development requirement (FMC Section 18.218.050), which includes measures to reduce equipment idling, would reduce potential temporary odor impacts from grading operations to less than significant. In addition, there are no existing uses in the project vicinity that produce objectionable odors nor are there any uses proposed that would produce objectionable odors, which could pose a nuisance to the project's future occupants. 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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. There are no corridors to any existing open space areas and there are no open waterways or wetland areas located near the site.

There are 14 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 Trees, Bugs, Dirt Landscape Consulting on November 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
- Fremont Municipal Code, Title 18, Planning and Zoning (Reformatted October 2012), Section 18.218 Standard Development Requirements
- 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 currently occupied by a single family home originally constructed in 1929 and two detached accessory structures. The site was previously part of a larger agricultural use which ceased in the 1940's. Because the project site has been occupied for several decades by the current residential use and regularly maintained, the ground within the project site does not provide suitable habitat for candidate, sensitive or special-status species. Nonetheless, the City's adopted standard development requirements for resource protection of special status species, outlined in detail in below would prevent burrowing owls from being adversely affected by the project.

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

(1) Burrowing Owl. New development projects with the potential to impact burrowing owl habitat through grading, demolition, and/or new construction shall implement the following measures prior to grading or ground disturbing activities:

a. Preconstruction Surveys. Preconstruction surveys for burrowing owls shall be conducted prior to the initiation of all project activities within potential burrowing owl nesting and roosting habitat (i.e., agricultural habitat with burrows of California ground squirrels) to determine if suitable burrowing owl habitat is present. Surveys shall be conducted by a qualified biologist in conformance with the most recent requirements and guidelines of the California Department of Fish and Wildlife (CDFW). The biologist shall determine the number and time frame (prior to construction) of surveys to be conducted.

b. Implement Buffer Zones. Areas currently occupied by burrowing owls shall be avoided for the duration of residing on site and/or the nesting period (February 1st through August 31st). The biologist will recommend a suitable buffer zone distance for avoidance of nesting or roosting habitat.

c. Passive Relocation. If burrowing owls cannot be avoided by the proposed project, then additional measures, such as passive relocation during the nonbreeding season, may be utilized to reduce any potential impacts. Measures for successful relocation shall be recommended by a qualified biologist in conformance with CDFW requirements and guidelines.

d. Initiation of Construction Activities. When a qualified biologist is able to determine that burrowing owls are no longer occupying the site and passive relocation is deemed successful, construction activities may continue. The applicant shall submit the determination of the biologist to the planning manager for authorization to continue.

The Tree Survey Report prepared for the site identifies 14 existing trees on or immediately adjacent to the project site, all of which would be removed and replaced. 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. Additionally, the proposed project could adversely affect, either directly or through habitat modification, special-status bird or bat species that nest or roost at the project site or within the nearby vicinity. The City's adopted standard development requirements for resource protection of special status species, outlined in detail in 2d below would prevent bird or bat nests from being adversely affected by the project by requiring protective measures such as pre-construction surveys, buffer zones, and monitoring. Implementation of the standard development requirement for special status species would reduce potential impacts to less than significant.

Furthermore, the site does not support riparian habitat given that it has previously been developed with agricultural and residential buildings and there are no federally protected wetlands on-site. Thus, no impacts to riparian habitat or wetlands would result and no mitigation is required.

Potential Impact: Less Than Significant
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 14 existing trees on the project site, all of which may provide suitable nesting habitat for some species of migratory birds and/or raptors. All 14 trees are proposed for removal. 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.

<u>FMC Section 18.218.050 (b) Biology, Special-Status Species.</u>

(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 Impact
Mitigation: None Required

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?

Fourteen existing trees are proposed for removal from the project site. Based on their size/species, including an ash, a pepper tree, an elm, and fruit trees, these trees would be 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 in poor health and are not landmark trees. They would be replaced with additional trees selected by the City's landscape architecture division, 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 AND TRIBAL 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			X		1, 28,

	of formal cemeteries?					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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home and two detached accessory structures. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's. A state Department of Parks and Recreation (DPR) Historic Inventory Form was prepared by Page & Turnbull in January 2018, which found the site and the surrounding area had been agricultural since the 1860's and has been surrounded by suburban housing since the 1950's. The site is not near any waterways or identified Native American sites.

NAHC Sacred Lands Inventory

On June 20, 2018, 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 June 25, 2018, 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), Chapter 18.175 Historic Resources
- Fremont Municipal Code, Title 18, Planning and Zoning (Reformatted October 2012), Chapter 18.218 Standard Development Requirements
- Public Resources Code, Sections 5020.1(k), 5024.1(c), pertaining to definitions of tribal cultural 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?

An historic evaluation was conducted by Page & Turnbull, Inc. in January 2018 and a DPR form was prepared for the site. It was found that while the main house was constructed in 1929 it was not eligible for the historic register because a second floor had been added which destroyed any historic integrity. The report concluded that the building had been altered ca. 1940 with a second story addition, which does not remain reflective of its original design and does not embody a type, period, or method of construction to the degree necessary for historic designation. Additionally, the report assessed that the building did not appear to be individually representative of significant patterns of events or cultural history, or significant in association with persons important to local, state, or national history. The report concluded that the farmhouse building did not appear to be eligible for individual listing in the National Register of Historic Places, the California Register of Historical Resources, or the Fremont Register of Historic Resources. The accessory structures on the site were found to lack historic potential as well.

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. Fremont Municipal Code Chapter 18.218 Standard Development Requirements contains standard rules related to construction activities and the protection of cultural resources. These rules include notification of local tribes and procedures for the accidental discovery of human remains or cultural artifacts. With required adherence to FMC section 218.050 (c)(2) as outlined below, potential impacts to archaeological, paleontological resources, and potential disturbance to human remains would be reduced to less than significant.

FMC Section 18.218.050 (c) Cultural Resources.

(2) Accidental Discovery of Cultural Resources. The following requirements shall be met to address the potential for accidental discovery of cultural resources during ground disturbing excavation:

(A) The project proponent shall include a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources.

(B) The project proponent shall retain a professional archaeologist to provide a preconstruction briefing to supervisory personnel of any excavation contractor to alert them to the possibility of exposing buried cultural resources, including significant prehistoric archaeological resources. The briefing shall discuss any cultural resources, including archaeological objects, that could be exposed, the need to stop excavation at the discovery, and the procedures to follow regarding discovery protection and notification of the project proponent and archaeological team.

(C) In the event that any human remains or historical, archaeological or paleontological resources are discovered during ground disturbing excavation, the provisions of CEQA Guidelines Sections 15064.5(e) and (f), and of subsection (c)(2)(D) of this section, requiring cessation of work, notification, and immediate evaluation shall be followed.

(D) If resources are discovered during ground disturbing activities that may be classified as historical, unique archaeological, or tribal cultural resources, ground disturbing activities shall cease immediately, and the planning manager shall be notified. The resources will be evaluated by a qualified archaeologist and, in the planning manager's discretion, a tribal cultural monitor. If the resources are determined to be historical, unique archaeological, or tribal cultural resources, then a plan for avoiding the resources shall be prepared. If avoidance is infeasible, then all significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. Any plan for avoidance or mitigation shall be subject to the approval of the planning manager.

(E) As used herein, "historical resource" means a historical resource as defined by CEQA Guidelines Section 15064.5(a); "unique archaeological resource" means unique archaeological resource as defined by Cal. Pub. Res. Code § 21083.2(g); and "tribal cultural resource" means tribal cultural resource as defined by Cal. Pub. Res. Code § 21074. Collectively, these terms describe "significant cultural materials."

Potential Impact: Less than Significant Impact
Mitigation: None Required

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 NAHC or during the site survey. However, these records maintained at the NAHC are not exhaustive and negative results do not preclude the presence of tribal resources in the project site. Fremont Municipal Code Chapter 18.218.050(c)(2), listed above, contains standard rules related to construction activities and the protection of cultural resources These rules include notification of local tribes and procedures for the accidental discovery of human remains or cultural artifacts.

A records search request for documented resources was sent to the Native American Heritage Commission (NAHC). The results of the search were negative for the site. Notice of the proposed project was also 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. With required adherence to the standards regulations for accidental discover of cultural resources during construction, impacts would be reduced to less than significant.

Potential Impact: Less than Significant Impact
Mitigation: None Required

VI. GEOLOGY AND SOILS - Would the project:

	ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X		1, 5, 6, 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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses.

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 within 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 Geotechnical Investigation prepared for the project by Quantum Geotechnical on July 2, 2018, 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 outlines Best Management Practices (BMPs) required to reduce the potential construction impacts related to erosion and topsoil loss to less than significant. BMPs to minimize erosion and topsoil would include, but would not be limited to, physical barriers to prevent erosion and sedimentation, construction of sedimentation basins, limitations on work periods during storm events, use of infiltration swales, protection of stockpiled materials, and a variety of other measures that would substantially reduce or prevent erosion from occurring during construction. The C3 Technical Guidance Manual, provided

through the Alameda Countywide Clean Water Program, of which the City of Fremont is a member (Clean Water Program, 2015) provides further details of specific BMPs, including measures for site design, source control, stormwater treatment, and hydromodification.

With adherence to the state, county and local requirements described above, impacts to life or property 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 metrics tons of CO2e. CARB projected that under business-as-usual conditions (no reduction effort) GHG emissions would grow to 596.4 million metric tons of CO2e by the year 2020. According to the Scoping Plan, reducing GHG emissions to 1990 levels requires cutting approximately 30 percent from the business-as-usual emission levels projected for 2020, or about 15 percent from 2010 levels. The target amount for the 2020 goal is an emission level of no more than 427 million metric tons of CO2e (the 1990 levels). On a per capita basis, this means reducing current annual emissions of 14 tons of CO2e for every person in California down to about 10 tons per person by 2020. The City of Fremont GHG emission inventory estimate for 2010 was 1.99 million metric tons with a service population of jobs and residents of 304,489.

Regulatory Framework

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

- City of Fremont General Plan Sustainability and Conservation Elements
- State Assembly Bill (AB) 32
- California Green Building Code (Mandatory)

Discussion/Conclusion/Mitigation

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

The BAAQMD CEQA Air Quality Guidelines contain methodology and thresholds of significance for evaluating the potential impacts of GHG emissions from land use projects. BAAQMD thresholds were developed specifically for the Bay Area after considering the latest GHG inventory and the effects of AB 32 Scoping Plan measures that would reduce regional emissions. 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 CO_2e or greater per year. Projects that have emissions below 1,100 MT of CO_2e 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 CO_2e per year per capita. Projects with emissions above this threshold would be considered to have an impact which, cumulatively, would be significant.

The Air District has also developed screening criteria to assist lead agencies with a conservative indication as to whether a project could result in potentially significant air quality impacts that would exceed the established thresholds. If the project meets the screening criteria, then more detailed air quality analysis would not be needed.

As shown in the table below, the attributes of the proposed residential project would be below the operational screening criteria established by the BAAQMD as a conservative estimate as to whether a project would exceed the 1,100 MT of CO2e/year threshold of significance for projects other than stationary sources.

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	325 du (ROG)	56 du	114 du (ROG)
>>Proposed Project	*8 du*	*8 du*	*8 du*

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. No significant soil export is expected to occur that would involve extensive transport. Grading plans estimate approximately 2,300 cubic yards of soil would need to be cut and filled on-site to achieve planned rough grading elevations, which would be well below the 10,000 cubic yard threshold that would be considered extensive material transport.

Furthermore, 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 Measure AIR-1 would reduce construction-related impacts from GHG emissions to less than significant. 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
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
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	1, 3
d.	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
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	N/A
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	N/A
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	1, 6, 7
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	N/A

Environmental Setting:
The project site consists of one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's. Between 1946 and 1958 there was an airport across the street from the project site.

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 would result from the project.

A Phase I environmental Assessment was prepared by Rosewood Environmental Engineering dated September 20, 2017. The Phase I identified an underground storage tank for a cattle dip which was removed in 1985. Cattle and sheep dip from that period was comprised of organophosphate pesticides, which do not persist in the environment for more than a few years and would not be detectable in soil at the site some thirty years later. Neither the site nor any adjacent properties were listed in regulatory databases. A number of regulated cases were identified within one mile of the site, however, the report concluded that due to distance or downgradient position relative to surface and groundwater flow, none of the cases would pose a significant threat to the site.

Due to the age of the existing structures at the site there is the possibility of lead based paints or asbestos which could be disturbed as part of the demolition of these structures. Implementation of Mitigation Measure HAZ-1 would reduce this impact to a less-than-significant level.

Potential Impact: Less than Significant with Mitigation Incorporated:
Mitigation Measure HAZ-1: 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. The Plans shall demonstrate how these hazardous materials would be property disposed of in accordance with federal and state law, including BAAQMD Regulation 11, Rule 2 (Asbestos Demolition, Renovation, and Manufacturing) as a condition of the demolition permit. Following completion of removal activities, the applicant shall submit documentation to the City verifying that all hazardous materials were properly removed and disposed.

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

The project site is not listed on any hazardous materials site databases compiled pursuant to Government Code Section 65962.5.

Potential Impact: No Impact
Mitigation: None Required

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

The project site is not located within an airport land use plan nor are there any public or private airports 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			X		1, 6,

	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?					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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The parcel contains one single family home and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's. The San Francisco Public Utilities Commission owned underground Hetch Hetchy aqueduct runs past the site to the south.

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?

The proposed development would not violate any water quality standards, deplete groundwater supplies, substantially alter the existing drainage pattern nor substantially degrade water quality. The project would be required to connect to the existing public sanitary sewer and storm drain systems that serve the area, and would obtain its water from existing piped public water mains serving the site. The Alameda County Water District has confirmed that it is capable of meeting the project's water demands without significantly impacting its 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 proposed project would result in 29,100 square feet of impervious surface. 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. These LID measures include source control, site design, and treatment measures to reduce the amount of stormwater runoff and improve the quality of stormwater runoff.

The City of Fremont requires the implementation of BMPs described in the C3 Technical Guidance Manual, provided through Alameda Countywide Clean Water Program, of which the City of Fremont is a member (Clean Water Program, 2015). These state and local requirements were developed to ensure that stormwater is managed and erosion is controlled on construction sites. The BMPs would include, but would not be limited to: physical barriers to prevent erosion and sedimentation, construction of sedimentation basins, limitations on work periods during storm events, use of infiltration swales, protection of stockpiled materials, and a variety of other measures that would substantially reduce or prevent erosion from occurring during construction. The C3 Technical Guidance Manual provides further details of specific BMPs, including measures for site design, source control, stormwater treatment, and hydromodification. The grading and building plans submitted by the applicant must demonstrate compliance prior to issuance of building permits.

Compliance with the regulations above and applicable C.3 requirements would ensure that impacts to water quality that would result from the project would be less than significant and no mitigation is required.

Potential Impact: Less Than Significant
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 a

landscape-based treatment area located within 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. 06001C0461G, 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:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Physically divide an established community?				X	1, 2, 3, 8
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	1, 2, 3, 8
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	1, 2, 3, 8

Environmental Setting
The project site consists of one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's.

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
- 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 develop an infill site 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. The proposed project would extend the Blacow Road frontage which currently stops at the site to connect the neighborhoods on both sides of the project site. This frontage extension and associated street improvements would extend the City's sidewalk system to allow easy pedestrian travel to nearby schools and shopping centers.

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 Policy 2-2.14: Maintaining and Improving Development Continuity
Integrate new large-scale development projects into the fabric of the existing community rather than allowing such projects to be self-contained, walled off or physically divided from surrounding uses. New development should be viewed as an opportunity to improve connectivity between neighborhoods. To the extent feasible, circulation systems and open spaces in such developments should tie into existing streets and open spaces on the perimeter. In addition, existing development should be retrofitted over time to reduce unnecessary walls and barriers and improve pedestrian connections between neighborhoods.

Land Use 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.

Mobility Element Policy 3-2.3: Pedestrian Networks
Integrate continuous pedestrian walkways in Fremont's City Center, Town Centers, residential neighborhoods, shopping centers, and school campuses. Place a priority on improving areas that are not connected by the City's pedestrian network, with the objective of making walking safer, more enjoyable, and more convenient.

Mobility Policy 3-3.2: Street Connectivity

Promote connectivity in the street network. Except where necessitated by topography, the use of dead-ends and cul-de-sacs shall be minimized, and the extension or preservation of a grid street pattern shall be encouraged. Additional street network connectivity (i.e., a "grid pattern") should be created and existing gaps in the road, bike, and pedestrian networks should be closed.

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

Environmental Setting
The project site consists of one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's.

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 (USGS, 2017), there are no known mineral resources of importance to the state or region on the site or within the surrounding area. Therefore, no impact to such resources would result.

Potential Impact: No Impact
Mitigation: None Required

XII. NOISE - Would the project result in:

ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless*	*Less Than Significant Impact*	*No Impact*	*Information Sources*

			Mitigation Incorporated			
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, F
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X		1, 3, 9, F
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X	1, 3, 9, F
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, F
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	N/A
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	N/A

Environmental Setting

The project site consists of one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The main noise source that affects the project site is roadway noise from vehicular traffic traveling along Blacow Road. Blacow Road is designated as an arterial street in the City's General Plan. The City's General Plan EIR establishes existing noise conditions along Blacow Road at the project site between Mowry Avenue and Stevenson Boulevard as 68 L_{dn} at 75-feet from the roadway centerline. The EIR estimated the future 2035 noise level to be 69 $L_{dn.}$ Interstate 880 is located approximately 0.5 miles southwest from the project site across several blocks developed with single family homes. The nearest railroad is approximately 1.6 miles to the west.

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.A, the maximum acceptable average outdoor noise level (or $L_{dn)}$ in residential areas is an L_{dn} of 60 dBA. This level 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 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 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 which is the primary noise source affecting the site. Blacow Road is an arterial street consisting of four lanes of traffic with a speed limit of 40 miles per hour. Blacow Road also includes minor two lane frontage roads with a speed limit of 25 miles per hour separated from the main Blacow Road by a landscaped median. The proposed project would complete the Blacow Road frontage in this area.

A noise analysis was recently done for a similarly designed project (Cindy Street Homes – PLN2017-00243) approximately 0.5 miles away along Mowry Avenue. Mowry Avenue is a six lane arterial street with a two lane frontage road. The noise analysis for the Cindy Street Homes project found that typical construction techniques could meet the maximum noise levels within the homes and the placement of two homes along the frontage (Blacow Road) would shield the private back yards of those homes from traffic noise sufficiently to reduce the outdoor Ldn noise level to 60 dBA.

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}.

The project is designed with two units adjacent and facing Blacow Road along the proposed Blacow frontage road. Proposed development would start approximately 150-feet from the roadway centerline. Additionally, the private yards for the two residential units along the road would be located another 20-feet back behind and shielded by the proposed attached garages and homes.

A noise analysis prepared for a similarly designed project on Mowry Avenue, where existing and future noise levels were estimated in the General Plan EIR to be higher, demonstrated that locating the private yards to the rear and shielded by the two homes along the Mowry Avenue frontage at 160-feet from the centerline would successfully shield the private back yards of the units from traffic noise and reduce the predicted exterior noise level from 69 to 60 dBA. Mowry Avenue is a higher traffic street than Blacow Road so by utilizing the same design as what was used at the Cindy Street project and at a greater distance from the noise source, the exterior noise level in the private outdoor yards would be reduced to less than or equal to 60dBA, which complies with the standard and would be a less than significant impact. No mitigation is required.

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

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. The noise analysis prepared for similarly designed Cindy Street Homes project concluded that the project

would not cause a substantial permanent increase in noise levels in the area due to the residential nature of the project, and the 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 of the two dwellings located directly facing the Blacow Road frontage. Implementation of Mitigation Measure Noise-1, below, would reduce impacts from noise caused by traffic on Blacow Road on the occupants of the affected dwelling units to a less-than-significant level.

Potential Impact: Less-than-Significant with Mitigation Incorporated.
Mitigation Measure NOISE-1: To reduce potential traffic noise impacts, the following measures shall be implemented by the applicant/developer for the homes located on lots 1 and 8:

a) Glazing shall have a sound transmission class (STC) rating of 35.
b) Exterior finish shall be three-coat stucco or system with equivalent weight per square foot.
c) Interior gypsum at exterior walls shall be 5/8" Type X or Type C.
d) Ceiling gypsum shall be 5/8" Type X or Type C.
e) Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical insulation.
f) As an alternative to the above-listed interior noise control measures, the applicant may provide a detailed analysis of interior noise-control measures once building plans become available. The analysis should be prepared by a qualified noise control engineer and shall outline the specific measures required to meet the City's 45dB Ldn interior noise level standards.

Vibration Analysis: The project site is located along Blacow Road with a two lane frontage road and landscape median between the project site and the main travel lanes of Blacow Road. Common sources of ground-borne vibration and noise include trains and construction activities such as blasting, pile driving and operating heavy earthmoving equipment. Construction of the proposed project would involve grading, site preparation, and construction activities but would not involve the use of construction equipment that would result in substantial ground-borne vibration or groundborne noise on properties adjacent to the project site. No pile driving, blasting, or substantial grading activities are proposed. Additionally, once the project site is developed with single-family residences, substantial ground-borne noise and vibration would not occur.

The City of Fremont has adopted the Federal Transit Administration's vibration impact assessment criteria for use in evaluating vibration impacts associated with development within 150 feet of rail lines. In addition, the General Plan Update EIR identifies that perceptible ground vibration levels are expected to occur at distances ranging from within about 50 to 150 feet from the tracks. The project site is located approximately 1.6 miles from the Union Pacific Railroad line. At this distance, vibration would not be perceptible. Therefore, the project would not result in the exposure of persons to or generation of excessive ground-borne noise and vibration, and would be considered a Less than Significant impact.

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. FMC Section 18.218.050(d) includes a standard resource protection requirement pertaining to noise, which would reduce potential temporary construction noise impacts to a less-than-significant level:

FMC Section 18.218.050 (d) Noise

(1) Construction Noise. To reduce the potential for noise impacts during construction, the following requirements shall be implemented:
   - (A) Construction equipment shall be well-maintained and used judiciously to be as quiet as practical.
   - (B) Construction, excavating, grading, and filling activities (including the loading and unloading of materials, truck movements, and warming of equipment motors) shall be limited as provided in Section 18.160.010.
   - (C) All internal combustion engine-driven equipment shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
   - (D) The contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
   - (E) Loading, staging areas, stationary noise generating equipment, etc., shall be located as far as feasible from sensitive receptors.
   - (F) The contractor shall comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.
   - **(G)** Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number for the project sponsor in the event of noise complaints. The applicant shall designate an on-site complaint and enforcement manager to track and respond to noise complaints.

Potential Impact: Less-than-Significant
Mitigation Measure: None Required

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

There are no public or private airports located in the City or vicinity. 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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses. The subject parcel was occupied by agricultural uses through the early 1940's, but was subdivided and developed with the surrounding residential uses starting in the late 1940's.

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 eight residential units. Construction of eight new housing units could result in a population increase of approximately 25 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 235,439as of January 2018. While the proposed project would result in population growth, the addition of eight 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 in-fill of under developed and skipped over parcels of land (Land Use Element Policies 2-1.11 and 2-3.4). In addition, the project site is surrounded by existing single-family residential 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 one existing dwelling unit, which has been vacant. Therefore, the project would not displace a substantial number of residents necessitating the construction of replacement housing elsewhere. As such, no impact would result and no mitigation is required.

Potential Impact: Less than Significant Impact
Mitigation: None Required

XIV. PUBLIC SERVICES:

ISSUES:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire/Police protection?				X	1, 10
Schools?				X	1, 10
Parks?				X	1, 10
Other public facilities?				X	1, 10

Existing Conditions
The project site consists of one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses.

The project site is located in an area that is designated in the General Plan for low density residential uses to the north, west and east of the site. The land to the south of the site is designated for public facility uses and is occupied by Azeveda Elementary School, a public school. 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 8 new dwelling units on the project site and add an estimated 25 persons to the City's population. Fire Station No. 1 is located 1.4 miles from the project site. Using an average travel speed of 25 miles per hour, it would take a fire engine 5 minutes to reach the project site from Station No. 1. 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 one single family home and develop eight new dwelling units on the project site, which would add an estimated 25 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 eight 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 six students to the Fremont Unified School District. Enrollment within the district was 35,430 in Academic Year 2017–2018; thus, the proposed project's estimated 6 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. As discussed below, FUSD collects Level III school impact fees, which would be collected before issuance of building permits for the project. Consistent with General Plan policy 9-9.1, the City has coordinated with the School District on project plans so the District can plan facility needs accordingly.

Parks and Other Public Facilities: The proposed project would develop 8 new dwelling units on the project site, which would add an estimated 25 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 related to the provision of new public facilities or services due to the project 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 1,215 acres of parkland, spread over 61 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 residential area of the City; Azeveda Park is across Blacow Road from the project 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 25 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:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X		1, 7
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			X		1, 7

	established by the county congestion management agency for designated roads or highways?					
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 and surrounded by existing single family homes on three sides. There is an existing elementary school across Blacow Road from the project site, however, vehicle access to the school is provided by Royal Palm Drive on the other side of the school site. The nearest signalized intersections to the site are Blacow Road/Coco Palm Drive to the southeast, and Blacow Road/Calaveras Avenue to the northwest. The nearest major intersection is Blacow Road/Mowry Avenue approximately 0.4 miles to the northwest.

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 eight new single-family dwellings is estimated to generate 66 weekday vehicle trips, 6 Weekday AM (7-9) peak hour trips, and 7 Weekday PM (4-6) peak hour trips. Trip generation estimates are based on ITE Trip Generation Handbook, 9th Edition, ITE #210 Single Family Detached Housing. Based on the estimated 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 existing Level of Service (LOS) at the nearest signalized Transportation engineering staff have indicated that the addition of 66 new weekday vehicle trips and 7 new weekday PM (4-6)

PM peak hour trips would not be sufficient to change LOS service at nearby signalized intersection or the nearest major intersection of Blacow Road/Mowry Avenue. The proposed project is consistent with the General Plan designation for the site and therefore the development intensity and density of the project were anticipated and analyzed in the 2011 General Plan Update EIR. For this reason, project impacts resulting from overall additional trip generation would be less than significant.

Potential Impact: Less than Significant
Mitigation: None Required

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

The proposed project would not have an impact on air traffic patterns as there are no airports in Fremont or near the project site. The design of the proposed project, including the new entrance to the private street from the new Blacow Road frontage, as well as the 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. The entrance to the private street would include traffic calming bulb outs into the new Blacow Road frontage as proposed by City Transportation Engineering staff. The extension and completion of the frontage road adjacent to the site entrance would increase safety for vehicles entering and exiting the site. 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 Blacow Road and the intersection 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. Rather, the completion of the frontage road as part of the project would increase safety as vehicles exiting the site would be restricted from entering directly into heavier arterial traffic. The project would also facilitate completion of the pedestrian sidewalk along the frontage road. 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 one parcel located at 39392 Blacow Road totaling 1.19 acres. The parcel contains one single family home constructed in 1929 and two detached accessory structures. The project site is located in an urbanized area fronting an arterial roadway and is surrounded by single-family residential uses.

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 eight 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:		*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a.	Does the project have the potential to degrade the quality of 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, 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: Selection of equipment during construction to minimize emissions. The project applicant shall develop a plan that demonstrates that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 83 percent reduction in particulate matter exhaust emissions or greater.

A feasible plan to achieve this reduction would be to require that all diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines with CARB-certified Level 3 Diesel Particulate Filters10 or equivalent. The use of equipment meeting U.S. EPA Tier 4 standards for particulate matter would also meet this requirement. Alternatively, the use of equipment that includes electric or alternatively-fueled equipment (i.e., non-diesel) 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.

Prior to issuance of a grading permit, the applicant shall provide a copy of the Plan to the Planning Division for review and approval and written documentation that the appropriate equipment has been secured.

Mitigation Measure HAZ-1: 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. The Plans shall demonstrate how these hazardous materials would be property disposed of in accordance with federal and state law, including BAAQMD Regulation 11, Rule 2 (Asbestos Demolition, Renovation, and Manufacturing) as a condition of the demolition permit. Following completion of removal activities, the applicant shall submit documentation to the City verifying that all hazardous materials were properly removed and disposed.

Mitigation Measure NOISE-1: To reduce potential traffic noise impacts, the following measures shall be implemented by the applicant/developer for the homes located on lots 1 and 8:

a) Glazing shall have a sound transmission class (STC) rating of 35.
b) Exterior finish shall be three-coat stucco or system with equivalent weight per square foot.
c) Interior gypsum at exterior walls shall be 5/8” Type X or Type C.
d) Ceiling gypsum shall be 5/8” Type X or Type C.
e) Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical insulation.
f) As an alternative to the above-listed interior noise control measures, the applicant may provide a detailed analysis of interior noise-control measures once building plans become available. The analysis should be prepared by a qualified noise control engineer and shall outline the specific measures required to meet the City’s 45dB Ldn interior noise level standards.

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 Meridian Associates, Inc. and Edward C. Novak Architecture

B. Site reconnaissance visit by City Planning Division,

C. Tree Survey Report prepared by Trees, Bugs, Dirt Landscape Consulting dated November 1, 2017

D. Preliminary Geotechnical Exploration prepared by Quantum Geotechnical, Inc., dated July 2, 2018

E. Phase I Environmental Site Assessment prepared by Rosewood Environmental Engineering, dated September 20, 2017

F. Noise Impact Analysis prepared for the Cindy Street Homes project (PLN2017-00243) by Saxelby Acoustics, dated July 20, 2017

G. Air Quality Analysis prepared by Illingworth & Rodkin, Inc., October 2018

H. Historic Evaluation (DPR Form) prepared by Page & Turnbull, Inc., January 2018