



U.S. Department of Housing and Urban Development

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## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** Serra Apartments

**Responsible Entity:** California Housing Finance Agency  
500 Capitol Mall, Ste. 1400  
Sacramento, CA 95814

**Grant Recipient**  
(if different than Responsible Entity): Same as Responsible Entity

**State/Local Identifier:**

**Preparer:** Nik Kilpelainen, Rincon Consultants, Inc.

**Certifying Officer Name and Title:** Tiena Johnson Hall, Executive Director  
California Housing Finance Agency  
500 Capitol Mall, Ste. 1400  
Sacramento, CA 95814

**Consultant** (if applicable): Rincon Consultants, Inc.

**Direct Comments to:** Mirna Ramirez, Loan Administrator  
California Housing and Finance Agency  
310-342-5419  
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**Project Location:** The project site is approximately 2.68 acres located at 42000 Osgood Road in the City of Fremont, Alameda County. The site consists of portions of accessor parcel number (APNs) Assessor's Parcel Numbers 525-0336-001-01 and 525-0336-001-02. Figure 1 shows the location of the project site within the region and Figure 2 shows the project site's immediate location.

**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed project (project) includes the demolition of a 2,736-square-foot commercial building and a couple of shed-like structures and construction of a new 179-unit multi-family apartment building on a 2.68-acre site located at 42000 Osgood Road. The six story, 60-foot building would contain four floors of residential units above a two-level podium parking garage, containing 225 parking spaces. The project unit mix includes 121 one-bedroom units, 50 two-bedroom units, and eight three-bedroom units. The project includes a total development footprint of approximately 55,750 square feet, with on-site amenities such as a ground-floor leasing office and lobby inside the main entrance, fitness room, computer room and clubhouse room, and three common outdoor courtyards on the third level. The project site plan is provided in Attachment A.

**Vehicle, Pedestrian, and Bicycle Access**

Twenty-nine existing trees would be removed from the site to accommodate the proposed development. Access would be provided via two driveway entrances along Osgood Road, both of which would lead into and out of the parking garage at grade-level openings. Traffic exiting both driveways would only be able to turn right (north) onto Osgood Road since the segment of Osgood Road fronting the project site is currently divided by a raised/landscaped median. A circular drive aisle would be provided around the rear of the site to enable emergency vehicles to access all four sides of the building. Existing sidewalks in the project vicinity provide pedestrian access to the site along Osgood Road. The existing pedestrian sidewalks along the roadway frontage would be retained and/or improved, with walkway access to the building perimeter. Personal storage spaces and secured bicycle parking facilities would also be provided for each unit within the building.

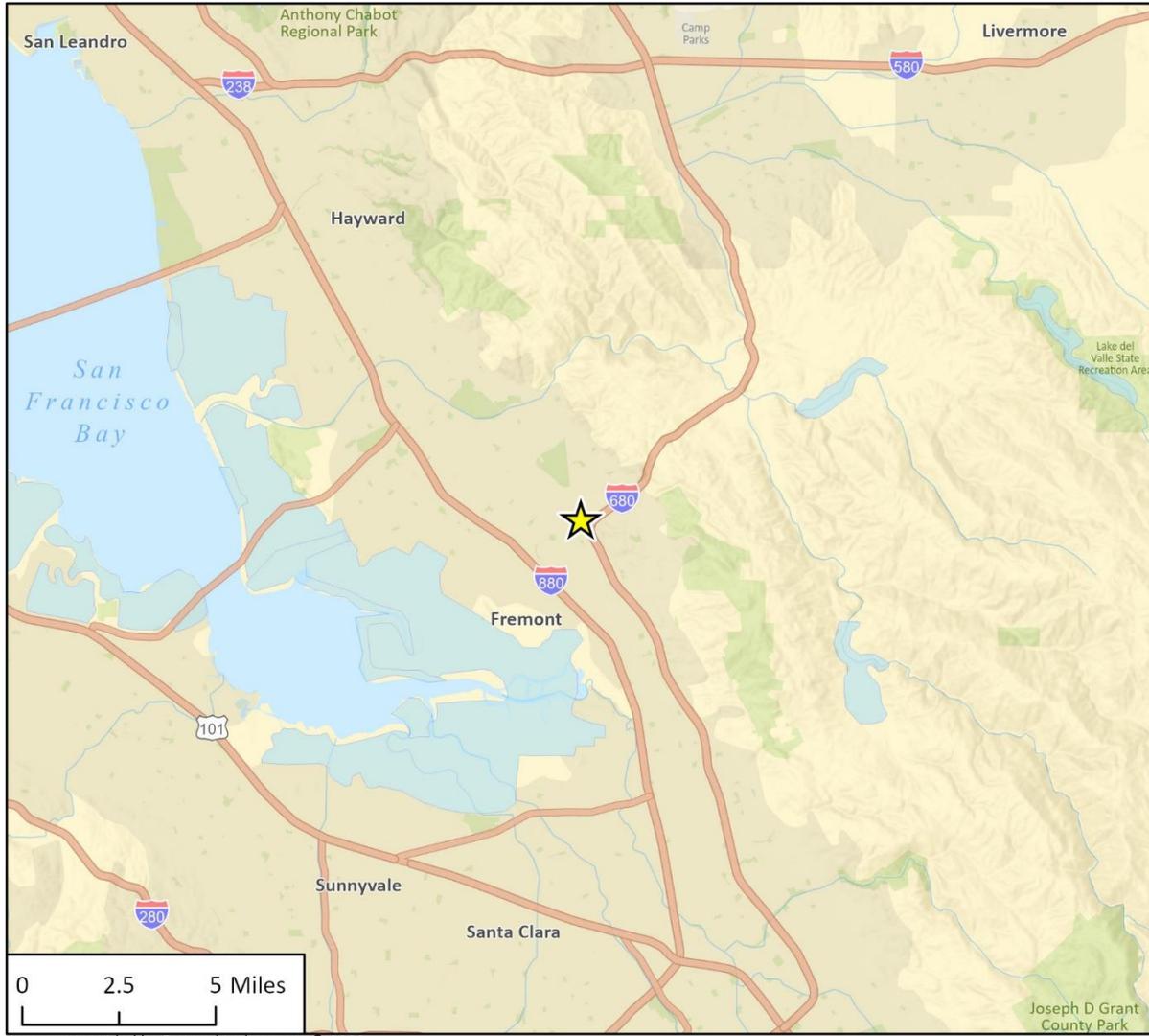
**Construction Schedule and Characteristics**

The project is planned for development in one phase. The project is anticipated to be constructed in twenty-four (24) months. Technical modeling for the project is based on a construction schedule beginning in January 2023 and ending December 2024. In order to level the site during grading, the project requires the removal of 28 trees and export of 27,500 cubic yards of soil. Demolition activities includes the removal of the 2,736 square foot industrial building on-site.

**Utilities and Services**

The project would include on-site sewer improvements and utility connections in accordance with requirements of the applicable utility providers for water, sewer, stormwater drainage, power, and telecommunications services. These utilities would connect to existing infrastructure in the vicinity of the project site. Pacific Gas and Electric Company would provide electrical power to the site and natural gas services. The City of Fremont would provide water and sewer service, storm water, and sewer services to the project site. The project includes trash/recycling storage enclosures for the residential use and a trash pick-up staging area in the northwest portion of the site, along the circular driveway.

**Figure 1 – Regional Location**



★ Project Location



**Figure 2 – Project Location**



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EPS Figures  
Fig 2 Project Location

Solid waste services for the project site would be provided by the City's contracted solid waste service provider, Republic Services. The project would rely on existing public services including, but not limited to, the City of Fremont Police Department and City of Fremont Fire Department, and parks and open spaces provided by the City of Fremont, the Alameda County, and the State of California.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]: The proposed project is a 179-unit rental new construction project. intended to provide affordable housing for families.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

#### EXISTING CONDITIONS

Fremont is a city located in the Greater San Francisco Bay Area in Northern California, United States. Fremont is located in Alameda County, which neighbors Santa Clara County to the south, Contra Costa County to the north, the San Francisco Bay to the west, and San Joaquin County to the east. The population was 229,476 as of January 1, 2022 (Source 1). The surrounding area is mostly residential, commercial, and service industrial. The project site is bounded by Osgood Road to the west. The City of Fremont General Plan Land Use Map designates the project site as Residential - Urban (30-70+ du/ac) and the site is zoned Residential (R-3-70).

#### SITE CHARACTERISTICS

The project site is currently developed with a 2,736-square-foot commercial building, paved parking and storage areas, and several outbuildings which occupy the front half of the property. The rear half is currently undeveloped and is overgrown with ruderal vegetation and littered with several piles of rubble and stockpiles of scrap material that have been allowed to accumulate by the existing landscaping contractor business that still occupies the site. The front half of the property where the existing buildings and stockpiles of rubble and scrap material are located is relatively flat, ranging in elevation from 70-80 feet above sea level. The rear, undeveloped half of the site runs steeply upward from 80 feet to a high point of 110 feet above sea level. The adjacent industrial and residential development located along Osgood Road is located at roughly the same elevation of 70-80 feet, while the single-family neighborhood uphill to the east is located approximately 170-175 feet above sea level.

#### TRENDS

The following describes the local housing trends in the area (source 2):

- Fremont is currently the fourth most populous city in the Bay Area, after San Jose, San Francisco, and Oakland, and therefore plays an important role in regional housing supply. Between its incorporation in 1956 to 1970, the City's population quadrupled from 25,000 to 100,000 persons. During the next three decades, the City's population doubled and by 2010, the City had an estimated 214,089 residents. Along with its steady population increase, Fremont has also grown older and more ethnically diverse.
- One likely result of the aging of Fremont's population is an increased demand for elder care services and facilities, including senior housing. In many cases, seniors will not need assistance finding housing so much as they will need assistance staying in the housing they already inhabit.
- When compared to Alameda County, Fremont has consistently maintained a higher household size over the last 43 years. This could indicate that Fremont historically housed a greater number of large families than other cities in the county. This family characteristic is important when

analyzing how the current housing stock (i.e. number of bedrooms or size) is accommodating household needs. The increase in household size since 1990 may also be attributed to an increase in multi-generational households in the City.

- Fremont’s senior population is growing and will continue to increase in the next decade. Fremont continues to attract families with children, and will face a continued demand for larger family homes. Based on the population trends seen in this section, housing programs will need to accommodate seniors with services that assist them to stay in their homes as long as possible, and also through the provision of affordable senior housing. There will also be a continued demand for larger units to accommodate families. Programs that assist 20-34 year-olds secure housing may also be desirable as a way to maintain age diversity in the community.
- There is a need in the Fremont community for housing that is affordable to 26 percent of households in the low to extremely low-income ranges. Of this 26 percent, approximately half of the households are living in rental housing, which suggests a need for affordable rental housing as well.

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
121-98118	YHC – 542(c) HFA Risk Sharing – FFB NC	\$27,179,522

**Estimated Total HUD Funded Amount:** \$27,179,522

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:** \$87,205,627

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The San Jose International Airport is the nearest civilian airport to the project site, located approximately eight miles to the south. The nearest military airport to the site is the Moffett Federal Airfield, located approximately nine miles southwest of the project site. The project site is not within a Federal Aviation Administration (FAA)-designated

		<p>civilian airport Runway Protection or Accident Potential Zone. In addition, the site is not located in an airport-related building height referral area. The proposed project would not result in adverse effects related to airport hazards.</p> <p><b>Source List: 5</b></p>
<p><b>Coastal Barrier Resources</b></p> <p>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Coastal Barrier Resources Act of the United States (CBRA, Public Law 97-348), enacted October 18, 1982, designated various undeveloped coastal barriers, depicted by a set of maps adopted by law, for inclusion in the John H. Chafee Coastal Barrier Resources System (CBRS). Designated areas were made ineligible for direct or indirect federal funding except for limited uses such as national security, navigability, and energy exploration. The Coastal Barrier Improvement Act of 1990 expanded these areas and added a new category of land called "otherwise protected areas," the majority of which are publicly held for conservation or recreational purposes. CBRS areas extend along the coasts of the Atlantic Ocean and the Gulf of Mexico, Puerto Rico, the US Virgin Islands, and the Great Lakes and consist of 857 units.</p> <p>Since there are no Coastal Barrier Resources in California, the project would not conflict with the Coastal Barrier Resources Act.</p> <p><b>Source List: 6</b></p>
<p><b>Flood Insurance</b></p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project does not involve property acquisition, land management, construction or improvement within a 100-year floodplain (Zones A or V) or 500-year floodplain (Zone B) identified on a Federal Emergency Management Agency Flood Insurance Rate Map (FIRM). The project site is located in Flood Hazard Area Designation X: Areas of minimal flooding (FIRM Map Number 06001C0464G; Effective 08/03/2010). Since the project site is not located in a Flood Zone, Flood Insurance is not required for the project.</p> <p><b>Source List: 7</b></p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b></p>		
<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p><b>Air Quality Background</b></p> <p>The project is located in City of Fremont, Alameda County, and within the San Francisco Bay Area Air Basin (SFBAAB). The SFBAAB is designated as nonattainment-marginal for the federal 8-hour ozone standard and nonattainment-moderate for particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>). In addition, the SFBAAB is in nonattainment for the state 8-hour ozone, PM<sub>2.5</sub>, and particulate matter less than 10 microns in diameter (PM<sub>10</sub>). Air quality in the</p>

SFBAAB is managed and regulated by the Bay Area Air Quality Management District (BAAQMD).

The majority of ozone formation occurs when nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO) and reactive organic gases (ROG), react in the atmosphere in the presence of sunlight. For this reason, NO<sub>x</sub>, CO, and ROG are called ozone precursors and are relevant criteria pollutants to evaluate nonattainment areas for ozone.

Ozone is produced by a photochemical reaction (triggered by sunlight) between NO<sub>x</sub> and ROG. NO<sub>x</sub> is formed during the combustion of fuels, while reactive organic gases are formed during combustion and evaporation of organic solvents. Because ozone requires sunlight to form, it mostly occurs in substantial concentrations between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to ozone include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors.

Atmospheric particulate matter is comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. The particulates that are of particular concern are PM<sub>10</sub> and PM<sub>2.5</sub>. The characteristics, sources, and potential health effects associated with PM<sub>10</sub> and PM<sub>2.5</sub> can be different. Major man-made sources of PM<sub>10</sub> are agricultural operations, industrial processes, combustion of fossil fuels, construction, demolition operations, and entrainment of road dust into the atmosphere. Natural sources include windblown dust, wildfire smoke, and sea spray salt. The finer, PM<sub>2.5</sub> particulates are generally associated with combustion processes as well as being formed in the atmosphere as a secondary pollutant through chemical reactions. PM<sub>2.5</sub> is more likely to penetrate deeply into the lungs and poses a serious health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter that is inhaled into the lungs remains there, which can cause permanent lung damage. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

**Significance Thresholds**

The Code of Federal Regulations (CFR) provides guidance to document Clean Air Act (CAA) Conformity Determination requirements. 40 CFR Part 93.153(b)(2) defines de minimis levels, which are the minimum thresholds for which a conformity determination must be performed for criteria pollutants based on the federal attainment status of the pollutant

in the air basin. The federal *de Minimis* threshold for ROG and NO<sub>x</sub> in nonattainment areas that are classified as marginal is 100 tons per year. In addition, nonattainment areas that are classified as moderate for PM<sub>2.5</sub> is 100 tons per day. The federal *de Minimis* level for attainment/maintenance areas for CO, SO<sub>2</sub>, and PM<sub>10</sub> is 100 tons per year. Table 1 below presents the *de Minimis* levels for conformity determination for construction and operation, respectively. The project uses the *de Minimis* threshold to evaluate potential air quality impacts generated by construction and operation of the proposed project. CAA conformity thresholds applicable in the San Francisco Bay Area are 100 tons per year of ozone, PM<sub>2.5</sub>, CO, SO<sub>2</sub>, and PM<sub>10</sub>. (40 CFR §93.153).

**Table 1: Construction and Operational Air Pollution Emissions Thresholds**

Pollutant	Maximum Emissions (tpy)
	CAA Conformity Thresholds
Ozone <sup>1</sup>	100
PM <sub>2.5</sub>	100
CO	100
SO <sub>2</sub>	100
PM <sub>10</sub>	100

<sup>1</sup>Highest of ozone precursors emissions (ROG or NO<sub>x</sub>)  
tpy = tons per year

**Methodology**

The California Emissions Estimator Model (CalEEMod) version 2020.4.0 was used to estimate construction and operational emissions (Attachment B). Construction emissions modeled include emissions generated by construction equipment used on-site and vehicle trips associated with construction, such as worker and vendor trips. The proposed construction start date was assumed to begin in January 2023 and anticipated to occur over approximately two years. The modeled project construction equipment list used CalEEMod assumptions, and the equipment is assumed to be diesel-powered. The project would demolish approximately 2,736 square feet of existing structures, and approximately 27,500 cubic yards of soil would be exported off-site. Construction activities of the project would comply with Regulation 8 Rule 3 for architectural coating ROG limits.

Operational emissions modeled include mobile source emissions (i.e., vehicle emissions), energy emissions, and area source emissions. Mobile source emissions are generated by vehicle trips to and from the project site. Emissions attributed to energy use include natural gas consumption by appliances and space and water heating. In addition, area source emissions are

generated by consumer products, and architectural coatings. The project would not include fireplaces woodstoves, or landscaping.

### Impact Analysis

#### Construction Emissions

Emissions generated during construction of the project are shown in Table 2. As shown, emissions generated during project construction would not exceed the *de Minimis* threshold for both ROG, NO<sub>x</sub>, PM<sub>2.5</sub>, CO, SO<sub>2</sub>, and PM<sub>10</sub>. The project's construction activities would be in conformance with the Clean Air Act.

**Table 2: Construction Air Pollution Emissions**

Maximum Construction Emissions (tpy)			
Pollutant	CalEEMod Estimate	CAA Conformity Thresholds	Exceed?
Ozone <sup>1</sup>	2	100	No
PM <sub>2.5</sub>	<1	100	No
CO	2	100	No
SO <sub>2</sub>	<1	100	No
PM <sub>10</sub>	<1	100	No

<sup>1</sup>Highest of ozone precursors emissions (NO<sub>x</sub> is the highest)  
 tpy = tons per year  
 Source: Attachment B

#### Operational Emissions

Emissions generated during operation of the proposed project are shown in Table 3. As shown, emissions generated during project operation would not exceed the *de Minimis* threshold for both ROG, NO<sub>x</sub>, PM<sub>2.5</sub>, CO, SO<sub>2</sub>, and PM<sub>10</sub>. The project's operational activities would be in conformance with the Clean Air Act.

**Table 3: Annual Operational Air Pollution Emissions**

Maximum Operational Emissions (tpy)			
Pollutant	CalEEMod Estimate	CAA Conformity Thresholds	Exceed?
Ozone <sup>1</sup>	1	100	No
PM <sub>2.5</sub>	<1	100	No
CO	5	100	No
SO <sub>2</sub>	<1	100	No
PM <sub>10</sub>	1	100	No

<sup>1</sup>Highest of ozone precursors emissions (ROG is the highest)  
 tpy = tons per year  
 Source: Attachment B

		<p>The project would not generate emissions exceeding CAA conformity thresholds. Additionally, an Air Quality, Greenhouse Gas, and Health Risk Assessment was prepared by RCH Group in February 2016 as part of the CEQA approval process, which determined the project would not exceed local air district (BAAQMD) significance thresholds. The project would be in conformance with the Clean Air Act.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>This project is not located within or does not affect a Coastal Zone as defined in the state Coastal Management Plan and does not involve the acquisition of undeveloped land in a Coastal Zone Management area. The project would not conflict with the Coastal Zone Management Act.</p> <p><b>Source List: 10</b></p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>Rincon reviewed the following technical studies pertaining to the project site:</p> <ol style="list-style-type: none"> <li>1. EEI Geotechnical &amp; Environmental Solutions (EEI). 2015. Phase I Environmental Site Assessment, St. Anton Capital LLC, Commercial/Industrial Property, 42000 Osgood Road, City of Fremont, Alameda County, California. June 12, 2015.</li> <li>2. EEI. 2015. Limited Phase II Environmental Site Assessment Report, St. Anton Capital LLC, Commercial Industrial Property, 42000 Osgood Road, City of Fremont, Alameda County, California. July 30, 2015.</li> <li>3. EEI. 2017. Updated Geotechnical Evaluation, St. Anton Capital, Proposed Development, 42000 Osgood Road, Fremont, California. April 24, 2017.</li> <li>4. EnviroApplications, Inc. (EAI). 2020. Fill Material Characterization Report. October 20, 2020.</li> <li>5. EAI. 2022. Phase I Environmental Site Assessment Report for St. Anton 42000 Osgood, Proposed Residential Project, 42000 Osgood Road, Fremont, California. February 9, 2022.</li> </ol> <p>These five environmental documents are summarized in Rincon's Peer Review letter report, draft dated July 20, 2022 (Attachment C). As detailed in the Peer Review letter report, based on Rincon's review of these documents, the following project site conditions warrant further research and/or additional assessments:</p> <ul style="list-style-type: none"> <li>• Fill material and soil stockpile onsite</li> <li>• Former onsite automotive repair, asphalt, and landscaping businesses, including the former use of fuel underground storage tanks (USTs)</li> <li>• Paint storage areas onsite</li> <li>• Former onsite orchard</li> </ul>

- Lead-based paint and asbestos-containing materials in onsite structures
- Hazardous material pipelines and per- and polyfluoroalkyl substances

In order to ensure construction workers and future occupants of the site are not exposed to existing hazardous materials exposure, the following mitigation measures are required:

**MITIGATION MEASURES**

**HAZ-1: Regulatory Agency Notification and Oversight.** Prior to commencement of demolition and grading (construction) activities at the project site, the project applicant shall provide notification to the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB). Additionally, the project applicant shall provide to the SFBRWQCB the current development plan, any modifications to the development plan, unexpected underground features, and all former environmental documents completed for the project site.

Upon notification, the SFBRWQCB may require actions such as: development of subsurface investigation workplans; completion of soil, soil vapor, and/or groundwater subsurface investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports. Subsurface soil, soil vapor, and groundwater investigations, if required, shall be conducted in accordance with a sampling plan that shall be reviewed and approved by the SFBRWQCB.

It should also be noted that the SFBRWQCB may determine that the Alameda County Department of Environmental Health (ACDEH) or the Department of Toxic Substances Control (DTSC) may be best suited to perform the cleanup oversight agency duties for the assessment and/or remediation of the Project. Should the cleanup oversight agency be transferred from the SFBRWQCB to the ACDEH or the DTSC, this measure, along with other actions imposed by ACDEH or DTSC would still apply.

**HAZ-2: Subsurface Investigation.** The project applicant shall retain a qualified environmental consultant (Professional Geologist [PG] or Professional Engineer [PE]) to prepare and conduct subsurface investigations, as required by the SFBRWQCB, prior to demolition and grading (construction) activities at the project site. The subsurface investigations may include, but are not limited to, sampling of the following project site conditions:

- Fill material and soil stockpiles
- Former onsite USTs and automotive repair, asphalt, and landscaping businesses
- Paint storage areas
- Former onsite orchard

The subsurface investigations shall provide recommendations to address identified hazards and indicate when to apply those recommended actions in relation to proposed project activities.

Based on the findings of the subsurface investigations, the SFBRWQCB may require additional actions, such as a Site Mitigation Plan (see Mitigation Measure HAZ-3) and/or remediation (see Mitigation Measure HAZ-4).

**HAZ-3: Site Mitigation Plan (SMP).** Based on the findings of the subsurface investigations required in Mitigation Measure HAZ-2, the project applicant shall retain a qualified environmental consultant (PG or PE) to prepare a site mitigation plan (SMP) prior to demolition and construction. Where groundwater impacts are identified during implementation of Mitigation Measure HAZ-2, a groundwater management section shall be added to the SMP. The SMP, or equivalent document, shall be prepared to address onsite handling and management of impacted soils, groundwater, USTs, or other impacted wastes, and reduce hazards to construction workers and offsite receptors during construction. The plan must establish remedial measures and/or soil and groundwater management practices to ensure construction worker safety, the health of future workers and visitors, and the offsite migration of contaminants from the project site. These measures and practices may include, but are not limited to:

- Stockpile management, including dust control, stormwater pollution prevention, and the installation of Best Management Practices (BMPs)
- UST removal permitting/procedures
- Proper disposal procedures of contaminated materials
- Monitoring and reporting
- A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of project site construction activities with the requirements and procedures for employee protection

The health and safety plan shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.

		<p>Prior to demolition and grading (construction), the City shall confirm SFBRWQCB's approval of the SMP. The project applicant shall implement the project site SMP during demolition and grading (construction).</p> <p><b>HAZ-4: Remediation.</b> For onsite soil vapor impacts, offsite soil export, or soil and/or groundwater present within the construction envelope at the project site that contains chemicals at concentrations exceeding hazardous waste screening thresholds for contaminants in soil (California Code of Regulations [CCR] Title 22, Section 66261.24), the project applicant shall retain a qualified environmental consultant (PG or PE) to conduct additional analytical testing and recommend soil and groundwater disposal recommendations, or consider other remedial engineering controls, as necessary or required by the SFBRWQCB for the proposed project.</p> <p>The qualified environmental consultant shall utilize the project site analytical results for waste characterization purposes prior to offsite transportation or disposal of potentially impacted soils, groundwater, or other impacted wastes. The qualified environmental consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils, groundwater, or other impacted wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate for the project.</p> <p>Prior to demolition and grading (construction), the City shall confirm SFBRWQCB's approval of the disposal recommendations prior to transportation of waste soils offsite, and shall confirm SFBRWQCB's approval of remedial engineering controls, prior to construction. Remediation of impacted soils and groundwater and/or implementation of remedial engineering controls may require additional delineation of impacts; additional analytical testing per landfill or recycling facility requirements; soil excavation; groundwater pumping and treatment; and offsite disposal or recycling.</p> <p>The project applicant shall implement the project site disposal recommendations prior to transportation of waste soils and groundwater offsite, and implement remedial engineering controls during construction.</p> <p><b>Source List:</b> Attachment C</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project would occur a previously disturbed site in an urban area, lacking substantial vegetation communities to support special status species known to occur in the general area. A review of the United States Fish and Wildlife's Threatened and Endangered Species Active Critical Habitat Report confirmed the lack of designated critical habitat and federally listed species on the site (USFWS 2021). The nearest mapped critical habitat is located over 1.8 miles to the</p>

		<p>southwest, suitable for Contra Costa goldfields (<i>Lasthenia conjugens</i>).</p> <p>Based on the high degree of urbanization adjacent to the project site and the lack of suitable habitat on and adjacent to the site, the project would not conflict with provisions of the Endangered Species Act.</p> <p><b>Source List: 11</b></p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>Residential land uses typically do not use or store large quantities of hazardous materials. The proposed project would not involve the use, storage, transportation, or disposal of hazardous materials. Potentially hazardous materials such as fuels, lubricants, and solvents would be used during project construction, and therefore, temporary in nature. The transport, use, and disposal of hazardous materials during the project construction would be conducted in accordance with all applicable State and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Materials Management Act, and the California Code of Regulations, Title 22.</p> <p>Environmental Data Resources (EDR) conducted a radius records search, which is included as part of the Phase I Environmental Site Assessment prepared for the site (see Attachment C). Per the EDR records search, there are no registered aboveground storage tanks (ASTs) within 0.25 mile of the project site. Based on an aerial desktop review of the site and surrounding area, the field reconnaissance performed by Rincon, and a review of the CalEPA Regulated Site Portal, there are no potentially flammable or explosive hazardous substances listed in 24 CFR Part 51 Subpart C within one mile of the site.</p> <p><b>Source List: 11</b></p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project site is classified as Urban and Built Up Land, according the Department of Conservation's (DOC) Farmland Mapping and Monitoring Program (DOC 2016). Because the project site does not contain agricultural land, the project would not convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p> <p><b>Source List: 13</b></p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The project site is located in Flood Hazard Area Designation X: Areas of minimal flooding (FIRM Map Number 06001C0464G; Effective 08/03/2010)). Because the project is not located in a Special Flood Hazard Area or floodplain, residents would not be exposed to floodplain related hazards and the project would not conflict with provisions related to floodplain management. The project is in compliance with Executive Order 11988.</p>

		<b>Source List: 7</b>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>A Phase I Historical Study was prepared by Historic Resources Associates, in support of the proposed project in April 2022, and was revised in August 2022, subsequent to a peer review conducted by Rincon Consultants in July 2022. A Phase I Archaeological Study was prepared by Historic Resource Associates in April 2022 and was revised in July 2022, subsequent to a peer review conducted by Rincon Consultants in July 2022. These studies are included in Attachment D.</p> <p>The Archaeological and Historic Studies included delineation of the area of potential effect (APE), searches of the California Historical Resources Information System (CHRIS), Northwest Information Center (NWIC), Native American Heritage Commission (NAHC) Sacred Lands File (SLF), Native American outreach, a review of previous studies, historic-period map and aerial photograph review, and pedestrian surveys.</p> <p>The NWIC, CHRIS, SLF, Native American outreach, and field survey conducted for the study did not identify any cultural resources within the APE. None of the previously conducted studies included portions of the APE, nor did they identify cultural resources within or adjacent to the APE. No responses have been received to date as a result of the tribal outreach process.</p> <p>In regards to archaeological sensitivity, due to the grading on the parcel with extensive soils displacement, construction of various buildings and structures, and the lack of identified archaeological resources in the proximate area of the project site, the study determined that the project site has low sensitivity for below-grade or subsurface archaeological deposits (Attachment D).</p> <p>Historic Resources Associates completed an updated DPR site record reevaluating the property. As previously recommended by Dobkin and Hill in May 2000, the property does not appear to be a significant resource per the National Register of Historic Places under any of the Criteria. Based on the results of the findings, CalHFA has determined that a finding of No Historic Properties Affected in accordance with 36 CFR § 800.4(d)(1) is appropriate for the referenced undertaking. The revised 2022 studies were sent to SHPO on September 22 2022. SHPO sent a response letter dated October 20, 2022 stating that the finding was appropriate for the proposed project.</p> <p>Although no archaeological resources were identified within the APE, there is the possibility that buried archaeological materials could be found during construction activities, including excavation. Therefore, Mitigation Measure CR-1 is required to</p>

		<p>reduce adverse impacts related to the unanticipated discovery of archaeological resources. Additionally, there is the possibility that human remains could be found during construction activities. Therefore, Mitigation Measure CR-2 is required to reduce impacts regarding the unanticipated discovery of human remains.</p> <p><b>MITIGATION MEASURES</b></p> <p><b>CR-1: Unanticipated Resources.</b> If archaeological materials are encountered, all ground disturbing work shall be halted at the location of any discovery until a qualified archaeologist completes a significance evaluation of the find(s) pursuant to Section 106 of the National Historic Preservation Act (36 CFR Section 60.4).</p> <p><b>CR-2: Unanticipated Human Remains.</b> If human remains are encountered, all ground disturbing activity must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the NAHC. The NAHC will identify the person or persons believed to be the most likely descendent (MLD). The MLD will be provided access to the area to then make recommendations regarding the treatment of the remains with appropriate dignity.</p> <p><b>Source List: Attachment D</b></p>												
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>HUD's environmental noise regulations are set forth in 24 CFR Part 51, Sub-part B. Exterior noise goals from Section 51.101, Policy 8 establish the following Site Acceptability Thresholds, shown in Table 4 below.</p> <p style="text-align: center;"><b>Table 4</b> <b>Site Acceptability Standards</b></p> <table border="1" data-bbox="868 1276 1443 1665"> <thead> <tr> <th></th> <th style="text-align: center;">Day-night Average Sound Level</th> <th style="text-align: center;">Special Approvals and Requirements</th> </tr> </thead> <tbody> <tr> <td>Acceptable</td> <td>Not Exceeding 65 dB<sup>1</sup></td> <td>None.</td> </tr> <tr> <td>Normally Unacceptable</td> <td>Above 65 dB but not exceeding 75 dB</td> <td>Special Approvals<sup>2</sup> Environmental Review<sup>3</sup> Attenuation<sup>4</sup></td> </tr> <tr> <td>Unacceptable</td> <td>Above 75 dB</td> <td>Special Approvals<sup>2</sup> Environmental Review<sup>3</sup> Attenuation<sup>5</sup></td> </tr> </tbody> </table> <p><sup>1</sup> dB = Decibels Acceptable threshold may be shifted to 70 dB in special circumstances pursuant to §51.105(a).  <sup>2</sup> See § 51.104(b) for requirements.  <sup>3</sup> See § 51.104(b) for requirements.  <sup>4</sup> 5 dB additional attenuation required for sites above 65 dB but not exceeding 70 dB and 10 dB additional attenuation required for sites above 70 dB but not exceeding 75 dB. (See § 51.104(a).)</p>		Day-night Average Sound Level	Special Approvals and Requirements	Acceptable	Not Exceeding 65 dB <sup>1</sup>	None.	Normally Unacceptable	Above 65 dB but not exceeding 75 dB	Special Approvals <sup>2</sup> Environmental Review <sup>3</sup> Attenuation <sup>4</sup>	Unacceptable	Above 75 dB	Special Approvals <sup>2</sup> Environmental Review <sup>3</sup> Attenuation <sup>5</sup>
	Day-night Average Sound Level	Special Approvals and Requirements												
Acceptable	Not Exceeding 65 dB <sup>1</sup>	None.												
Normally Unacceptable	Above 65 dB but not exceeding 75 dB	Special Approvals <sup>2</sup> Environmental Review <sup>3</sup> Attenuation <sup>4</sup>												
Unacceptable	Above 75 dB	Special Approvals <sup>2</sup> Environmental Review <sup>3</sup> Attenuation <sup>5</sup>												

<sup>5</sup> Attenuation measures to be submitted to the Assistant Secretary for CPD for approval on a case-by-case basis.

Section 51.101, Policy 9 establishes that for HUD projects “the interior auditory environment shall not exceed 45 decibels day-night average sound level (dB DNL).” Attenuation measures to meet these interior goals must be employed where feasible. Emphasis must be given to noise sensitive interior spaces such as bedrooms. It is assumed that with threshold construction techniques buildings provide sufficient exterior-to-interior noise attenuation to achieve an interior noise level of 45 dBA DNL or less if the exterior level is 65 dBA DNL or less.

Table NN-5 of the City’s General Plan Noise and Nuisance Element indicates that exterior noise exposure up to 65 dBA CNEL is considered “Compatible” with multifamily residential land uses. The acceptable interior noise limit for new construction in habitable rooms is established at 45 dBA CNEL (r).

Bollard Acoustical Consultants, Inc. completed a project-specific Exterior Noise Analysis, dated January 2016. The report is summarized in this discussion and is included in Attachment E.

The primary noise source currently affecting the project site is roadway traffic on Osgood Road, which forms the western boundary of the site. (Attachment E) To characterize ambient noise levels at and near the project site, one 24-hour and two 10-minute sound level measurements were conducted on December 16 and December 17, 2015 between 12:00 AM and 11:00 PM on or near the project site. The results of these measurements are shown in Table 5. The existing ambient traffic noise for both project sites does not exceed HUD’s Acceptable average sound level of 65 dB, while the maximum noise levels characterized at the site are within HUD’s Normally Unacceptable average sound level (above 65 dB but not exceeding 75 dB). Furthermore, the measured ambient noise levels at Site A are currently in compliance with the City of Fremont 60 dB Ldn exterior noise level standard for residential uses.

**Table 5  
Noise Measurement Results**

Site	L <sub>dn</sub> (dB)	
	December 16	December 17
A	58	58
B	65	67

dBa = A-weighted sound pressure level  
Source: Environmental Noise Analysis, Attachment E

Future roadway traffic noise levels for the project were calculated using the HUD Day/Night Noise Level (DNL) Calculator traffic noise-reference levels and algorithms, and included project-generated traffic volumes. Future exterior roadway noise levels at the project site would range from 67 dBA community noise equivalent level (CNEL) at the nearest courtyard to approximately 71 dBA CNEL at the building facade. In addition, a -10 dB offset was applied to the future traffic noise levels at the nearest proposed outdoor activity area (courtyard) due to shielding from the intervening building. As a result, future traffic noise levels of 57 dBA CNEL are expected at the nearest courtyard. Therefore, future exterior vehicular traffic noise levels at outdoor usable areas on the project sites would be less than 65 dBA CNEL/DNL, and would comply with the acceptable exterior noise level exposure level for multifamily developments established in the City's General Plan Noise Element and HUD exterior noise threshold.

The project site would be exposed to future Osgood Road traffic noise levels which are in compliance with the City of Fremont's exterior noise level standard of 60 dB Ldn at the common outdoor activity area (courtyards). However, without construction improvements, the City's interior noise level standard of 45 dB Ldn would be exceeded at the units directly adjacent to Osgood Road. Therefore, Mitigation Measures NOI-1 and NOI-2 are required to ensure interior noise levels are below HUD's acceptable threshold of 45 dBA or less.

**MITIGATION MEASURES**

**N-1: Interior Noise Reduction.** The project shall incorporate the following, or other equally effective, techniques to reduce interior noise impacts consistent with the HUD interior noise standard of less than 45 dBA: dual pane windows for all residential units, laminated or similar with a Sound Transmission Class (STC) rating of at least 32; exterior walls facing the street shall be constructed of staggered wood studs, or equipped with a resilient channel between the studs and wallboard, or any other wall system with an STC rating of at least 32; exterior balcony doors facing the street shall be of a sound insulating design with an STC rating of at least 32; and all exterior doors and windows shall be installed with proper weather stripping. A pre-occupancy noise survey shall be conducted upon completion of project construction to ensure interior noise levels are within the acceptable HUD standards.

**N-2: Mechanical Ventilation.** Mechanical ventilation (air conditioning) should be provided for all residences in this development to allow the occupants to close

		doors and windows as desired to achieve compliance with the applicable interior noise level criteria. <b>Source List: Attachment E</b>
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is located over 25 miles north from the nearest sole source aquifer, the Santa Margarita Aquifer - Scotts Valley. The project site is not served by a United States Environmental Protection Agency (USEPA)-designated sole-source aquifer. Therefore, the project would have no effect on a sole-source aquifer subject to the HUD-USEPA Memorandum of Understanding (MOU). <b>Source List: 21</b>
<b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is in an urbanized area of Fremont. There are no wetlands on-site, and the nearest mapped wetland feature is a riverine located approximately 400 feet south of the site. Because the site does not contain any wetlands, the project would have no effect on a designated wetland or wetland area. <b>Source List: 22</b>
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The nearest wild and scenic river to the site is a segment of Sespe Creek, located approximately 20 miles northwest of the project site. Since the project would not affect a wild and scenic river, the project would not conflict with provisions of the Wild and Scenic Rivers Act. <b>Source List: 23</b>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is intended to provide affordable housing opportunities in the City of Fremont. The project site is located in an area characterized by a mix of commercial and residential uses, and the affordable residential units would result in beneficial long-term social and economic impacts for low-income populations. Based on the U.S. Environmental Justice Screening and Mapping Tool, the project site is located in a census block group (06001442200) where the demographics are 9 percent low income and 81 percent minority. The generated EJ Screen Report is attached as Attachment F.  As discussed above under <i>Clean Air</i> , the project would be consistent with the Clean Air Act. Further, as discussed under <i>Noise Abatement and Control, Contamination and Toxic Substances</i> , and <i>Explosive and Flammable Hazards</i> , the project would not expose the surrounding community to adverse environmental hazards.  Because the proposed project would not result in substantial adverse environmental effects, it would not result in disproportionately high adverse effects on minority or low-income populations, and the proposed

		project is not expected to create any environmental justice concerns. <b>Source List: Attachment F</b>
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**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>The project site is located within an urbanized area of the City of Fremont and is surrounded by residential, commercial, and light industrial uses. The project site is located on the eastern corridor of Osgood Road, which is surrounded by residential, commercial, and service industrial land uses per the City’s General Plan. The site is designated as Residential-Urban in the City’s General Plan and is zoned as Residential.</p> <p>The Fremont General Plan has number of policies that are applicable to the project; a discussion of project consistency with selected policies follows.</p> <p><i>General Plan Policies:</i></p> <p>The proposed project would be consistent with the following General Plan Housing Element and Land Use Element policies related to infill residential development, as the project would include new construction of an affordable residential development containing multiple land use amenities, along a transportation corridor which is well served by existing public transit infrastructure.</p> <p><b>LU Policy 2.1-11. Infill Emphasis.</b> Focus new development on underdeveloped or “skipped over” sites that are already served by infrastructure and public streets. Strongly discourage, and where appropriate prohibit, the conversion of open space or underdeveloped land on the fringes of Fremont to urban uses.</p> <p><b>LU Policy 2-2.5: Zoning and Subdivision Regulations.</b> 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</p>

		<p>between adjacent properties and uses, address land use conflicts, and protect the health and safety of residents, visitors, and workers.</p> <p><b>LU Policy 2-2.15: Land Use and Technology.</b> Encourage the use of technology to achieve more efficient land use patterns and more sustainable development. For example, this would include the use of stacked (mechanized) parking to reduce the land area required for surface parking or garages, access to wireless technology to facilitate home occupations and reduced commuting, and the development of gray water recycling systems to reduce water consumption.</p> <p><b>LU Policy 2-3.4: Infill Development.</b> Support infill development on vacant and underutilized land in Fremont’s neighborhoods, particularly where there are vacant lots or parcels that create “gaps” in the urban fabric and disrupt the continuity of a neighborhood. Such development should respect the scale and form of surrounding properties.</p> <p><b>LU Policy 2-3.8: Location of Higher Density Housing.</b> Generally locate new higher density housing in Priority Development Areas and the TOD Overlay where there is good access to transit, proximity to local-serving commercial uses, and proximity to collector or arterial streets. Conversely, the City should discourage the use of developable sites with these attributes for new low employee intensity or low value land uses.</p> <p><b>HE Policy 3.04.</b> Focus future housing, encouraging a mix of affordable and market rate, in Transit Oriented Development (TOD) areas and along transit corridors.</p> <p><b>HE Policy 2.02.</b> To reduce transportation costs and encourage diverse housing stock, emphasize walkable, connected neighborhoods with multiple land uses and housing types, rather than self-contained residential subdivisions with single housing types.</p> <p><b><u>Conclusion</u></b></p> <p>In addition to the policies outlined above, the project is consistent with the general criteria laid out within the City’s Housing Element. The project is consistent with the City’s general plan and zoning regulations for the reasons given above.</p> <p><b>Source List: 4, 24</b></p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>The project site is entirely comprised of urbanized land, according to the California Department of Conservation. The site is currently developed with an existing building and asphalt paving and does not have any substantial slopes, and as a result is not subject to landslides or erosion. All new development is required to comply with the current adopted California Building Code (CBC; adopted by reference into the City of Fremont Municipal Code in Section 15.10), which includes design criteria for seismic loading and other geologic hazards relating to seismicity, such as liquefaction. The CBC also includes design criteria for geologically induced loading that govern sizing of structural members and provide calculation methods to assist in the design process. The City also requires preparation of geotechnical reports for all development projects. These geotechnical reports would include soil sampling and laboratory testing to determine the soil’s susceptibility to expansion and differential settlement and would provide recommendations for design and construction methods to reduce potential impacts, as necessary. The project’s geotechnical report is</p>

		<p>included in Attachment G and states the project is geotechnically feasible.</p> <p>Furthermore, the CBC includes common engineering practices that would require special design and construction methods that reduce potential expansive soil and settlement-related impacts. Adherence to the City's Municipal Code and the CBC would reduce potential adverse impacts associated with development on unstable soils.</p> <p>Erosion of top soil may occur during construction, however the project would be required to conform with the provisions of the applicable federal, state, county, and City of Fremont's laws and ordinances which incorporates and implements the City's National Pollutant Discharge Elimination System (NPDES) permit and best management practices to reduce stormwater runoff. Adequate control of sedimentation and erosion must be incorporated into the project to address current legal requirements related to erosion control practices, including the use of standard soil erosion control measures during demolition and construction. Implementation of these standards would minimize potentially adverse effects from erosion.</p> <p>The project would not be subject to potential hazards related to slope failure, as the site and surroundings are generally level, and would not create new slopes. Furthermore, the site is not in an erosion-sensitive area (near water, drainage feature, or on a steep slope). Upon completion of the project, the site would be covered with impervious surfaces, however, the project incorporates stormwater control measures and on-site retention to control and retain run-off. During construction and operation of the proposed residential uses, the project sponsor would be required to comply with all applicable federal and local water quality and wastewater discharge requirements that include compliance with the City's NPDES permit and best management practices to reduce stormwater runoff.</p> <p><b>Source List: 4, 13, 24, 25</b></p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>2</p>	<p><i>Hazards/Noise</i></p> <p>As detailed in sections <i>Explosive and Flammable Hazards</i>, the project would not involve the use of, or subject residents to explosive or flammable materials. As discussed in <i>Contamination and Toxic Substances</i>, mitigation measures HAZ-1 through HAZ-4 are required, notifying applicable regulatory agencies, undergoing subsurface investigations, preparing a Soil Management Plan (SMP), and potential site remediation. As discussed in <i>Noise</i>, the project would not expose residents to excessive outdoor noise, however, mitigation measures N-1 and N-2 are required to achieve internal noise reduction under 45 DNL. With incorporation of mitigation measures, the project would not expose residents to noise levels in exceedance of HUD's interior or exterior noise thresholds.</p> <p><i>Geology and Seismicity</i></p> <p>The project site does not have significant slopes and is not subject to landslides or erosion. The site is not located within a liquefaction zone. Significant earthquakes have occurred in the Greater San Francisco Bay Area and are associated with crustal movements along a system of fault zones. The Hayward Fault is a right-lateral fault located along the hill slope directly east of the property. Earthquake intensities vary throughout the area, depending upon the magnitude of earthquake, the distance of the site from the causative fault, and the type of materials</p>

		<p>underlying the site. Compliance with the requirements of the latest California Building Code and implementation of recommendations included in the project specific geotechnical report, which includes earthquake standards, fire codes, and regulations would ensure adverse effects from earthquakes on the project are minimized.</p> <p><i>Site Safety</i></p> <p>The project would include the construction and operation of an apartment structure and parking on the project site. Vehicle access to the site would be provided via Osgood Road. Therefore, the project would not introduce new hazards or nuisances related to site circulation as it would not substantially change ingress and egress for vehicles. On-site circulation would be limited to residents, guests, and employees only.</p> <p><i>Odors</i></p> <p>Objectionable odors are typically associated with industrial uses such as agricultural facilities (e.g., farms and dairies), refineries, wastewater treatment facilities, and landfills. In urban areas, this may also include facilities with a high volume of diesel-fueled vehicles, such as bus depots. The project site is not located near a facility expected to result in nuisance odors, including diesel exhaust odors. In addition, proposed residential uses on-site would not be expected to generate objectionable odors that would affect a substantial number of people.</p> <p><b>Source List: Attachment G, 26, 27</b></p>
Energy Consumption	2	<p>Energy would be required during project construction; however, construction would be temporary and energy use would not exceed available supplies. Project operation may incrementally increase the consumption of electricity and natural gas in the long term for lighting and use of household electronics by project residents, but the project site is in an area currently served by utility providers. In addition, the project would be required to comply with the energy conservation requirements of Title 24 of the California Administrative Code and CalGreen. The project would not result in foreseeable energy inefficiencies and would not have a substantial adverse effect on energy consumption.</p>
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	2	<p>The project would be expected to create temporary construction jobs and a nominal number of project management (via managerial units and non-residential project amenities and maintenance jobs. The minor number of temporary construction and operational jobs generated by the project would not substantially alter long-term employment or income patterns.</p>
Demographic Character Changes, Displacement	2	<p>The project would involve the construction of 179 residential units on the project site. Based on average household size for the City of Fremont of 2.97 persons per household, this would represent an estimated 532 residents. The Department of Finance (DOF) estimated a population of 229,476 in January 2022 for the City of Fremont. The project would represent a net increase of approximately 0.2 percent to the City's population.</p> <p>Plan Bay Area's 2040 projections estimate a 2040 population in the City of Fremont of 275,440 persons. Based on the regional forecast, the City's 2020 population was 231,970. The project's estimated increase of 532 residents is approximately 0.2 percent of the regional growth forecasted between 2020-2040 (43,470 residents). The project's projected growth</p>

		<p>has been forecasted and accounted in local and regional forecasts and the project would not substantially change area demographics.</p> <p>The existing commercial/service industrial building located on the site would be demolished as part of the project. No residential units are located on the site. Adverse effects related to displacement of the landscaping business would not be significant.</p> <p><b>Source List: 28, 29</b></p>
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	<p>The Fremont Unified School District provides public education in the City of Fremont, including the project site. Fremont Unified School District is comprised of 29 elementary schools, 5 middle/junior high schools, 5 high schools, and 2 continuation/alternative high schools, with other preschool programs and adult education service facilities. The project site would be served by Grimmer Elementary School, Horner Middle School, and Irvington High School.</p> <p>Development on site could add approximately 532 residents (as described under subheading <i>Socioeconomic, Demographic Character Changes</i>). Based on the current City of Fremont's K-12 population percent of approximately 17 percent, the proposed project would result in the addition of approximately 90 K-12 aged residents (532 residents x 17%). This increase would not be expected to result in substantial adverse effects on local schools relative to existing overall enrollment. The applicant would be required to pay applicable school impact mitigation fees, which would ensure that the effects of the project on schools is not adverse.</p> <p>Cultural facilities are accessible from the project site via public transportation and would be available to future project residents. Cultural facilities in the vicinity of the project include the Museum of Local History and the Louise Meager Art Gallery, both located 1.5 miles east of the site and the located 3.5 miles southwest of the site.</p> <p><b>Source List: 30, 31</b></p>
Commercial Facilities	2	<p>The project site is located primarily within a residential and commercial area, with residential areas to the north and west. There are several restaurants within two miles of the project site vicinity, four grocery stores within 2.25 miles of the site, and several department stores located 2.25 miles north of the project site. Commercial facilities are available for future project residents and can also be accessed by alternative/transit options.</p>
Health Care and Social Services	2	<p>There are four hospitals and medical facilities within four miles of the project site. Major hospitals nearby include Kaiser Permanente Medical and Fremont Hospital, which are approximately two miles northwest of the site. The nearest medical clinics are Asian Medical Clinic located approximately 3 miles south and Newark Medical Center, approximately four miles to the west. Because medical facilities are located in the vicinity of the project site, adequate health services are present in the area.</p> <p>The project site is approximately three miles away from four separate social service organizations, which include Richika Social Service Organization, Fremont Family Support Services, Alameda County Social Services, and Newark Community and Human Services.</p>

		<p>Additionally, a YMCA facility is located 1.3 miles west of the project site. Social services are located in the area to serve future residents and the project would adversely affect existing health or social care facilities.</p>
Solid Waste Disposal / Recycling	2	<p>Refuse collection service would be provided to the project site by Republic Services, the City's contracted franchised hauler. Waste Management accepts most solid wastes, including refuse, construction and demolition debris, yard waste, and recyclables. Trash facilities would be provided to accommodate waste generated by the project. Solid waste collection service is already provided to adjacent properties, and the project would not represent a substantial increase in demand for solid waste disposal service in the City.</p> <p>The City delivers municipal solid waste to the Fremont Recycling and Transfer Station facility, located at 41149 Boyce Road. Waste is transferred to the Altamont Landfill, which is located at 10840 Altamont Pass Road in Livermore. The Altamont Landfill has daily maximum throughput of 11,500 cubic yards, a disposal capacity of 124,400,000 through 2070 and a remaining capacity of 65,400,000 cubic yards as of 2016. Based on the land use and emissions modeling conducted for the project, the project would generate approximately 82 tons of solid waste per year, or approximately 303 cubic yards per year (0.8 cubic yards per day) (Appendix B). This represents less than 0.006 percent of the permitted daily tonnage for the Altamont Landfill.</p> <p>In addition, the City of Fremont currently diverts solid waste by providing recycling and composting services. The project site would include facilities for recycling and composting service and sufficient solid waste services are available in the vicinity of the site.</p> <p><b>Source List: 32</b></p>
Waste Water / Sanitary Sewers	2	<p>The Union Sanitary District (USD) provides wastewater collection, treatment and disposal services to the City of Fremont, including the project site. The District maintains over 830 miles of sewer lines and seven pump stations. The majority of the City's wastewater goes to the Irvington Pump Station, from which it is conveyed to the Alvarado Treatment Plant, which currently has the capacity to treat 33 million gallons per day. On an average day, the District treats approximately 25 million gallons of wastewater for its customers.</p> <p>Assuming wastewater would be approximately 80 percent of the estimated water use (see Water Supply) below, the project would generate approximately 15.2 million gallons per year or 0.04 million gallons per day. The project would generate approximately 0.5 percent of the estimated remaining 8 million gallons of daily capacity of the Alvarado Treatment Plan. During the CEQA approval process for the project the Union Sanitary District was provided copies of the proposed plans and confirmed that their existing facilities are capable of accommodating the project's anticipated wastewater demands. The wastewater generated under the project would be within applicable wastewater treatment provider's capacity.</p> <p><b>Source List: 4</b></p>
Water Supply	2	<p>The Alameda County Water District (ACWD) would provide water supply services to the project site. ACWD obtains its water from both the Niles Cone Groundwater Basin and the Del Valle Reservoir. ACWD has analyzed the long-term water needs of its service area, which includes Fremont, Newark, and Union City, and has created an Urban</p>

		<p>Water Management Plan to manage water supply long-term. Through water saving strategies, water demand has decreased in recent years despite continued growth.</p> <p>Based on the land use and emissions modeling conducted for the project, the project would require approximately 19 million gallons of water per year or approximately 58-acre feet per year (Attachment B). The project would reduce water use relative to standard building practices by complying with Title 24 requirements. These water conservation measures would reduce the project’s burden on municipal water supply and wastewater systems. During the CEQA approval process for the project, the Alameda County Water District was provided copies of the proposed plans, and the water district confirmed that their existing facilities are capable of accommodating the project’s anticipated water demands. Therefore, the City’s existing water entitlements would be sufficient to serve the proposed project, and the construction of new water treatment facilities or the expansion of existing facilities would not be required.</p> <p><b>Source List:37</b></p>
<p>Public Safety - Police, Fire and Emergency Medical</p>	<p>2</p>	<p><i>Police Services</i></p> <p>Police protection services are provided by the City of Fremont Police Department. The Police Department deploys officers in three separate zones. The project site is located in Zone 3, which covers the southern portion of the City (generally south of the east-west stretch of I-680). The City has one police station located at 2000 Stevenson Boulevard, which is approximately two miles from the project site. The number of officers at a given time is dependent upon the time of day a given shift covers. The addition of 179 residential units is not anticipated to cause the hiring or new sworn officers or the necessity for infrastructure such as new Police Station, and the site is within the incorporated City boundaries and service boundaries of the Fremont Police Department. Project impacts related to police protection services would not be adverse, and the project site would be sufficiently served by existing police protection services.</p> <p><i>Fire Services</i></p> <p>Fire protection services in the project area are provided by the City of Fremont Fire Department. In 2018, the Fire Department responded to 10,661 medical calls for service and 458 fire emergencies. Emergency Medical Services (EMS) response accounted for approximately 65% of all calls. The City of Fremont aims to maintain a five minute thirty second response time 90 percent of the time for all emergencies located below the “Toe of the Hill” line. The average response time is three minutes and twenty eight seconds, which surpasses the City’s goal. The closest station to the site is Fire Station 3, located approximately 0.75 miles northwest. The Fremont Fire Department would also review the building permit for the project for conformance with the California Fire Code, and applicable sections of the California Health and Safety Code, California Administrative Codes, Title 19 Public Safety, and Title 24 Building Standards, to assure installation of adequate fire sprinklers, fire wall protection, fire hydrants, smoke detectors, and other similar fire prevention measures.</p> <p>While the Fremont Fire Department could receive a slight increase in calls for fire and emergency medical services as a result of the project, the project would have a minimum impact on these services at an</p>

		<p>individual level; additionally, the project site is located within the incorporated boundaries of the City, and the service area of the Fremont Fire Department. The Department has adequate fire protection and emergency medical services to serve the project site, without the need for new or physically altered facilities or significant staff increases.</p> <p>Since the project would be required to comply with the Fire Code and other applicable fire protection regulations, the project would not result in adverse impacts on fire protection. As the project site is within an existing service area, proposed residents would be adequately served by existing first-responder/paramedic services.</p> <p><b>Source List: 38, 39</b></p>
Parks, Open Space and Recreation	2	<p>The City of Fremont’s Recreation Services Division provides parks and recreation facilities and services to the City of Fremont. The City maintains approximately 1,148 acres of parkland, spread over 53 parks, which provide recreational facilities and opportunities to the community. A number of other agencies also maintain park and trail systems within the City, including the East Bay Regional Parks District, the Don Edwards San Francisco Bay National Wildlife Refuge, and the San Francisco Bay Trail. Parks operated by the City of Fremont in the vicinity of the project site include Mission San Jose Bicentennial Park (1.75 miles), Old Mission Park (1.5 miles) and Sabercat Historic Park (0.7 miles). Trails maintained by the East Bay Regional Park District are also located approximately two miles east of the project site, off of Witherly Lane.</p> <p>Residents of the project site would use local parks in the vicinity. The City maintains a parks to population ratio of 5 acres per 1,000 people. The project would add up to 532 residents to the City of Fremont. The addition of these residents would not result in a substantial reduction in the parkland to population ratio. Although the project would incrementally increase use of community and regional parks and recreation facilities, the City would continue to meet the City’s and National Recreation and Park Association’s standard of five park acres per 1,000 people. In addition, the City requires all new residential development to dedicate or development parkland, or pay in-lieu fees consistent with state law and the City’s impact fee program. The project would not result in a substantial increase in demand for park or recreation services in the vicinity, such that new facilities would be required to serve the project. Therefore, the proposed project would not have an adverse impact related to the provision of park and recreational facilities. There are sufficient recreational facilities within a reasonable distance to accommodate the residents’ needs.</p>
Transportation and Accessibility	2	<p>Transportation impacts caused by the project vary depending upon the number of personal vehicle trips the project would generate, the availability of public transit, the bicycle network, and the completeness of the nearby pedestrian network.</p> <p><i>Public Transit, Bicycle and Pedestrian</i></p> <p>Local bus service in the area is provided by the Alameda-Contra Costa Transit District (AC Transit), which operates two bus routes with stops in the vicinity of the project site. The 217 bus provides service to Fremont BART, Mission Boulevard, Warm Springs/South Fremont BART, and Milpitas BART. The 210 bus provides service to Union Landing Transit Center, Fremont Boulevard, and downtown Mission San Jose. Both the 217 and 210 buses operate at 30 minute intervals</p>

		<p>between the hours of 5:00AM and 11:00PM. The nearest Bart Station is located within 0.25 miles to the north of the project site.</p> <p>Existing sidewalks are located along Osgood and other streets in the vicinity of the project site. The project would generally follow existing access and circulation for pedestrians, similar to existing conditions. The project would not subject pedestrians to traffic related hazards. The project would provide 22 short term bicycle spaces and 96 long-term storage spaces, via a long-term bicycle storage room in the garage area.</p> <p>Existing vehicle, bicycle and transit facilities are sufficient to adequately serve the project. The project would not increase the demand for transportation substantially above current conditions.</p> <p><i>Trip Generation and Circulatory Network</i></p> <p>A Traffic Operations Study (TOS) was prepared for the proposed project by Hexagon Transportation Consultants, Inc., on April 15, 2016, which analyzed the project's estimated impacts on 12 separate intersections within the City (four of which were not analyzed in the General Plan Update EIR), including four off-ramps at two interchanges along the Interstate 680 freeway. While the project would contribute incrementally to the significant and unavoidable impacts at some of the City intersections identified in the General Plan Update EIR, the TOS concluded that it would not result in any new impacts or substantial changes to severity of impacts that were analyzed in the General Plan Update EIR. Furthermore, the study concluded that the project would not result in any significant impacts to freeway off-ramps or pedestrian/bicycle/transit facilities.</p> <p>The design of the project would meet all local requirements and policies related to emergency access, alternative transportation and congestion/transportation demand management. The project would not affect air traffic patterns, exacerbate any known existing traffic hazards, or result in inadequate emergency access to the site or the adjacent properties.</p> <p><b>Source List: 4</b></p>
Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	<p>There are no water courses, creeks, streams, seasonal wetlands or other water resources on the project site. The site contains an existing service commercial building, accessory structures, and vacant lot. The site is a flat, rectangular-shaped parcel. No unique features are located on the site. There are no active agricultural lands on or near the project site.</p> <p><b>Source List: 4, 13, 22, 40</b></p>
Vegetation, Wildlife	2	<p>The project site was previously disturbed through grading and construction of the existing commercial building. The site does not contain wetlands, vernal pools, riparian habitat, watercourses or other vegetation/wildlife habitat.</p> <p><b>Source List: 4, 11, 13, 22, 40</b></p>
Other Factors	2	<p>There are no other factors applicable to the proposed project. The project would provide affordable housing for individuals and families. The project intends to provide a safe, clean, and ADA accessible place for future residents.</p>

## **Additional Studies Performed:**

Attachment A - Project Site Plan

Attachment B - CalEEMod Output and Air Quality, Greenhouse Gas, and HRA Report

Attachment C – Contamination and Toxic Substances Documentation

Attachment D - Cultural Resources Documentation

Attachment E - Noise Calculations

Attachment F - EJScreen Report

Attachment G – Geotechnical Study

**Field Inspection** (Date and completed by): A reconnaissance visit to the project site was conducted by EnviroApplications on February 2, 2022 and a Phase I pedestrian survey of the site was completed by Historic Resource Associates on April 5, 2022.

## **List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

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United States Fish & Wildlife Service (USFWS). 2019. Coastal Barrier Resources System Mapper [map]. Accessible at: <https://www.fws.gov/cbra/maps/mapper.html> (accessed June 2022).

Federal Emergency Management Agency. 2022. National Flood Hazard Layer FIRMet. Accessible at: <https://msc.fema.gov/portal/home> (accessed June 2022).

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United States Environmental Protection Agency. (USEPA). 2020. Map of Sole Source Aquifer Locations. Accessible at: <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>. Accessed June 2022.

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Fremont Fire Department, 2018. Annual Report. Available online at <https://fremont.gov/DocumentCenter/View/40902/2018-Annual-Report-14-FinalCambria>. Accessed on March 18, 2020.

Union Sanitation District. 2022. Alvarado Treatment Plant. Accessible at: <https://www.unionsanitary.com/about-us/alvarado-treatment-plant>. Accessed October 2022.

AC Transit, 2022. Maps & Schedules. Available online at <http://www.actransit.org/maps/>. Accessed October 2022.

**List of Permits Obtained:** The project would require Site Plan Review, Grading Permit and Building Permits

**Public Outreach** [24 CFR 50.23 & 58.43]: None

**Cumulative Impact Analysis** [24 CFR 58.32]:

Cumulative impacts may occur as a result of other planned and pending development in the project site vicinity. The proposed project would entail development of 179 residential units, which would incrementally contribute to cumulative environmental changes. As discussed in the *Clean Air and Transportation and Accessibility* sections, the project's air pollutant emissions would not cause an exceedance of threshold levels and the project would generate a nominal number of new vehicle trips. In addition, with mitigation incorporated, the project's site specific adverse effects would not contribute to cumulative impacts related to other issues (e.g., on-site contamination). Therefore, potential cumulative impacts would not be considerable.

**Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

**Offsite Alternative:**

Consideration of an offsite alternative is not warranted because there are no substantial adverse effects that would result from the project, or if potentially adverse effects were identified, mitigation has been required to reduce those potentially adverse effects to a less than significant level. The project would involve construction of a residential building on the specific site being studied.

**Reduced Project:**

Reducing the number of units and/or the square footage of non-residential space would provide less affordable housing within the project area. A reduced project with fewer units in a smaller building and that would accommodate a smaller residential population would have similar environmental

impacts as the proposed project, but slightly lower in magnitude. In particular, by decreasing the number of residents on-site, a reduced residential project would reduce impacts associated with air quality, utilities, and transportation, but none of these impacts are adverse under the existing project.

**No Action Alternative [24 CFR 58.40(e)]:**

If the proposed project were not implemented, the project site would continue not to contribute to providing low-income housing. Because there would be no construction and no operational changes under the No Action Alternative, it would have no adverse environmental effects. However, the No Action Alternative would not support the City’s goals of increasing the availability of affordable housing units.

**Summary of Findings and Conclusions:**

The project would involve construction of a six-story residential building with 179 dwelling units located in the City of Fremont.

The project would not have any potentially significant environmental impacts to the extent that an Environmental Impact Statement would be required. The project would result in minor adverse but mitigable impacts for several environmental issue areas, including *Contamination and Toxic Substances, Historic Preservation, and Noise Abatement and Control*. For social impacts, the project would benefit low-income populations in Fremont by providing affordable housing. For all remaining issue areas, the project is not expected to result in adverse effects.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Contamination and Toxic Substances	<p><b>HAZ-1: Regulatory Agency Notification and Oversight.</b> Prior to commencement of demolition and grading (construction) activities at the project site, the project applicant shall provide notification to the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB). Additionally, the project applicant shall provide to the SFBRWQCB the current development plan, any modifications to the development plan, unexpected underground features, and all former environmental documents completed for the project site.</p> <p>Upon notification, the SFBRWQCB may require actions such as: development of subsurface investigation workplans; completion of soil, soil vapor, and/or groundwater subsurface investigations; installation of soil vapor or groundwater monitoring wells; soil excavation and offsite disposal; completion of human health risk assessments; and/or completion of remediation reports. Subsurface soil, soil vapor, and groundwater investigations, if required, shall be conducted in accordance</p>

with a sampling plan that shall be reviewed and approved by the SFBRWQCB.

It should also be noted that the SFBRWQCB may determine that the Alameda County Department of Environmental Health (ACDEH) or the Department of Toxic Substances Control (DTSC) may be best suited to perform the cleanup oversight agency duties for the assessment and/or remediation of the Project. Should the cleanup oversight agency be transferred from the SFBRWQCB to the ACDEH or the DTSC, this measure, along with other actions imposed by ACDEH or DTSC would still apply.

**HAZ-2: Subsurface Investigation.** The project applicant shall retain a qualified environmental consultant (Professional Geologist [PG] or Professional Engineer [PE]) to prepare and conduct subsurface investigations, as required by the SFBRWQCB, prior to demolition and grading (construction) activities at the project site. The subsurface investigations may include, but are not limited to, sampling of the following project site conditions:

- Fill material and soil stockpiles
- Former onsite USTs and automotive repair, asphalt, and landscaping businesses
- Paint storage areas
- Former onsite orchard

The subsurface investigations shall provide recommendations to address identified hazards and indicate when to apply those recommended actions in relation to proposed project activities.

Based on the findings of the subsurface investigations, the SFBRWQCB may require additional actions, such as a Site Mitigation Plan (see Mitigation Measure HAZ-3) and/or remediation (see Mitigation Measure HAZ-4).

**HAZ-3: Site Mitigation Plan (SMP).** Based on the findings of the subsurface investigations required in Mitigation Measure HAZ-2, the project applicant shall retain a qualified environmental consultant (PG or PE) to prepare a site mitigation plan (SMP) prior to demolition and construction. Where groundwater impacts are identified during implementation of Mitigation Measure HAZ-2, a groundwater management section shall be added to the SMP. The SMP, or equivalent document, shall be prepared to address onsite handling and management of impacted soils, groundwater, USTs, or other impacted wastes, and reduce hazards to construction workers and offsite receptors during construction. The plan must establish remedial measures and/or soil and groundwater management practices to ensure construction worker safety, the health of future workers and visitors, and the offsite migration of contaminants from the project site. These measures and practices may include, but are not limited to:

- Stockpile management, including dust control, stormwater pollution prevention, and the installation of Best Management Practices (BMPs)

- UST removal permitting/procedures
- Proper disposal procedures of contaminated materials
- Monitoring and reporting
- A health and safety plan for contractors working at the project site that addresses the safety and health hazards of each phase of project site construction activities with the requirements and procedures for employee protection

The health and safety plan shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.

Prior to demolition and grading (construction), the City shall confirm SFBRWQCB's approval of the SMP. The project applicant shall implement the project site SMP during demolition and grading (construction).

**HAZ-4: Remediation.** For onsite soil vapor impacts, offsite soil export, or soil and/or groundwater present within the construction envelope at the project site that contains chemicals at concentrations exceeding hazardous waste screening thresholds for contaminants in soil (California Code of Regulations [CCR] Title 22, Section 66261.24), the project applicant shall retain a qualified environmental consultant (PG or PE) to conduct additional analytical testing and recommend soil and groundwater disposal recommendations, or consider other remedial engineering controls, as necessary or required by the SFBRWQCB for the proposed project.

The qualified environmental consultant shall utilize the project site analytical results for waste characterization purposes prior to offsite transportation or disposal of potentially impacted soils, groundwater, or other impacted wastes. The qualified environmental consultant shall provide disposal recommendations and arrange for proper disposal of the waste soils, groundwater, or other impacted wastes (as necessary), and/or provide recommendations for remedial engineering controls, if appropriate for the project.

Prior to demolition and grading (construction), the City shall confirm SFBRWQCB's approval of the disposal recommendations prior to transportation of waste soils offsite, and shall confirm SFBRWQCB's approval of remedial engineering controls, prior to construction. Remediation of impacted soils and groundwater and/or implementation of remedial engineering controls may require additional delineation of impacts; additional analytical testing per landfill or recycling facility requirements; soil excavation; groundwater pumping and treatment; and offsite disposal or recycling.

The project applicant shall implement the project site disposal recommendations prior to transportation of waste soils and groundwater offsite, and implement remedial engineering controls during construction.

Historic Preservation	<p><b>CR-1: Unanticipated Resources.</b> If archaeological materials are encountered, all ground disturbing work shall be halted at the location of any discovery until a qualified archaeologist completes a significance evaluation of the find(s) pursuant to Section 106 of the National Historic Preservation Act (36 CFR Section 60.4).</p> <p><b>CR-2: Unanticipated Human Remains.</b> If human remains are encountered, all ground disturbing activity must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the NAHC. The NAHC will identify the person or persons believed to be the most likely descendent (MLD). The MLD will be provided access to the area to then make recommendations regarding the treatment of the remains with appropriate dignity.</p>
Noise	<p><b>N-1: Interior Noise Reduction.</b> The project shall incorporate the following, or other equally effective, techniques to reduce interior noise impacts consistent with the HUD interior noise standard of less than 45 dBA: dual pane windows for all residential units, laminated or similar with a Sound Transmission Class (STC) rating of at least 32; exterior walls facing the street shall be constructed of staggered wood studs, or equipped with a resilient channel between the studs and wallboard, or any other wall system with an STC rating of at least 32; exterior balcony doors facing the street shall be of a sound insulating design with an STC rating of at least 32; and all exterior doors and windows shall be installed with proper weather stripping. A pre-occupancy noise survey shall be conducted upon completion of project construction to ensure interior noise levels are within the acceptable HUD standards.</p> <p><b>N-2: Mechanical Ventilation.</b> Mechanical ventilation (air conditioning) should be provided for all residences in this development to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.</p>

**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: October 2022

Name/Title/Organization: Nik Kilpelainen, Environmental Planner, Rincon Consultants

Certifying Officer Signature: \_\_\_\_\_ Date: October 2022

Name/Title: Tiena Johnson Hall, Executive Director

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).