

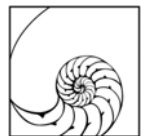
ALBRAE INDUSTRIAL PROJECT

1ST ADDENDUM
TO THE GLOBE PLANNED DISTRICT
EIR AND SUPPLEMENTAL EIR
STATE CLEARINGHOUSE NUMBER 2005042146

Lead Agency:
City of Fremont
Community Development Department
39550 Liberty St.
Fremont, CA 94538



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I. Background, Purpose, and Organization

Background and Previous Environmental Review

The Globe Planned District was conceptualized in the 2000s as revitalization of an approximately 31-acre industrial area with largely vacant warehouse and commercial buildings as a multi-cultural retail and entertainment destination.

As part of the approval process leading up to the Globe Planned District approvals, a General Plan Amendment was approved in 2006 to re-designate the site from Industrial to Regional Commercial, for which an Environmental Impact Report (EIR) was prepared and certified. This included an Initial Study in 2005, a Draft EIR in 2005, and a Final EIR in 2006. For subsequent approval of the Globe Planned District rezoning in 2007, a Supplemental EIR was prepared in 2006 that tiered from the earlier 2006 EIR. The Supplemental EIR reflected minor changes to the previously analyzed project, and no additional mitigation was deemed necessary. Together, these prior CEQA review documents (all listed under State Clearinghouse Number 2005042146) are referred to as the “Prior EIR”. The Prior EIR is hereby incorporated by reference and can be obtained from the City of Fremont Community Development Services Center at 39550 Liberty St., Fremont, CA 94538, and on the City of Fremont website at: <https://www.fremont.gov/430/Environmental-Review> under the “Fremont Albrae Industrial” project. Referenced and additional project materials can also be accessed in those locations.

The Globe Planned District allowed for up to 557,900 square feet of gross floor area (GFA), including 469,900 square feet of commercial GFA, and 88,000 square feet of mini-storage GFA.

Since approval of the Globe Planned District, the parcels fronting Stevenson Boulevard developed generally as conceptualized under the Globe Planned District; the remainder of the Planned District has not. The current project is located on the 22.48-acre portion of the Planned District that had not developed according to the Globe concept.

As noted above, the previous approvals included an Amendment to the Fremont General Plan to reflect the proposed Globe Planned District. The Fremont General Plan has since been updated consistent with the Globe Planned District. The Fremont General Plan Update EIR (SCH No. 2010082060) is hereby incorporated by reference and can be obtained from the City of Fremont Community Development Services Center available in-person at the City of Fremont Development Services Center at 39550 Liberty St., Fremont, CA 94538 and online at www.fremont.gov/generalplan.

Standard Development Requirements

Since the Prior EIR, the City of Fremont has established standard development requirements to address resource protection (Fremont Municipal Code Chapter 18.218). These requirements apply to air quality (construction-related emissions), biological resources (special-status species), cultural resources (notification of affiliated California Native American Tribes and accidental discovery of cultural resources), and noise (construction-related noise).

The proposed project would comply with these standard development requirements, which are detailed in the relevant sections (see Construction Activities and Schedule, below and Sections: C(b)-

Air Quality, D(d)-Biological Resources, E(b)-Cultural Resources, F(c) Geology and Soils, H(b) Hazards and Hazardous Materials and Wildfire, L(a)- Noise) and are included in full in Appendix A.

Purpose

The purpose of this CEQA document is to analyze the current project to determine if it qualifies for an Addendum pursuant to Public Resources Code Section 21166 and State CEQA Guidelines Section 15164 such that no additional environmental review is required.

The current project is a modification of a 22.48-acre portion of The Globe Planned District (see Background and Previous Environmental Review above). This portion had not developed per The Globe Planned District concept and is currently unoccupied. The current project represents a reversion of the site designation back to industrial and related uses (see Project Description below).

CEQA Guidelines section 15164 specifies that an addendum to an adopted EIR may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

Section 15162 specifies that no subsequent EIR shall be prepared unless one or more of the following conditions are met:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or negative declaration was certified as complete or the negative declaration was adopted, shows any of the following:
 - A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;
 - C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Environmental Checklist contained in this document summarizes the impact findings of the Prior EIR, which is the underlying EIR for the proposed project, and assesses whether impacts of the proposed project would fall within those identified in the Prior EIR or whether new or more significant environmental impacts than those identified in the Prior EIR are identified which would trigger the need for a Subsequent EIR.

Organization

Section I, Background, Purpose, and Organization (this section).

Section II, Project Description details the proposed project.

Section III, Summary of CEQA Findings summarizes the findings of this document.

Section IV, Environmental Checklist details the potential environmental impacts of the project, including the impact findings of the Prior EIR and relevant Standard Development Requirements (SDRs) or Mitigation Measures (MMs) and explains whether the current project would cause new or more significant environmental impacts than those identified in the Prior EIR.

Attachment A includes full text of the SDRs and MMs applicable to the current project in the proposed Standard Development Requirements and Mitigation Monitoring and Reporting Program.

II. Project Description

Project Characteristics

- 1. Project Title:** Fremont Albrae Industrial Project
- 2. Lead Agency Name and Address:** City of Fremont
Community Development Department
39550 Liberty St.
Fremont, CA 94538
- 3. Contact Person and Phone Number:** Mark Hungerford, Associate Planner
(510) 494-4541
mhungerford@fremont.gov
- 4. Project Location:** 6000 Stevenson Boulevard and 40451 through
40525 Albrae Street, Fremont, CA
APNs: 531-416-003, -004, -005, -006
- 5. Project Sponsor's Names and Address:** Scannell Properties
San Francisco Bay Area Office
3468 Mt. Diablo Blvd.
Suite B-115
Lafayette, CA 94549
Contact: Mac Carlsen
925.298.5204
mac@scannellproperties.com
- 6. General Plan Designations:** Regional Commercial (REG COM) (existing)
Tech Industrial (proposed)
- 7. Zoning:** Planned District: The Globe (P-2006-10) (existing)
Planned District P-2021-160 (proposed)
- 8. Description of Project:** Addressed below
- 9. Surrounding Land Uses and Setting:** Addressed below
- 10. Other Public Agencies whose Approval is Required:**
No other public agency approvals are required for the proposed project.
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

As discussed further under Section IV.E: Cultural and Tribal Cultural Resources, the California Native American tribes traditionally and culturally affiliated with the project area were contacted to inform them of the project and so they may request consultation.

Project Site and Vicinity

Project Site

The 22.48-acre project site is located within the 31.48-acre Globe Planned District, which was approved by the City of Fremont in 2007 to allow for redevelopment of an industrially-zoned area as a multi-cultural retail and entertainment destination. Project site addresses include 6000 Stevenson Boulevard and 40451 through 40525 Albrae Street. The location of the project is shown in **Figure 1**.

The remainder of the Globe Planned District is adjacent to the northwest of the current project site. These parcels fronting Stevenson Boulevard have been developed generally as conceptualized under the Globe Planned District, with small format cultural restaurant, retail, and commercial spaces.

The project site is currently unused though two structures are present. On the northeastern side along Albrae Street is a currently-vacant approximately 80,000-square-foot commercial building that was originally constructed in 1987 as a Home Depot. To the southwest of that is the remnant of a 1960-constructed manufacturing building. The remnant structure is approximately 320 feet wide and 250 feet long to cover approximately 80,000 square feet of concrete floor surface. The remnant structure has a flat roof and lacks wall coverings so the steel frame structure is visible. The existing condition of the project site is shown in **Figure 2**.

Surrounding Land Uses

Much of the project vicinity is developed with light industrial and commercial uses. Residential uses begin over 1,000 feet from the project site, to the west of Stevenson Boulevard in the City of Newark, and to the north on the other side of I-880, in the City of Fremont Irvington area.

Surrounding sites include commercial establishments and restaurants. East of the project site on Encyclopedia are a cluster of three buildings that contain two semiconductor manufacturers and an electronic component manufacturer.

Proposed Project

The proposed project would replace existing vacant industrial / commercial development at the 22.36-acre project site with a total of 396,500 square feet of warehouse, R&D manufacturing, and associated office uses in three buildings. See the project site plan and elevations in **Figures 3 through 6**.

Under the current project, the applicant seeks to amend the General Plan designation of a 22.48-acre portion of The Globe site from Regional Commercial to Tech Industrial, and to rezone this same property from the Globe Planned District (P-2006-10) to a new Planned District (P-2021-160) that follows the land use and development standards of the I-T Tech Industrial zoning district.

Development pursuant to the project would include the following new buildings:

Building 1 at the southeast part of the site, which would consist of an approximately 190,503 square foot warehouse building (including approximately 8,000 square feet of office space for the warehouse use) located along the site's Albrae Street frontage

Building 2 at the southwest part of the site, which would consist of an approximately 157,783 square foot warehouse building (including approximately 6,500 square feet of office space for the warehouse use) located along the site's Encyclopedia Circle frontage

Building 3 at the northwest part of the site, which would consist of approximately 10,000 square feet of office and approximately 36,839 square feet of industrial R&D/manufacturing space located on the Albrae Street frontage

Overall, the project would provide approximately 24,500 square feet of office, 333,786 square feet of warehouse, and 36,839 square feet of industrial R&D/manufacturing space.

713 automobile parking spaces would be provided in surface parking lots along internal drive aisles. Truck docks would be located along the southwest side of Building 1 (38 bays), the northeast side of Building 2 (38 bays), and the southeast side of Building 3 (6 bays).

Comparison to The Globe Planned District (P-2006-10)

The impacts of the entitled project were evaluated in the Prior EIR and included development assumptions of 50,000 square feet of Quality Restaurant and 412,252 square feet of Regional Shopping Center on a 31.48 acre site.

102,000 square feet of Regional Shopping Center has already been constructed on 9 acres along the Stevenson Boulevard frontage.

The remaining envisioned 50,000 square feet of Quality Restaurant and 310,252 square feet of Regional Shopping Center were not built and the remaining 22.48 acres of The Globe Planned District is vacant today.

The current project is proposing that the 22.48 acres of The Globe Planned District that has not been developed according to that plan instead be developed with the uses currently proposed.

Improvements and Landscaping

Access and Circulation

Access to the site would be provided directly through two driveways on Albrae Street, and three driveways on Encyclopedia Circle. Internal circulation would include drive aisles between and around all buildings and would connect to internal circulation of the two adjacent developed parcels along Stevenson Boulevard, as well as maintaining circulation access to the developed parcels to the east.

Utilities, Services, and Stormwater

The proposed project would include utility connections to existing services within the project site and to adjacent existing services, which is anticipated to include the following:

Water Supply:	Alameda County Water District
Fire Protection:	City of Fremont Fire Department
Sanitary Sewer:	Union Sanitary District
Storm Drain:	City of Fremont, Alameda County Flood Control District, and Alameda County Water Control District

Gas and Electricity: Pacific Gas and Electric (PG&E)
Solid Waste: Republic Services
Telephone: AT&T

The proposed stormwater system includes lined bioretention basins, which would allow natural cleaning and slowing of stormwater prior to release into the City's stormwater system without impacting site contamination (see Section H: Hazards & Hazardous Materials).

Landscaping

There are 28 trees on or near the project site. None of them are slated for removal as a part of this project. Approximately 207 trees would be planted as part of the proposed project. A total of 129,907 square feet of landscaping is proposed, including landscaped bioretention areas. Trees and landscaping would be distributed throughout the site, primarily around the proposed buildings, along drive aisles, and along adjacent public roadways.

Construction Activities and Schedule

Construction of the project is projected to take approximately 12 months to complete. The applicants had originally noted a target start date of August 2021, which was incorporated in this analysis. However, a later start date would have the same or reduced impacts (due to increasing emissions controls) and would not change the conclusions in this document.

Site grading activities would involve 35,995 cubic yards of cut and 46,983 cubic yards of fill, mostly balanced on site. A total of 10,988 cubic yards of soil would be imported to the site.

Per Fremont Municipal Code (FMP) 18.218.050(c), a construction management plan must be submitted to the City for review and approval:

FMC 18.218.050(c): Construction Management Plan. Prior to the issuance of the first construction-related permit for a new development project, the project applicant and his/her general contractor shall submit a construction management plan (CMP) for review and approval by the planning and building divisions and other relevant city departments, such as the fire department and the public works department, as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related conditions of approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, erosion and sedimentation control, storm water pollution prevention, noise control, complaint management, and cultural and tribal cultural resource management as applicable. The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.

AB52 Notification

In conformance with the requirements of Public Resources Code section 21080.3.1, notice of the proposed project was sent by certified mail and email on July 7, 2021 to the fifteen Native American tribal representatives whose names and contact information were provided by the Native American Heritage Commission. To date, no requests for consultation pursuant to AB52 have been received. Additional details are provided in Section E, Cultural and Tribal Cultural Resources.

Project Approvals

This Addendum is intended to cover all the discretionary actions required for implementation of the project. These include, without limitation: the following discretionary approvals from the City of Fremont:

- General Plan Amendment (from Regional Commercial to Tech Industrial)
- Rezoning (from Preliminary and Precise Planned District P-2006-10 to Preliminary and Precise Planned District P-2021-160)
- Tentative Parcel Map (#11171)

Other Public Agencies Requiring Approval

This Addendum covers all project approvals, without limitations, including, among other things, acceptance of the Updated Risk Management Plan by the San Francisco Bay Regional Water Quality Control Board, acceptance of stormwater plans, and will-serve letters from service and utility providers.

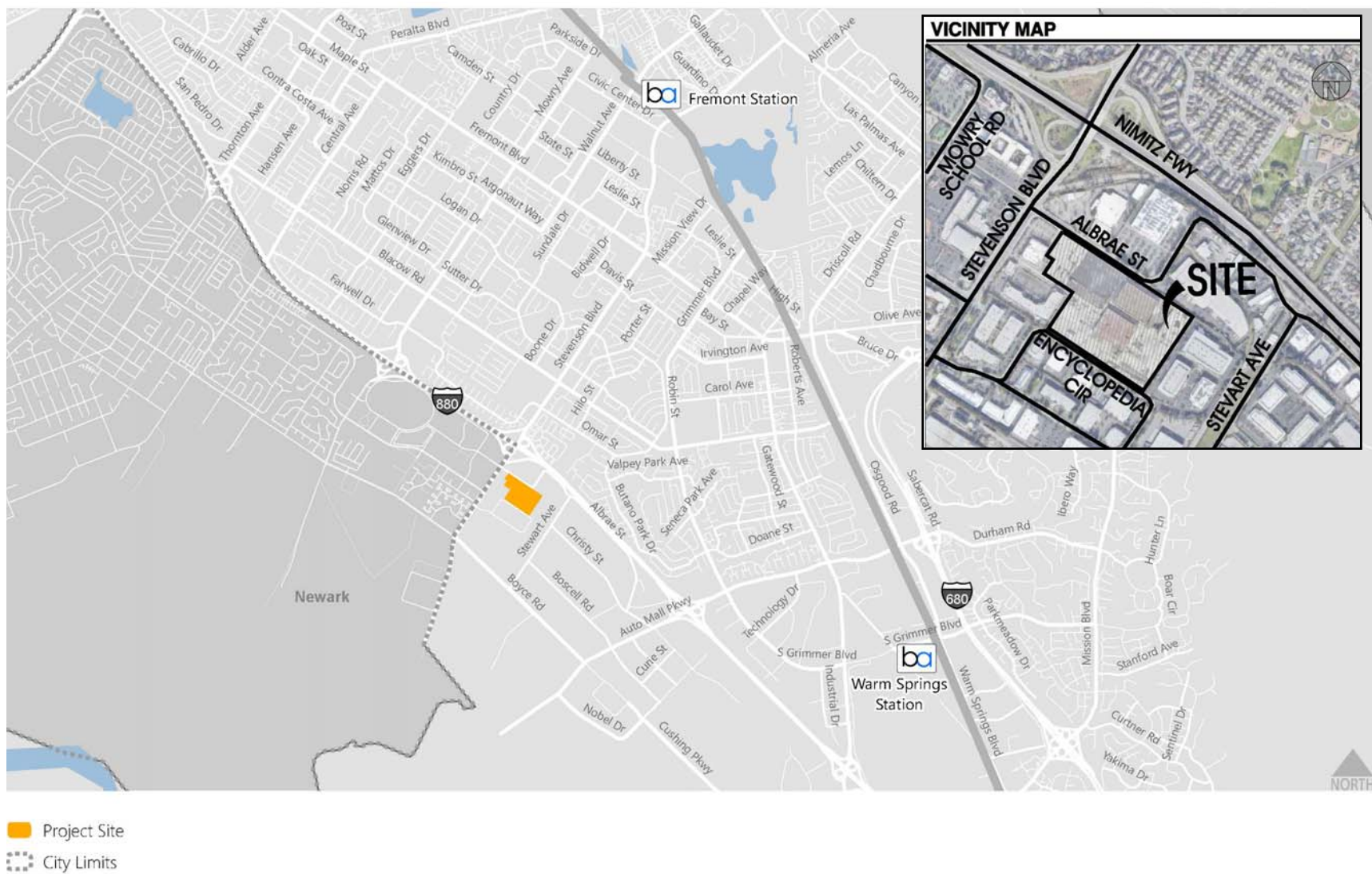


Figure 1: Project Location

Source: Fehr & Peers, April 2021, Transportation Demand Management Plan and Project Plan Set, dated 12/10/21

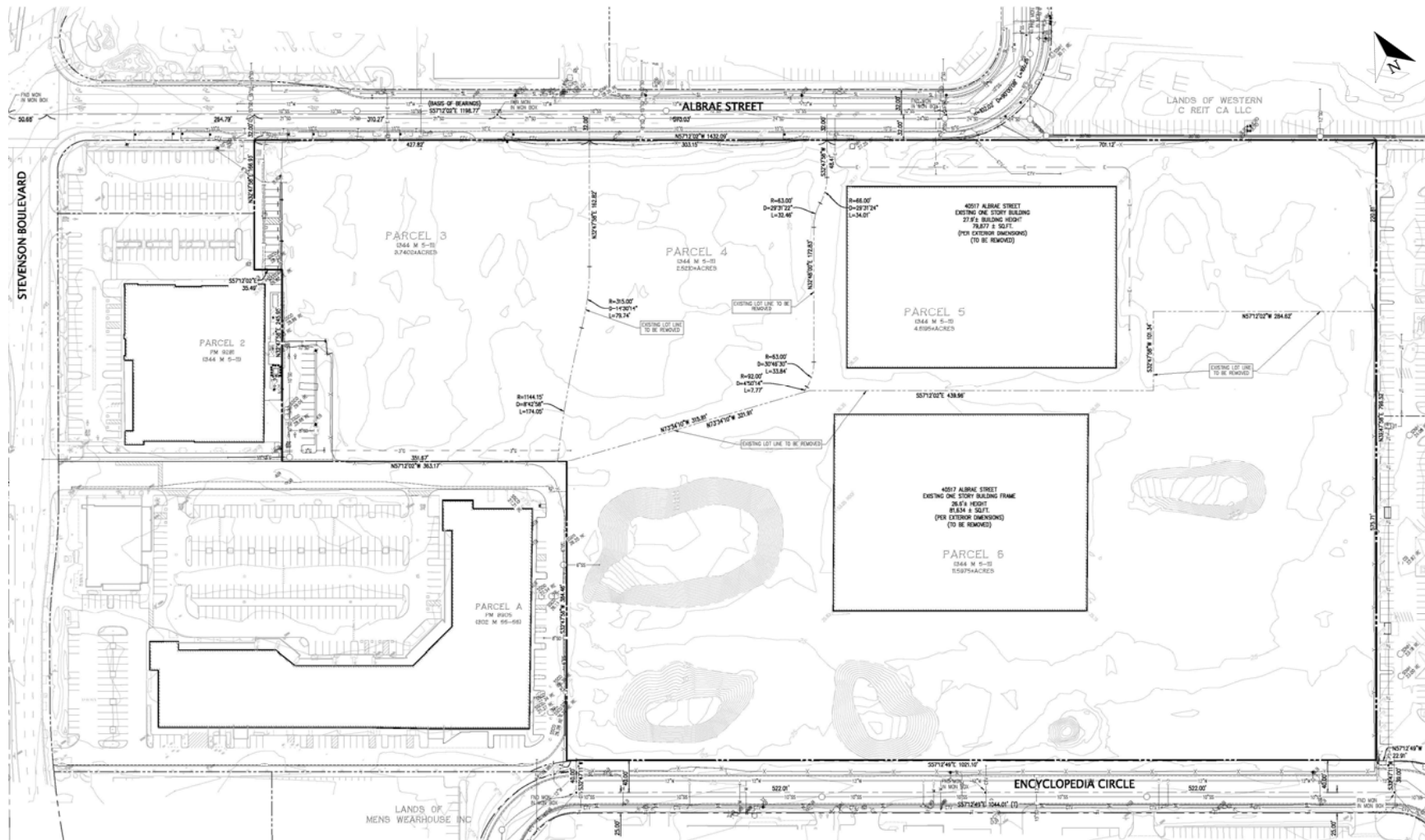


Figure 2: Existing Conditions

Source: Project Plan Set, dated 12/10/21

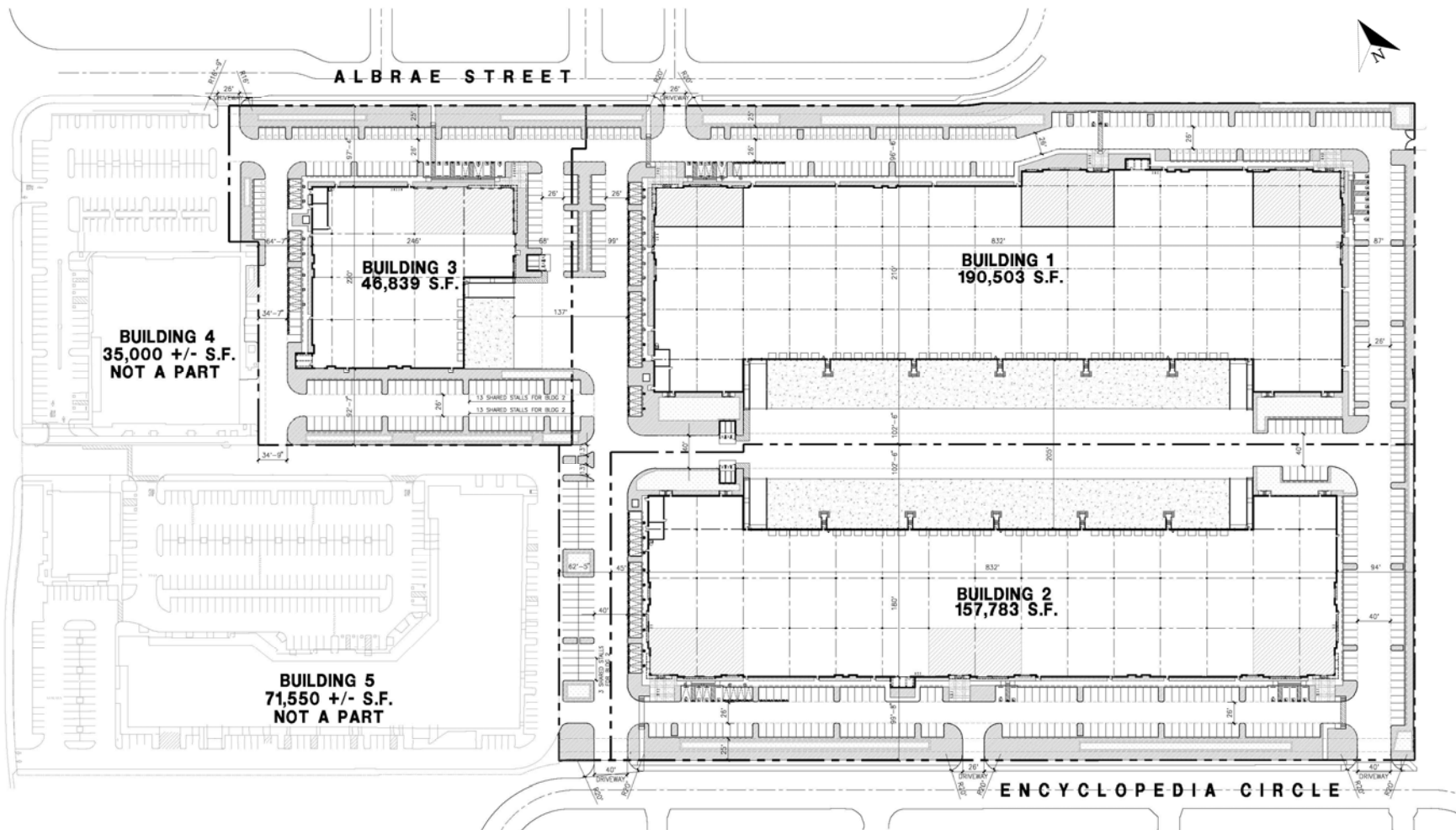


Figure 3: Site Plan

Source: Project Plan Set, dated 12/10/21

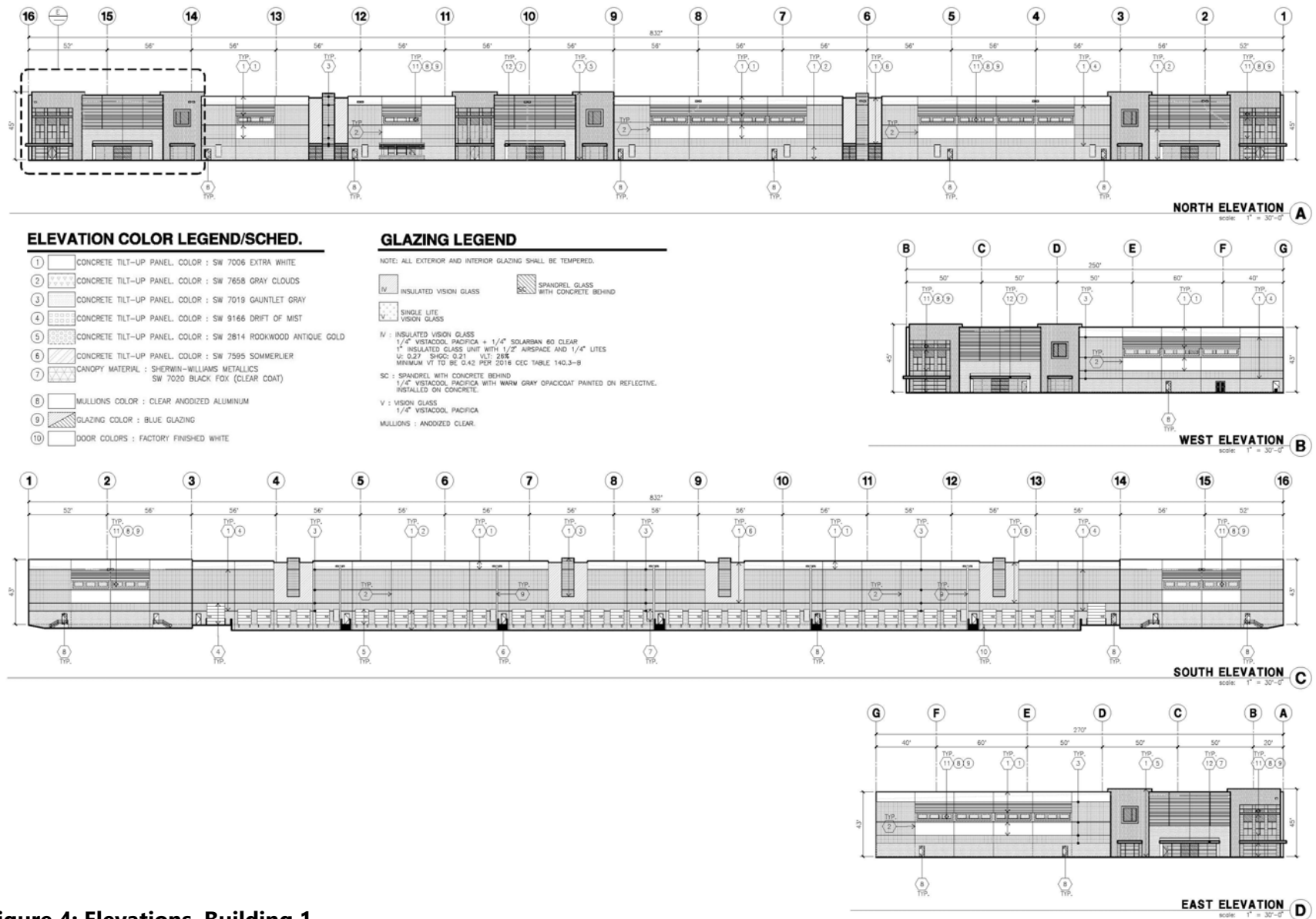


Figure 4: Elevations, Building 1

Source: Project Plan Set, dated 12/10/21

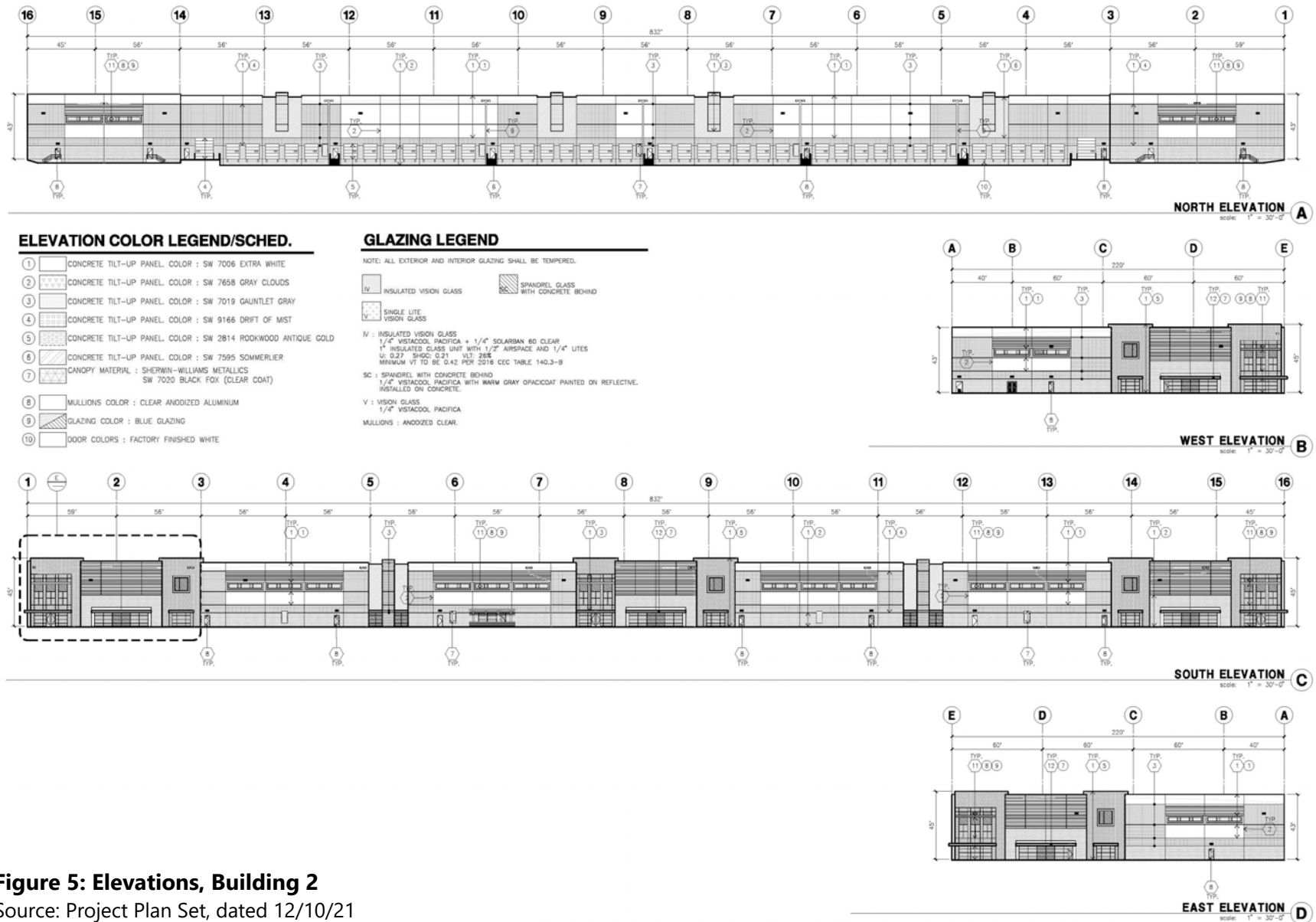
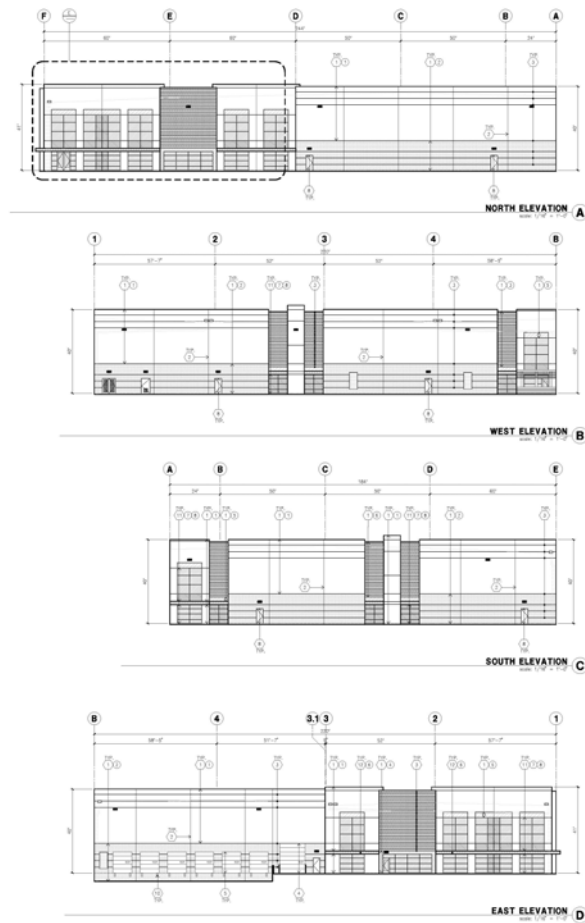


Figure 5: Elevations, Building 2

Source: Project Plan Set, dated 12/10/21



ELEVATION COLOR LEGEND/SCHED.

- ① CONCRETE TILT-UP PANEL COLOR : SW 7006 EXTRA WHITE
- ② CONCRETE TILT-UP PANEL COLOR : SW 7072 ONLINE
- ③ CONCRETE TILT-UP PANEL COLOR : SW 7074 SOFTWARE
- ④ CONCRETE TILT-UP PANEL COLOR : SW 7020 BLACK FOX
- ⑤ CONCRETE TILT-UP PANEL COLOR : SW 7595 SOMMERLIER
- ⑥ CANOPY MATERIAL : SHERWIN-WILLIAMS METALLICS
SW 7020 BLACK FOX (CLEAR COAT)
- ⑦ MULLIONS COLOR : CLEAR ANODIZED ALUMINUM
- ⑧ GLAZING COLOR : BLUE GLAZING
- ⑨ DOOR COLORS : FACTORY FINISHED WHITE

GLAZING LEGEND

NOTE: ALL EXTERIOR AND INTERIOR GLAZING SHALL BE TEMPERED.

- IV INSULATED VISION GLASS
- SC SPANDREL GLASS WITH CONCRETE BEHIND
- V SINGLE LITE VISION GLASS

IV : INSULATED VISION GLASS
1/4" VISTACOL PACIFICA + 1/4" SOLARBAN 60 CLEAR
1" INSULATED GLASS UNIT WITH 1/2" AIRSPACE AND 1/4" LITES
U: 0.27 SHGC: 0.21 VLT: 26%
MINIMUM VT TO BE 0.42 PER 2016 DEC TABLE 140.3-B

SC : SPANDREL WITH CONCRETE BEHIND
1/4" VISTACOL PACIFICA WITH WARM GRAY OPACICAT PAINTED ON REFLECTIVE,
INSTALLED ON CONCRETE.

V : VISION GLASS
1/4" VISTACOL PACIFICA
MULLIONS : ANODIZED CLEAR.

Figure 6: Elevations, Building 3

Source: Project Plan Set, dated 12/10/21

III. Summary of CEQA Findings

Given the substantial evidence included in this Addendum document and attachments and the Prior EIR, the current project would not require subsequent analysis to the Prior EIR pursuant to CEQA Guidelines Section 15162, for the following reasons and supported by the analyses and conclusions of the environmental checklist contained herein:

- (1) The current project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) There are no changes in circumstances that would result in the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (3) There is no new information resulting in a new significant effect not discussed in new significant environmental effects, a substantial increase in the severity of previously identified significant effects, or a change in the feasibility (or acceptance) of mitigation measures.

While the project has been revised since the Prior EIR, this assessment has determined that this Addendum, in conjunction with the Prior EIR, serve to satisfy requirements under CEQA and no further documentation is required per CEQA Guidelines Sections 15164 and 15162. This addendum only includes necessary minor technical changes and none of the conditions described in CEQA Guideline section 15162 requiring the preparation of a subsequent EIR or negative declaration have occurred.

Mark Hungerford, Associate Planner
City of Fremont, Community Development

IV. ENVIRONMENTAL CHECKLIST

Overview

The Environmental Checklist below compares potential environmental impacts of the project to the findings of the Prior EIR (The Globe Planned District SCH No. 2005042146), notes whether the project would result in new significant impacts or impacts substantially greater or more severe than those previously identified in the Prior EIR, and includes an explanation substantiating the findings for each topic. It uses the abbreviation SU for Significant and Unavoidable, LTS for less than significant, LTS w/ MMs for impacts that are reduced to LTS with implementation of identified mitigation measures (MMs), and NI for when No Impact was identified in the Prior EIR. If SDRs are applicable, these are indicated.

The checklist also lists mitigation measures applicable to the current project impacts. A full list of the applicable MMs can be found in Attachment A, Standard Development Requirements and Mitigation Monitoring and Reporting Program (SDR/MMRP). Project materials and more detail regarding the impacts and mitigation from the Prior EIR is available within those complete documents available from the City of Fremont Community Development Department at 39550 Liberty St., Fremont, CA 94538, and on the City of Fremont website at: <https://www.fremont.gov/430/Environmental-Review> under the “Fremont Albrae Industrial” project.

When a dash (--) appears in the checklist below, it means that the Prior EIR did not identify impacts or MMs related to that environmental topic.

A. Aesthetics

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Scenic Vistas	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
b. Scenic Resources	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
c. Visual Character	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
d. Light or Glare	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Aesthetic Changes from The Globe Planned District

As under The Globe Planned District, existing structures on the project site would be demolished and replaced with new buildings. Project plans and elevations can be seen in Figures 3 through 5.

Scenic Vistas

a) Would the project have a substantial adverse effect on a scenic vista?

Same Conclusion (conclusion remains LTS): The current project would not change the less-than-significant conclusion as there are no scenic vistas across the site from nearby locations and the project would not be prominent in scenic vistas from more distant locations. Therefore, the potential to impact views is generally the same as under The Globe Planned District despite revisions to the specifics of building massing and location.

The Prior EIR concluded that The Globe Planned District would not have a significant impact on scenic vistas because “preservation of existing vistas will be maintained through the site plan and architectural review process”. The Fremont General Plan indicates that scenic vistas would be views of creeks, baylands, hillsides, and ridgelines from public spaces.¹ The project site itself is in a developed area and would not itself be considered a natural resource. The area in which the project is located is generally flat and views across the site toward natural resources are already predominantly blocked by other area development and landscaping. While there is the potential that the project could be visible from more distant, higher-elevation locations, due to the distance, the project development would not be prominent in those views. Therefore, the project would not have the potential to significantly impact scenic vistas. The conclusion of less-than-significant in regard to scenic vistas would remain the same even with the specific massing and location of buildings proposed with the current project.

For the above reasons, the proposed project would not result in significant impacts related to scenic vistas not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

¹ Fremont General Plan, Chapter 4: Community Character.

Scenic Resources

- b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Same Conclusion (conclusion remains NI): The current project would not change the no impact conclusion related to scenic highways, as the lack of scenic designation of the nearby highways is the same as under The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would not have an impact related to scenic highways. The State Scenic Highway Program was consulted to confirm that there remain no state scenic highways in the vicinity of the project site. The closest designated or eligible state scenic highways are I-680, over 2 miles to the east, and CA-84 north of Route 238, beginning over 4 miles to the north.² The project site is not within a designated or eligible state scenic highway corridor. Therefore, the conclusion of no impact in regard to resources within a state scenic highway would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to scenic resources not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Visual Character

- c) Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Same Conclusion (conclusion remains NI): The current project would not change the no impact conclusion as re-development consistent with applicable design criteria would not be considered a degradation of character or quality of the environment.

The Prior EIR concluded that The Globe Planned District would not have an impact related to visual character noting, "It is anticipated that the project will improve the visual character and quality of the site by eliminating sub-standard structures with new, modern development. The entitlement process for this project includes a Planned District Major Amendment and will be subject to site plan and architectural approval by the City of Fremont's Planning Commission, and will be scrutinized for its design compatibility with surrounding developments." Consistent with the previous assessment, the current project will be subject to site plan and architectural approval and the conclusion of no impact in regard to visual character would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to visual character not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

² CalTrans, State Scenic Highway website, available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

Light and Glare

- d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Same Conclusion (conclusion remains NI): The current project would not change the no impact conclusion as the proposed lighting levels and potential for light and glare would be consistent with lighting standards and design guidelines and typical of existing surrounding commercial/industrial urban development.

The Prior EIR concluded that The Globe Planned District would not have an impact related to light and glare noting, "On-site lighting will be reviewed through the Development Organization (building permit) review process to ensure adequate light levels that do not spill onto adjacent properties." The proposed site uses may be operable 24 hours a day, which could increase lighting in the area. However, consistent with the previous assessment, the current project will be subject to standard review of proposed lighting (per FMC Section 18.50.050(e)) to prevent illumination of adjoining properties or objectionable visual impacts on other properties or the streets and the conclusion of no impact in regard to light and glare would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to lights and glare not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

B. Agricultural and Forest Resources

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Convert Farmland	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
b. Conflict with Agricultural Designation	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
c. Conflict with Forest Designation ¹	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
d. Convert Forest ¹	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
e. Indirect Conversion of Agricultural or Forest Land ¹	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
¹ Note that forest resources were not explicitly assessed in the Prior EIR, which under CEQA is a presumption that the project would not have a significant impact, as discussed below.					

Discussion

Agriculture and Forest Resources Changes from The Globe Planned District

Since analysis of The Globe Planned District, CEQA thresholds have been added to make it clear that forest resources would be considered in addition to agricultural resources. There have been no other changes relevant to this topic.

Convert Farmland

- a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to Farmland - which does not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

The Prior EIR concluded that no part of the project site is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), and would therefore not involve the conversion of such lands. The project is a currently developed site located in an urbanized area and the prior conclusions remain applicable.

For the above reasons, the proposed project would not result in significant impacts related to the conversion of farmland not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Conflict with Agricultural Designation

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to agriculture zoning or Williamson Act contracts - which do not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

The Prior EIR concluded that the project would not involve the conversion of farmland and does not include properties under Williamson Act contract. The project site is currently zoned as Regional Commercial, with a proposed zone of Tech Industrial, neither of which allows for commercial agricultural use and there are no Williamson Act contracts in place at the project site. The project is a currently developed site located in an urbanized area and the prior conclusions remain applicable.

For the above reasons, the proposed project would not result in significant impacts related to an agricultural use zoning conflict or a conflict with a Williamson Act contract not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Conflict with Forest Designation

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to forest resources - which do not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

No part of the project site is zoned as forest land, timberland, or Timberland Production. The project site is currently zoned as Regional Commercial, with a proposed zone of Tech Industrial.

For the above reasons, the proposed project would not result in significant impacts related to a forest land or timberland zoning conflict not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Convert Forest

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to forest resources - which do not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

The project is located in an urbanized area. No part of the site is mapped as, zoned for, or currently being used for forestry purposes.

For the above reasons, the proposed project would not result in significant impacts related to conversion of forest land not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Indirect Conversion of Agricultural or Forest Land

- e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to agriculture and forest resources - which do not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

The Prior EIR concluded that the project would not result in indirect conversion of agricultural or forest land. The project is located in an urbanized area, with no adjacent farmland, agricultural land, forest land, or timberland and the prior conclusions remain applicable.

For the above reasons, the proposed project would not result in significant impacts related to the indirect conversion or loss of farmland, agricultural land, forest land, or timberland not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

C. Air Quality

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Conflict with Air Quality Plan	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
b. Criteria Air Pollutants (Construction Period)	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(a) Construction Related Emissions (supersedes MM 3.1.1: Dust Control Measures)	LTS
(Operational)	SU w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MM 3.1.2: Reduce Vehicle Trips	SU w/MM
c. Sensitive Receptors	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
d. Odors	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Air Quality Setting Changes from The Globe Planned District

Since the Prior EIR, the Bay Area Air Quality Management District (BAAQMD) has updated its CEQA Air Quality Guidelines (BAAQMD Guidelines), which assists lead agencies in evaluating and mitigating air quality impacts. The latest draft of the BAAQMD guidelines was issued in May 2017. The recommended emissions model with which to quantify project emissions has also been updated.

Since the Prior EIR, the Bay Area Clean Air Plan has undergone regular updates. The latest 2017 update to the Clean Air Plan includes similar but updated control measures as discussed below.

A quantification of project emissions and comparison to emissions under the Globe Planned District has been prepared as follows.

Air quality consultant Illingworth & Rodkin prepared an Air Quality and Greenhouse Gas Emissions Analysis for the current project as referenced in this document and included in full as Attachment B.

Conflict with Air Quality Plan

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Same Conclusion (conclusion remains LTS): *The current project would not change the less-than-significant conclusion related to conflict with an Air Quality Plan.*

The Prior EIR concluded that The Globe Planned District would have a less-than-significant impact related to conflict with the air quality plan noting, "The request for a General Plan Amendment will modify the overall land use of the site. The existing General Plan designation allows large scale commercial uses. The new designation would allow a combination of large scale commercial, retail, assembly uses and restaurants. Although the specific nature of uses on site will change, the General Plan anticipates this site for commercial uses. Therefore, the redevelopment of the site is consistent with the

Fremont General Plan in terms of increasing the amount of development on site, and not conflicting with an air quality plan.” Consistent with the previous assessment, the current project would again revise the particulars of development at the site while still representing anticipated redevelopment at that location.

The Clean Air Plan is the regional air quality plan, and has been regularly updated since the Prior EIR. The latest update to the plan, adopted in April 2017, is the 2017 Bay Area Clean Air Plan. BAAQMD currently recommends analyzing a project’s consistency with current air quality plan primary goals and control measures. The impact would be significant if the project would conflict with or obstruct attainment of the primary goals or implementation of the control measures.

The primary goals of the Bay Area 2017 Clean Air Plan are to attain all state and national air quality standards, eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants, and reduce Bay Area greenhouse gas emissions to 40 percent below 1990 levels by 2030. (This last standard is addressed in Section G: Greenhouse Gas Emissions.)

The current project would be required to comply with all applicable rules and regulations related to emissions and health risk and, as detailed under the “Criteria Air Pollutants” topic below, would have reduced emissions from what would have occurred under development of The Globe Planned District as originally proposed and therefore would not result in conflict with the primary goals of the 2017 Clean Air Plan.

Many of the Clean Air Plan’s control measures are targeted to area-wide improvements, large stationary source reductions, or large employers and these are not applicable to the proposed project. However, the project would be consistent with all rules and regulations related to construction activities and the proposed development would meet current standards of energy and water efficiency (Clean Air Plan Energy Control Measure EN1 and Water Control Measure WR2) and recycling and green waste requirements (Clean Air Plan Waste Management Control Measures WA3 and WA4) and does not conflict with applicable control measures aimed at improving access/connectivity for bicycles and pedestrians (Clean Air Plan Transportation Control Measure TR9) or any other control measures.

The project, therefore, would be consistent with the Clean Air Plan and have a less-than-significant impact in this regard. While the Clean Air Plan and BAAQMD recommendations for determining consistency have been updated since the Prior EIR, this conclusion is consistent with the Prior EIR.

For the above reasons, the proposed project would not result in significant impacts related to conflict with an air quality plan not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Criteria Air Pollutants

- b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Construction Period

Reduced Conclusion (conclusion was revised from LTS w/MM to LTS): While the Prior EIR had identified an impact and mitigation related to construction-period pollutants and required Mitigation Measure 3.1.1, standard development requirement FMC 18.218.050 (a) supersedes the Mitigation Measure and

with it, the project would have a less-than-significant impact with respect to construction period pollutants with compliance with applicable regulations.

As noted in the Prior EIR, construction activities could result in construction dust and emissions. However, consistent with common practice at the time, as temporary emissions expected to already be included in area planning, construction emissions were not quantified. Mitigation Measure 3.1.1: Dust Control Measures, was applied to minimize construction dust and emissions and the resulting level of significance related to construction period emissions was determined to be less than significant with mitigation.

BAAQMD has now adopted construction period emissions thresholds and recommends quantification to determine significance. The Illingworth & Rodkin Emissions Analysis (Attachment B) has quantified project emissions per current BAAQMD guidance as shown in Table 1.

Table 1: Current Project Construction Period Criteria Pollutant Emissions (Pounds per Day)

Description	Reactive Organic Gases	Nitrogen Oxides	Particulate Matter (PM ₁₀)*	Fine Particulate Matter (PM _{2.5}) *
Maximum Average Daily Emissions	33	31	2	1
<i>BAAQMD Daily Thresholds</i>	<i>54</i>	<i>54</i>	<i>82</i>	<i>54</i>
Exceeds Threshold?	No	No	No	No

* Applies to exhaust emissions only

Source: Illingworth & Rodkin, Air Quality and Greenhouse Gas Emissions Analysis, 2020, summarized from Table 4.

Construction-period emissions levels are below current BAAQMD thresholds presented in Table 1. However, BAAQMD considers dust generated by grading and construction activities to be a significant impact associated with project development if uncontrolled and recommends implementation of construction mitigation measures to reduce construction-related emissions and dust for all projects, regardless of comparison to their construction-period thresholds. These recommendations are consistent with the City of Fremont's standard development requirements relating to construction period emissions:

FMC 18.218.050(a) Construction Related Emissions. The following construction measures, as periodically amended by BAAQMD, are required for all proposed development projects to reduce construction-related fugitive dust and exhaust emissions:

- (A) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times daily.
- (B) All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- (C) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- (D) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.

- (E) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- (F) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
- (G) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- (H) A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

FMC 18.218.050(a) fully supersedes Mitigation Measure 3.1.1: Dust Control Measures from the Prior EIR. Consistent with the Prior EIR analysis, the current project would result in construction period dust and emissions, the impacts of which would be reduced through implementation of construction-period dust control measures identified in FMC 18.218.050(a). The conclusion of a less-than-significant impact with mitigation in regard to construction emissions would be downgraded to less-than-significant with the current project.

Operational Period

Same Conclusion (conclusion remains SU w/ MM): *The current project would not change Impact 3.2.2 and the significant and unavoidable with mitigation conclusion related to operational-period criteria pollutant emissions.*

For operational emissions, the Prior EIR quantified operational emissions using the URBEMIS model and determined The Globe Planning District would have emissions above significance threshold levels. Mitigation Measure 3.1.2: Reduce Vehicle Trips was identified to reduce emissions, but the reduction would not be sufficient to reduce emissions below significance thresholds and therefore the impact was determined to be significant and unavoidable.

Prior EIR Mitigation Measure 3.1.2: Reduce Vehicle Trips. The following are feasible mitigation measures identified by the BAAQMD for commercial development:

- Provide transit facilities, e.g., bus bulbs/turnouts, benches, shelters, etc.
- Provide bicycle land and/or paths, connected to community-wide network.
- Provide sidewalks and/or paths, connected to adjacent land uses, transit stops, and/or community-wide network.
- Provide secure and conveniently located bicycle storage.
- Provide preferential parking for electric or alternatively-fueled vehicles.
- Implement feasible TDM measures including a ride-matching program, coordination with regional ridesharing organizations and provision of transit information.

Mitigation Measure 3.1.2 identified physical on-site improvements to promote pedestrians and bicycle use, improvements to transit facilities, preferential parking for electric or alternatively-fueled vehicles, and implementation of Transportation Demand Management (TDM) measures as feasible. Mitigation Measure 3.1.2 would remain applicable to the current project. There are currently no transit facilities or lines along the current project's frontage, so no transit improvements are planned as a part of the current project. On-site improvements for pedestrians and bicycles as well as electric vehicle parking stalls (10+%) and "Clean Air"/ vanpool stalls (8+%) are identified on the project plans and would meet or exceed current City requirements. Section 18.50.050 of the Fremont Municipal Code now includes TDM requirements for new developments in the City of Fremont. The preliminary TDM Plan prepared by the applicants calculated that considering the project uses and location, and the available transit service and pedestrian and bicycle facilities in the area, with implementation of feasible TDM measures, the project would be able to achieve a 2 to 4 percent reduction in single-occupancy vehicle trips. The Prior EIR had estimated that Mitigation Measure 3.1.2 could reduce emissions by 5 to 10 percent, which is consistent with identified reductions in single-occupancy vehicle trips (2 to 4 percent) combined with electrical vehicle and clean air vehicle use (10+% of parking stalls) under the current project.

The emissions for the current project were quantified using the currently-recommended emissions model, CalEEMod, and compared to the emissions from the Prior EIR, as detailed in the Illingworth & Rodkin Emissions Analysis (Attachment B). A summary of these results is shown in Table 2.

Table 2: Operational Criteria Pollutant Emissions (Pounds per Day)

Description	Reactive Organic Gases	Nitrogen Oxides	Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
<i>Current BAAQMD Daily Significance Thresholds</i>	54	54	82	54
The Globe Planned District ¹	129	130	111	<111 ²
<i>Exceeds Threshold?</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	<i>(Yes)²</i>
Current Industrial Project	43	67	47	<47 ²
<i>Exceeds Threshold?</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>No</i>
Difference	-86	-63	-64	- <80 ²
¹ The Globe Planned District daily trips shown are from the Prior EIR and incorporate the portion of the site that the current project is on. ² There were no thresholds for PM _{2.5} at the time of the Prior EIR and it was not explicitly assessed. Since PM _{2.5} is a fraction of PM ₁₀ and therefore could have been known as such at the time, those emissions are reported as less than or "<" the PM ₁₀ value for comparison in this table. Source: Illingworth & Rodkin, Air Quality and Greenhouse Gas Emissions Analysis, 2020, summarized from Table 5.				

As shown in Table 2, in all cases, emissions that would result from the current project are less than those that would have resulted from The Globe Planned District. Therefore, the impact with respect to operational criteria pollutants is equal or less than that identified in the Prior EIR, Mitigation Measure 3.1.2 would remain applicable to the current project, and the conclusions of significant and unavoidable with mitigation would remain the same for the current project.

Sensitive Receptors

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Same Conclusion (conclusion remains LTS): *The current project would not change the less-than-significant conclusion related to exposure of sensitive receptors.*

As noted in the Prior EIR, while some of the emissions from the project would be toxic air contaminants, especially diesel emissions during construction, the bulk of the emissions would occur at the project site, which is not proximate to sensitive receptors so the impact was considered less-than-significant.

Illingworth & Rodkin re-assessed this topic in the Emissions Report (Attachment B) to verify significance conclusions for the current project. According to current standards, emissions from project construction could impact sensitive receptors as well as operational truck traffic and diesel-powered emergency generators on site. BAAQMD Guidelines recommend quantification of impacts to sensitive receptors within 1,000 feet of the project site. Illingworth & Rodkin conclude that because the closest sensitive receptors are over 1,000 feet from the project site, impacts on sensitive receptors would be considered to be below current significance threshold levels.

Therefore, as under the Prior EIR, the current project is not close enough to substantially impact sensitive receptors and the conclusion of a less-than-significant impact in that regard would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to sensitive receptors not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Odors

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion related to odors.*

As noted in the Prior EIR, the project site is surrounded by similar uses and is located distant enough from sensitive receptors not to have the potential to result in a significant impact with respect to odors. This remains true for the current project. Therefore, consistent with the Prior EIR, the project would have no impact related to odors.

For the above reasons, the proposed project would not result in significant impacts related to odors not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

D. Biological Resources

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Special-Status Species	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(b)(2): Nesting Birds, SDR FMC 18.218.050(b)(3): Roosting Bats	NI
b. Riparian/Sensitive Habitat	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
c. Wetlands	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
d. Wildlife Corridors/ Nursery Sites	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
e. Conflict with Local Biological Policies	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
f. Conflict with Conservation Plans	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Biological Resources Changes from The Globe Planned District

The current condition of the site with respect to biological resources was updated per the following technical reports, which are available as part of project application materials.

A Biological Site Visit and follow-up was performed by biologists at Johnson Marigot Consulting for the current applicants, dated 6/15/21 and 7/7/21.

A Tree Inventory Report was performed by HortScience/Bartlett Consulting for the current applicants, dated 9/20/20.

Special-Status Species

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to special-status species - which do not occur in the project area - and there would be no change to the no impact conclusion related to this topic.*

As noted in the Prior EIR, "There are no known special status species or any protected riparian habitats or wetlands located on the project site. The existing site is paved and developed and contains little, if any, habitat capable of supporting burrowing owls." A Biological Site Visit and follow-up was performed in June and July 2021 to assess current site conditions and confirm conclusions. Due to the highly disturbed nature of the site, only one special-status plan or wildlife species has the potential to occur at

the site: Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*); however, the biological follow-up confirmed that this species is not present at the site.

The Biology Report noted that "the open, sparsely vegetated portions of the Property provide suitable nesting habitat for ground-nesting birds. Similarly, the abandoned structures on the Property provide suitable nesting habitat for birds and suitable roosting habitat for bats." The City of Fremont's Standard Development Requirements for nesting birds and roosting bats would apply:

FMC 18.218.050(b)(2): Nesting Birds. New development projects with the potential to impact nesting birds through tree or shrub removal shall implement the following measures prior to removal of any trees/shrubs, grading, or ground disturbing activities:

- (A) Avoidance. Proposed projects shall avoid construction activities during the bird nesting season (February 1st through August 31st).
- (B) Preconstruction Surveys. If construction activities are scheduled during the nesting season, a qualified biologist shall conduct a preconstruction survey to identify any potential nesting activity. The biologist shall determine the number and time frame (prior to construction) of surveys to be conducted.
- (C) Protective Buffer Zone(s). If the survey indicates the presence of nesting birds, protective buffer zones shall be established around the nests. The size of the buffer zone shall be recommended by the biologist in consultation with the CDFW depending on the species of nesting bird and level of potential disturbance.
- (D) Initiation of Construction Activities. The buffer zones shall remain in place until the young have fledged and are foraging independently. A qualified biologist shall monitor the nests closely until it is determined the nests are no longer active, at which time construction activities may commence within the buffer area.

FMC 18.218.050(b)(3): Roosting Bats. New development with potential to impact special-status or roosting bat species through demolition of existing structures or removal of trees on site shall conduct the following measures prior to demolition:

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

For the above reasons, the proposed project would not result in significant impacts related to special-status species not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Riparian/Sensitive Habitat

- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to riparian/sensitive habitats - which do not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

As noted above, the Prior EIR stated that the project site was paved and there were no riparian habitats. The follow-up visit noted that some pavement at the site has been removed and the site is currently characterized by sparse ruderal (weedy) vegetation within heavily compacted and gravelly soils, large gravel piles, and abandoned structures.

For the above reasons, the proposed project would not result in significant impacts related to riparian or sensitive habitats not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for these topics.

Wetlands

- c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to wetlands- which do not occur in the project area - and there would be no change to the no impact conclusion related to this topic.*

As noted in the Prior EIR, the project site contains no wetlands. While the biologists noted at the follow up visit that water accumulates in topographically low areas on the site, there are no indicators (vegetation types, soil characteristics, surface signs) either at the site or visible on aerial imagery throughout the year that would indicate the site would qualify as a wetland or waters of the U.S.

For the above reasons, the proposed project would not result in significant impacts related to wetlands not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Wildlife Corridors/ Nursery Sites

- d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to wildlife corridors or nursery sites - which do not occur in the project area - and there would be no change to the no impact conclusion related to these topics.*

As noted in the Prior EIR, the project site is fully developed and characterized by an urban setting and is entirely surrounded by similar development. As such, the project site does not have the capability to function as a substantial wildlife corridor or wildlife nursery site.

For the above reasons, the proposed project would not result in significant impacts related to wildlife corridors or nursery sites not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Local Biological Policies

- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Same Conclusion (conclusion remains LTS): *As under the Prior EIR, the project would be subject to the City's Tree Preservation Ordinance and the current project would not change the less-than-significant impact conclusion related to local biological policies.*

As noted in the Prior EIR, "There are no significant trees located on site, although it is possible that some smaller trees may be removed during site construction. A tree survey will be required prior to project approval to determine if mitigation is needed for any trees removed from the site. The tree survey and resulting mitigation, if required, will conform to the City's Tree Preservation Ordinance."

The Tree Inventory Report prepared for the current project indicates that there are 28 trees at/near the project site, all of which have diameters greater than 6 inches and would meet the definition of "protected" trees subject to removal permit and replacement provisions under the City's Tree Preservation Ordinance. The trees are located outside the immediate development area, including 6 trees along Albrae Street, 21 trees along the southeastern property line, and one tree on Encyclopedia Circle. All existing trees are currently proposed to remain with implementation of construction-period protection measures as detailed in the Tree Inventory Report. If any tree removal was determined at a later date, it would be required to conform to the City's Tree Preservation Ordinance.

Therefore, as under the Prior EIR, the current project would conform to the City's Tree Preservation Ordinance and the conclusion of a less-than-significant impact with respect to local biological policies would remain the same with the current project.

Conflict with Conservation Plans

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to conflict with conservation plans and there would be no change to the no impact conclusion related to these topics.*

Just as under the Prior EIR, there are no conservation plans that cover the project site.

For the above reason, the proposed project would not result in significant impacts related to conflicts with conservation plans not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

E. Cultural and Tribal Cultural Resources

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Historical Resource	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
b. Archaeological Resource	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(d)(2): Accidental Discovery of Cultural Resources.	LTS
c. Human Remains	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		NI
d. Tribal Cultural Resources ¹	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>		LTS
e. Paleontological Resource ²	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>		NI
¹ Note that Tribal Cultural Resources are now called out as a separate topic under CEQA but under the Prior EIR would have been addressed as part of the Cultural Resources topics. Prior EIR findings were applied from previous conclusions.					
² Note that Paleontological Resources are now included under the Geology and Soils section, but are addressed here as they were under the Prior EIR.					

Discussion

Cultural and Tribal Cultural Resources Setting Changes from The Globe Planned District

There have been no changes to the cultural and tribal cultural resources environmental setting of the project site, and the details of the current project do not change the potential for cultural and tribal cultural resources impacts.

Since the Prior EIR, the Native American Historic Resource Protection Act (Assembly Bill 52 or AB 52) was passed, which is intended to minimize conflict between Native American and development interests. AB 52 adds "tribal cultural resources" to the specific cultural resources analyzed under CEQA. As had been standard practice at the time, the Prior EIR considered tribal cultural resources as part of the cultural resources analysis, so they are discussed in this section.

To confirm the current condition of the site with respect to cultural and tribal cultural resources, a Cultural Resource Assessment was prepared by PaleoWest for this analysis, including a literature review and records search of the Northwest Information Center (NWIC) at Sonoma State University, a survey of the site, and a historic assessment of the existing structures. The Cultural Resource Assessment is included as Attachment C to this document.

Additionally, a search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was requested (included in Attachment C). No tribes have requested consultation for area projects under AB 52, however as recommended by the NAHC, certified letters and emails were sent on July 7, 2021, to contacts for all the local tribes to notify them of the project and providing an opportunity to provide input. One tribal representative expressed interest in possible consultation following the initial letters, and on August 11, 2021, was emailed the completed Cultural Resources Assessment. There was

no further request from the tribal representative in response to that email nor to the follow up email sent on September 1, 2021.

Historical Resources

- a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Public Resources Section 15064.5?

Same Conclusion (conclusion remains NI): The current project would not change the less-than-significant conclusion related to cultural and tribal cultural resources.

The project includes the demolition and removal of an existing 1960-constructed manufacturing building remnant and the 1987-constructed commercial building. The 1987-constructed commercial building is not historic age (50+ years) and no additional assessment was necessary for that building. While the 1960-constructed building remnant was not historic age during preparation of the Prior EIR – which correctly indicated there were no historic resources at the project site - it is now over 50 years of age so has been assessed for its potential significance as a historical resource as discussed below.

The remnant structure was originally constructed in 1960 as a semi-truck trailer manufacturing building and office for Trailmobile Corp but was subsequently sold and used by other tenants for other manufacturing, warehouse, and retail purposes, which had included substantial renovations over the years. It appears that the partial demolition occurred in 2018/2019 leaving the structure in its current state. It is approximately 320 feet wide and 250 feet long to cover approximately 80,000 square feet of concrete floor surface. The remnant structure has a flat roof and lacks wall coverings so the steel frame structure is visible.

The Cultural Resources Assessment (Attachment C) has determined that although the structure is over 50 years old, the 1960 commercial building remnant does not appear eligible for listing as a historic resource on the state or national register because it is not associated with important events, is not associated with the lives of important persons, is not a distinctive work, and does not yield information important to prehistory or history. (See Attachment C for additional detail.)

Demolition of all existing structures is proposed as it was under The Globe Planned District, and while one of those structures is now historic-age, it is not a significant historical resource. Therefore, the conclusion of no impact with respect to historical resources under the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to historical resources not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Archeological Resources

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Section 15064.5?

Same Conclusion (conclusion remains LTS): The current project would not change the less-than-significant conclusion related to archeological resources.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to cultural resources, noting, “No known significant historical, paleontological or archaeological resource,

site structure or object has been identified either on the project site or in the general area of the project site. There are no known unique cultural resources, and therefore, no potential for restrictions. However, should any human remains or historical or unique archaeological resources be discovered during site development work, the provisions of CEQA Guidelines, Section 15064.5.(e) and (f) will be followed to reduce impacts to a non-significant level.”

The referenced CEQA Guideline sections detail steps to be taken in the event of accidental discovery of cultural resources or human remains. These same measures have been subsequently formalized as the following Standard Development Requirement:

FMC 18.218.050(d)(2): Accidental Discovery of Cultural Resources. The following requirements shall be met to address the potential for accidental discovery of cultural resources during ground disturbing excavation:

- (A) The project proponent shall include a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources.
- (B) The project proponent shall retain a professional archaeologist to provide a preconstruction briefing to supervisory personnel of any excavation contractor to alert them to the possibility of exposing buried cultural resources, including significant prehistoric archaeological resources. The briefing shall discuss any cultural resources, including archaeological objects, that could be exposed, the need to stop excavation at the discovery, and the procedures to follow regarding discovery protection and notification of the project proponent and archaeological team.
- (C) In the event that any human remains or historical, archaeological or paleontological resources are discovered during ground disturbing excavation, the provisions of CEQA Guidelines Sections 15064.5(e) and (f), and of subsection (c)(2)(D) of this section, requiring cessation of work, notification, and immediate evaluation shall be followed.
- (D) If resources are discovered during ground disturbing activities that may be classified as historical, unique archaeological, or tribal cultural resources, ground disturbing activities shall cease immediately, and the planning manager shall be notified. The resources will be evaluated by a qualified archaeologist and, in the planning manager’s discretion, a tribal cultural monitor. If the resources are determined to be historical, unique archaeological, or tribal cultural resources, then a plan for avoiding the resources shall be prepared. If avoidance is infeasible, then all significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. Any plan for avoidance or mitigation shall be subject to the approval of the planning manager.
- (E) As used herein, “historical resource” means a historical resource as defined by CEQA Guidelines Section 15064.5(a); “unique archaeological resource” means unique archaeological resource as defined by Cal. Pub. Res. Code § 21083.2(g); and “tribal cultural resource” means tribal cultural resource as defined by Cal. Pub. Res. Code § 21074. Collectively, these terms describe “significant cultural materials.”

The project would be required to implement Standard Development Requirement FMC 18.218.050(d)(2) in the event of accidental discovery of cultural resources and the impact of the project would be less-than-significant.

For the above reasons, the proposed project would not result in significant impacts related to archeological resources not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Human Remains

- c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Same Conclusion (conclusion remains NI): The current project would not change the less-than-significant conclusion related to human remains.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to cultural resources, noting, “No known significant historical, paleontological or archaeological resource, site structure or object has been identified either on the project site or in the general area of the project site. There are no known unique cultural resources, and therefore, no potential for restrictions. However, should any human remains or historical or unique archaeological resources be discovered during site development work, the provisions of CEQA Guidelines, Section 15064.5.(e) and (f) will be followed to reduce impacts to a non-significant level.”

The referenced CEQA Guideline sections detail steps to be taken in the event of accidental discovery of human remains. These same measures have been subsequently formalized as a Standard Development Requirement FMC 18.218.050(d)(2)(C), as detailed above.

The project would be required to implement Standard Development Requirement FMC 18.218.050(d)(2) in the event of accidental discovery of cultural resources and the impact of the project would be less-than-significant.

For the above reasons, the proposed project would not result in significant impacts related to human remains not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Tribal Cultural Resources

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

Same Conclusion (conclusion remains LTS): The current project would not change the less-than-significant conclusion related to tribal cultural resources.

City of Fremont Standard Development Requirement FMC 18.218.050(d)(1) requires notification of the project be sent to the local tribal contacts.

FMC 18.218.050(d)(1): Notification, Affiliated California Native American Tribes. Within 14 days of determining that an application for a project is complete or a decision by the city is made to undertake a project, the city shall provide formal notification to the designated contact or a tribal representative of traditionally and culturally affiliated California Native American tribes that have requested to receive such notice from the city. The written notification shall include a brief description of the proposed project and its location, project contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to Cal. Pub. Res. Code § 64352.4.

Upon request, the Native American Heritage Commission provided contact information for fifteen Native American tribal representatives. Notice of the proposed project was sent by certified mail and email to all fifteen contacts on July 7, 2021. The City responded to a request for additional information on August 11, 2021. To date, no requests for consultation or mitigation have been received. Standard Development Requirement FMC 18.218.050(d)(1) has been satisfied for this project.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to cultural resources, noting, “No known significant historical, paleontological or archaeological resource, site structure or object has been identified either on the project site or in the general area of the project site. There are no known unique cultural resources, and therefore, no potential for restrictions. However, should any human remains or historical or unique archaeological resources be discovered during site development work, the provisions of CEQA Guidelines, Section 15064.5.(e) and (f) will be followed to reduce impacts to a non-significant level.”

The referenced CEQA Guideline sections detail steps to be taken in the event of accidental discovery of underground resources or human remains. These same measures have been subsequently formalized as Standard Development Requirement FMC 18.218.050(d)(2).

The project would be required to implement Standard Development Requirement FMC 18.218.050(d)(2) in the event of accidental discovery of tribal cultural resources and the impact of the project would be less-than-significant.

For the above reasons, the proposed project would not result in significant impacts related to tribal cultural resources not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Paleontological Resources

e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Same Conclusion (conclusion remains NI): The current project would not change the no impact conclusion related to paleontological resources.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to paleontological resources, noting, “No known significant historical, paleontological or archaeological resource, site structure or object has been identified either on the project site or in the general area of the project site. There are no known unique cultural resources, and therefore, no potential for restrictions. However, should any human remains or historical or unique archaeological resources be

discovered during site development work, the provisions of CEQA Guidelines, Section 15064.5.(e) and (f) will be followed to reduce impacts to a non-significant level.”

The referenced CEQA Guideline sections detail steps to be taken in the event of accidental discovery of underground resources. These same measures have been subsequently formalized as Standard Development Requirement FMC 18.218.050(d)(2), as detailed above.

The project would be required to implement Standard Development Requirement FMC 18.218.050(d)(2) in the event of accidental discovery of paleontological resources and the impact of the project would be less-than-significant.

For the above reasons, the proposed project would not result in significant impacts related to paleontological resources not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

F. Geology and Soils

Impacts Related To: ¹	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Seismic Hazards	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(e)	LTS
b. Soil Erosion	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
c. Unstable Soil	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(e)	LTS
d. Expansive Soil	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(e)	LTS
e. Septic Tanks	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
¹ Note that the current CEQA Guidelines include paleontological resources in this section. That topic has been addressed under Section E. Cultural and Tribal Cultural Resources instead, as it was in the Prior EIR.					

Discussion

Geology and Soils Setting Changes from The Globe Planned District

The current project would be required to meet current rules and regulation, including the updated California Building Code. These regular updates to regulatory documents would not change the conclusions of the Prior EIR.

There have been no changes to the geology and soils at the project site, however the geological characteristics of the site and relationship to the currently proposed development was assessed in the following technical reports, which are available as part of project application materials.

A Report of Expected Geotechnical Conditions and Geotechnical Peer Review Response was prepared by Terracon for the current applicants, dated 8/26/2020 and 4/8/2021.

Seismic Hazards

- a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42)
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?
 - iv) Landslides?

Same Conclusion (conclusion remains LTS): As under the Prior EIR, the project would be subject to regulatory requirements to address regional seismicity and the specific conditions at the site and the current project would not change the less-than-significant impact conclusion related to seismic hazards and unstable or expansive soils.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to seismic hazards, noting, “The project site is located in a seismic area and in a liquefaction zone as identified by the State of California Geologic Survey. Because of this location any proposed construction will require the adoption of appropriate engineering design in conformance with geotechnical standards for construction. A geotechnical study and peer review by the City’s geotechnical consultant will be performed prior to the issuance of building permits.”

The Geotechnical Report completed for the current project confirmed and expanded upon previous known conditions at the site, as follows. There are no known faults at the project site. Due to the relatively flat vicinity, landslides are not a hazard to the site. Soils subject to liquefaction are known to be located in the area and were studied at the site. The anticipated potential total liquefaction-induced settlement was calculated to be about ½ to 2½ inches and differential settlement to be about 1 inch over 100 feet. The proposed foundation and construction specifics would address site characteristics, including use of chemically-treated or non-expansive fill under building slabs, and the exact details would be confirmed during required design-level review. This has been formalized as the following Standard Development Requirement:

FMC 18.218.050(e): Geology and Soils. New development projects with the potential to expose people or structures to substantial adverse effects, including the risk of loss, injury, or death due to seismic activity and potential seismic-related ground shaking including liquefaction, if so determined by a site-specific geotechnical study prepared to the satisfaction of the city engineer or his/her designee, shall implement the following measures prior to or during project construction, as applicable.

- (A) The project geotechnical consultant shall review all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site drainage improvements, and design parameters for foundations, and retaining walls). The consultant shall verify that their recommendations, including those regarding the need for further evaluation for potential liquefaction and the presence and lateral extent of any undocumented fill as well as laboratory testing for corrosive soil, have been properly conducted and any necessary design measures are incorporated into the construction plans. The results of the plan review shall be summarized by the geotechnical consultant in a letter and submitted to the city engineer prior to issuance of building permits for the project.
- (B) The project geotechnical consultant shall inspect, test (as needed), and approve all geotechnical aspects of project construction. The inspections shall include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements, and excavations for foundations and retaining walls prior to the placement of steel and concrete. The results of these inspections and the as-built conditions of the project shall be summarized by the project geotechnical consultant in a letter and submitted to the city building official/city engineer for review prior to final (as-built) project approval.

To further address and reduce impacts related to potential seismic activity and liquefaction, all grading, foundations, and structures for the proposed project would be required to be engineered and designed in conformance with applicable geotechnical and soil stability standards as required by the California Building Code (CBC), as adopted by the city.

The project would be required to implement Standard Development Requirement FMC 18.218.050(e) requiring site-specific geotechnical study and the impact of the project would be less-than-significant.

Consistent with conclusions in the Prior EIR, the project will need to comply with site-specific geotechnical recommendations, now formalized as Standard Development Requirement FMC 18.218.050(e). Therefore, the conclusion of a less-than-significant impact with respect to seismic hazards under the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to seismic hazards not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Soil Erosion

- b) Would the project result in substantial soil erosion or the loss of topsoil, creating substantial risks to life, property, or creek/waterways?

Same Conclusion (conclusion remains NI): As under the Prior EIR, the project would be subject to regulatory requirements to include best management practices to reduce soil erosion potential and the current project would not change the no impact conclusion related to soil erosion.

As an urban site, the project would largely involve the soil being covered by buildings and pavement, consistent with the prior development of the site. Under these circumstances, soil erosion could have the potential to occur during construction activities and as a result of runoff from landscaped areas if not properly controlled. Prevention of soil erosion is addressed through implementation of stormwater pollution prevention measures, which are regulatory requirements. As noted in the Prior EIR under the Hydrology and Water Quality section, “Best Management Practices for stormwater pollution prevention are intended to achieve compliance with the goals of the Alameda County Urban Storm Water Runoff Program in conformance with the Federal National Pollutant Discharge Elimination System (NPDES) program established by the Clean Water Act.”

As under The Globe Planned District, the project would be required to implement stormwater pollution prevention measures – which include measures to prevent soil erosion - under regulatory requirements during both the construction-period and for ongoing operations. Therefore, the conclusion of no impact with respect to soil erosion under the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to soil erosion not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Unstable Soil

- c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Same Conclusion (conclusion remains LTS): As under the Prior EIR, the project would be subject to regulatory requirements to address specific conditions at the site and the current project would not change the less-than-significant impact conclusion related to unstable soils.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to unstable soil, noting, "...any proposed construction will require the adoption of appropriate engineering design in conformance with geotechnical standards for construction. A geotechnical study and peer review by the City's geotechnical consultant will be performed prior to the issuance of building permits."

The Geotechnical Report completed for the current project confirmed and expanded upon previous known conditions at the site, as follows. Soils subject to liquefaction and expansion are known to be located in the area and were studied at the site. The anticipated potential total liquefaction-induced settlement was calculated to be about ½ to 2½ inches and differential settlement to be about 1 inch over 100 feet. The proposed foundation and construction specifics would address site characteristics, including use of chemically-treated or non-expansive fill under building slabs, and the exact details would be confirmed during required design-level review.

Consistent with conclusions in the Prior EIR, the project will need to comply with site-specific geotechnical recommendations, now formalized as Standard Development Requirement FMC 18.218.050(e). Therefore, the conclusion of a less-than-significant impact with respect to unstable soil under the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to unstable soil not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Expansive Soil

- d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Same Conclusion (conclusion remains LTS): As under the Prior EIR, the project would be subject to regulatory requirements to address regional seismicity and the specific conditions at the site and the current project would not change the less-than-significant impact conclusion related to expansive soils.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to expansive soil, noting, "The project site is located in a seismic area and in a liquefaction zone as identified by the State of California Geologic Survey. Because of this location any proposed construction will require the adoption of appropriate engineering design in conformance with geotechnical standards for construction. A geotechnical study and peer review by the City's geotechnical consultant will be performed prior to the issuance of building permits."

The Geotechnical Report completed for the current project confirmed and expanded upon previous known conditions at the site, as follows. Soils subject to liquefaction and expansion are known to be located in the area and were studied at the site. The proposed foundation and construction specifics would address site characteristics, including use of chemically-treated or non-expansive fill under building slabs, and the exact details would be confirmed during required design-level review.

Consistent with conclusions in the Prior EIR, the project will need to meet regulatory requirements to comply with the California Building Code and FMC 18.218.050(e) and project-specific geotechnical recommendations and building permit requirements to address regional seismicity and the specific conditions at the site. Therefore, the conclusion of a less-than-significant impact with respect to expansive soils under the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to expansive soil not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Septic Tanks

- e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion related to septic systems as the project area is serviced by the city's sewer system, which has not changed since The Globe Planned District.*

As under The Globe Planned District, no septic tanks are proposed. Therefore, the conclusion of no impact with respect to septic tanks under the Prior EIR would remain the same with the current project.

For the above reason, the proposed project would not result in significant impacts related to septic tanks not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

G. Greenhouse Gas Emissions

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. GHG Emissions	-- ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	--
b. Conflict with GHG Reduction Plans	-- ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	--
¹ Note that GHG topics were not formally assessed in the Prior EIR. As shown in this table, the project impact under these topics would be equal to or less severe than what would have been identified under the Prior EIR.					

Discussion

Greenhouse gas (GHG) emissions were not expressly addressed in the Prior EIR. However, since information on climate change and greenhouse gas emissions was known, or could have been known by that time, it is not “new information” as specifically defined under CEQA that would trigger preparation of a subsequent or supplemental EIR.

However, a comparison between GHG emissions under the Globe Planned District and the current project is provided for comparison purposes as follows.

Illingworth & Rodkin prepared an Air Quality and Greenhouse Gas Emissions Analysis for the current project as referenced in this document and included in full as Attachment C.

Greenhouse Gas Emissions Setting Changes from The Globe Planned District

The regulatory environment related to greenhouse gas emissions has evolved since the Prior EIR was approved. A summary of regulations and policies related to greenhouse gas emissions and global climate change is presented below.

Federal and State Regulatory Changes

The Kyoto Protocol was an international treaty that commits state parties to reduce greenhouse gas emissions, based on the scientific consensus that global warming is occurring and that human-made CO₂ emissions are driving it. Originated in the late 1990s, by the time of the Prior EIR, over 50 nations worldwide had ratified its climate change-related policies. However, the United States has opted for a voluntary and incentive-based approach toward emissions reductions in lieu of the Kyoto Protocol’s mandatory framework.

In June 2005, Governor Schwarzenegger established California’s greenhouse gas emissions reduction targets in Executive Order (EO) S-3-05. The EO established the following goals: greenhouse gas emissions should be reduced to 2000 levels by 2010; to 1990 levels by 2020; and to 80 percent below 1990 levels by 2050. California’s major initiatives for reducing greenhouse gas emissions are outlined in Assembly Bill 32, the “Global Warming Solutions Act,” passed by the California State legislature on August 31, 2006, which codified EO S-3-05 along with other related legislation.

CEQA Guideline amendments providing guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in CEQA documents went into effect in 2010.

State Senate Bill 32 was passed in 2016, which codified a 2030 GHG emissions reduction target of 40 percent below 1990 levels.

Regional Regulatory Changes

Since The Prior EIR, the Bay Area Air Quality Management District (BAAQMD) has updated its CEQA Air Quality Guidelines (BAAQMD Guidelines), which assist lead agencies in evaluating and mitigating air quality impacts. The latest draft of the BAAQMD guidelines was issued in May 2017 and includes thresholds related to GHG emissions.

The regional Bay Area Clean Air Plan is regularly updated including multiple updates since the Prior EIR, with 2017 being the most recent version.

Local Regulatory Changes

On November 13, 2012, the City of Fremont adopted a Climate Action Plan (CAP) with guidelines of reaching a target reduction of 25% below baseline 2005 GHG emissions levels by 2020 includes strategies to achieve greenhouse gas emission reductions characterized along a ‘continuum of actions’ for intervention by the City. The CAP is intended to build upon existing environmental preservation, public health, and energy saving efforts.

GHG Emissions

- a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Same Conclusion (Equal or Less Severity): While not specifically analyzed in the Prior EIR, the current project would have less GHG emissions than development under The Globe Planned District.

The project’s GHG emissions were modeled using CalEEMod, as discussed in section 3: Air Quality. A summary of the results are included below and the CalEEMod input and output can be found in Attachment C.

Annual emissions from the project are predicted to be 5,779 MT of CO₂e, compared to 15,214MT of CO₂e for the entitled retail shopping center in the year 2023. The 2030 GHG emissions for the proposed project would be 5,096 MT of CO₂e and for the entitled retail it would be 13,507 MT of CO₂e. The proposed project would have less operational GHG emissions than the entitled retail land use.

Greenhouse gas (GHG) emissions were not expressly addressed in the Prior EIR, which was prepared when this topic was not customarily evaluated under CEQA. However, since information on climate change and greenhouse gas emissions was known, or could have been known by that time, it is not “new information” as specifically defined under CEQA and thus is not required to be analyzed as part of this Addendum. However, this analysis demonstrates that the current project would have reduced GHG emissions than what would have been quantified for The Globe Planned District.

For the above reasons, the proposed project would not result in significant impacts related to GHG emissions not previously identified in the Prior EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Consistency with GHG Reduction Plans

- b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Same Conclusion (Conclusions remains LTS): While Greenhouse Gas Reduction Plans has been adopted since the Prior EIR, the current project would be consistent with relevant plans and the impact would be the same or reduced from that under The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would have a less-than-significant impact related to conflict with the air quality plan, noting, “The request for a General Plan Amendment will modify the overall land use of the site. The existing General Plan designation allows large scale commercial uses. The new designation would allow a combination of large scale commercial, retail, assembly uses and restaurants. Although the specific nature of uses on site will change, the General Plan anticipates this site for commercial uses. Therefore, the redevelopment of the site is consistent with the Fremont General Plan in terms of increasing the amount of development on site, and not conflicting with an air quality plan.” Consistent with the previous assessment, the current project would again revise the particulars of development at the site while still representing anticipated redevelopment at that location.

Since the Prior EIR, the City adopted a GHG reduction plan in 2012, known as the City of Fremont Climate Action Plan (“Fremont CAP”). Many of the Fremont CAP’s emission reduction actions are targeted to city-wide strategies that are not directly applicable to the proposed project except through compliance with related regulations. The project would comply with City requirements related to facilities for pedestrians and bicyclists and carpoolers (related to Fremont CAP actions L-A2, L-R1, L-R3, and L-P2), would meet or exceed requirements for tree planting, lighting efficiencies, and water conservation / efficiencies (related to Fremont CAP actions E-P2, E-R2, W-C1, and W-C6), and would comply with construction and operational solid waste reduction requirements (related to Fremont CAP actions SW-A5, SW-R-1, SW-R2, SW-A8, and SW-A9). The current project would not conflict with or obstruct the Fremont CAP.

The Clean Air Plan is the regional air quality plan, and has been regularly updated since the Prior EIR. The latest update to the plan, adopted in April 2017, is the 2017 Bay Area Clean Air Plan. BAAQMD currently recommends analyzing a project’s consistency with current air quality plan primary goals and control measures. The impact would be significant if the project would conflict with or obstruct attainment of the primary goals or implementation of the control measures.

The primary goals of the Bay Area 2017 Clean Air Plan are to attain all state and national air quality standards, eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants, and reduce Bay Area greenhouse gas emissions to 40 percent below 1990 levels by 2030. (This last standard is addressed in Section G: Greenhouse Gas Emissions.)

The current project would be required to comply with all applicable rules and regulations related to emissions and health risk and, as detailed under the “Criteria Air Pollutants” topic below, would have reduced emissions from what would have occurred under development of The Globe Planned District as

originally proposed and therefore would not result in conflict with the primary goals of the 2017 Clean Air Plan.

Many of the Clean Air Plan's control measures are targeted to area-wide improvements, large stationary source reductions, or large employers and these are not directly applicable to the proposed project. However, the project would be consistent with all rules and regulations related to construction activities and the proposed development would meet current standards of energy and water efficiency (Clean Air Plan Energy Control Measure EN1 and Water Control Measure WR2) and recycling and green waste requirements (Clean Air Plan Waste Management Control Measures WA3 and WA4) and does not conflict with applicable control measures aimed at improving access/connectivity for bicycles and pedestrians (Clean Air Plan Transportation Control Measure TR9) or any other control measures.

The project, therefore, would be consistent with the Fremont CAP and Clean Air Plan and have a less-than-significant impact in this regard. While the regulatory plans have been updated since the Prior EIR, this conclusion is consistent with the Prior EIR.

For the above reasons, the proposed project would not result in significant impacts related to consistency with GHG reduction plans not previously identified in the Prior EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

H. Hazards and Hazardous Materials and Wildfire

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Routine Hazardous Materials Use	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
b. Risk of Upset	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(f) (Supersedes MM 3.2.1A: PCB Removal and Disposal) (MM 3.2.1B: Maintain Access to All Existing Groundwater Monitoring Wells, MM 3.2.1C: Ongoing Groundwater Monitoring/ Reporting have previously been satisfied and are no longer applicable) MM 3.2.2: Preparation and Implementation of an Emergency Action Plan MM 3.2.3: Survey and Properly Handle Materials from Structures that May Contain Asbestos or Lead-Based Paint	LTS w/MM
c. Hazardous Materials within a ¼-mile of a School	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
d. Hazardous Materials Site	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(f) (Supersedes MM 3.2.1A: PCB Removal and Disposal) (MM 3.2.1B: Maintain Access to All Existing Groundwater Monitoring Wells, MM 3.2.1C: Ongoing Groundwater Monitoring/ Reporting have previously been satisfied and are no longer applicable)	LTS w/MM
e. Airport Hazards	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
f. Emergency Access Routes	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
g. Wildfire ¹	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
¹ Note that the current CEQA Guidelines include wildfire as an independent section. This topic has been addressed here as it was in the Prior EIR.					

Discussion

Hazards and Hazardous Materials Setting Changes from The Globe Planned District

As discussed in this section, an Updated Risk Management Plan has been prepared for the project by Farallon Consulting, dated September 17, 2021 and available as part of the project files. Unless otherwise indicated, the information in this section is from the Updated Risk Management Plan.

The project site contains contamination from releases of industrial constituents associated with historical uses. The site underwent remedial actions for site contamination to the satisfaction of the San Francisco Bay Regional Water Quality Control Board (Water Board, the regulatory agency overseeing hazardous materials issues at this site), which issued a No Further Action determination (NFA) October 17, 2016. The NFA determination was contingent on placing a deed restriction on the site (allowing commercial or industrial land uses only), which was recorded with Alameda County on April 27, 2016; and managing future earthwork activities in accordance with the Risk Management Plan (RMP), dated May 2015, prepared by SCA Environmental, Inc.; and the Addendum to RMP dated September 1, 2016, prepared by Roger Shanks Consulting.

Although residual concentrations of petroleum hydrocarbons and trichloroethylene in groundwater continued to exceed Environmental Screening Levels (ESLs), the Water Board's 2016 NFA determination concluded that because the site deed restriction prohibits the use of groundwater for any purposes, groundwater at the site has been adequately remediated and appropriately managed, and use of the monitoring wells was discontinued.

To summarize, current contamination of concern at the site includes the following:

- PCBS, lead, nickel, arsenic, and ethylbenzene in soil on the former Home Depot parking lot;
- PCBs in soil in the former ramp/platform area;
- Lead in soil beneath and around the perimeter of the former Home Depot Building; and
- Benzene in soil gas beneath the former Home Depot Building.

Since the Prior EIR, the CEQA Guidelines have been updated to include more detailed threshold questions related to wildfire impacts in its own section. As had been standard practice at the time, the Prior EIR considered wildfire risk as part of the hazards and hazardous materials section, so this topic is discussed here. The expanded wildfire considerations apply to projects in areas that are very high fire severity zones, which does not apply to the project, so are not further detailed.

Routine Hazardous Materials Use

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Same Conclusion (conclusion remains NI): The current project would be required to comply with applicable regulations, plans and programs, related to any routine use of hazardous materials, which remains unchanged since the Prior EIR.

This section pertains to recurring transportation, use or disposal of hazardous materials as part of long term operation. Short-term transportation, use or disposal of hazardous materials related to construction and development is discussed in the following sections.

While specific tenants have not yet been identified, R&D laboratories are likely to handle materials considered to be biological hazards, chemical hazards and/or carry a risk of fire or explosion. Office uses would involve household hazardous waste such as cleaners and vehicle components. The risk of accidental upset and environmental contamination from routine transport, storage, use and disposal of hazardous and potentially hazardous materials to the public and environment would be mitigated

through compliance with applicable laws and regulations, adherence to fire and safety codes, and participation in the County's requisite Hazardous Materials Business Plan program, as applicable.

Therefore, consistent with conclusions in the Prior EIR, with compliance with applicable regulations for routine handling of hazardous materials, the project would not have an impact related to routine hazardous materials use.

For the above reasons, the proposed project would not result in significant impacts related to routine hazardous materials use not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Risk of Upset

- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Same Conclusion (conclusion remains LTS w/ MM): The current project would not change the less-than-significant with mitigation conclusion related to risk of upset from the Prior EIR, as the potential for hazardous building materials in structures to be demolished or during operations remain unchanged since The Globe Planned District. (Existing site contamination is further discussed under the Hazardous Materials Site topic.)

See the Hazardous Materials Site topic for discussion relating to site contamination, for which there could be risk of upset during construction activities as noted in that topic.

In addition to contamination of the site soil and groundwater, due to the age of existing buildings at the site, they could contain hazardous building materials such as lead-based paint and asbestos-containing materials. MM 3.2.3: Survey and Properly Handle Materials from Structures that May Contain Asbestos or Lead-Based Paint from the Prior EIR would remain applicable to the project and requires assessment and proper handling of any hazardous building materials prior to demolition.

Prior EIR Mitigation Measure 3.2.3: Survey and Properly Handle Materials from Structures that May Contain Asbestos or Lead-Based Paint. Prior to demolition or renovation of structures built before 1978, a survey for the presence of asbestos-containing materials (ACM) shall be conducted by Asbestos Hazard Emergency Response Act (AHERA)-certified personnel, trained according to state and federal regulations. Structures shall also be surveyed for the presence of lead-based paint. If the results of the survey detect the presence of lead-based paint, construction shall be performed in accordance with the Lead in Construction Standard (8 Cal. Code of regulations Section 5132.1). ACM will be removed in accordance with the requirements of Cal OSHA (8 Cal. Code of regulations 5129) and the Bay Area Air Quality Management District (BAAQMD).

The Prior EIR also identified MM 3.2.2: Preparation and Implementation of an Emergency Action Plan to require development and implementation of a plan to be activated in the event of an accidental release of hazardous substances at a nearby facility.

Prior EIR Mitigation Measure 3.2.2: Preparation and Implementation of an Emergency Action Plan. As a condition of Project Approval, the Project Applicant shall be required to develop and implement an Emergency Action Plan to be activated at the Project site in the event of an accidental release of hazardous substances at any facility near the Project site. Such a plan may identify measures to be

taken to enable those at the Project site to “shelter in place” as necessary, and shall be approved by the Fremont Fire Department prior to the issuance of any Certificate of Occupancy at the Project site.

The Prior EIR noted that the project site’s soil and groundwater contained contamination. Existing contamination at the site is discussed in detail under the topic of Hazardous Materials Sites below but because construction could result in accidental upset of site contamination, Standard Development Requirement FMC 18.218.050(f) would be applicable under this topic as well, requiring remediation of known contaminants and implementation of a soil management plan as appropriate.

Consistent with conclusions in the Prior EIR, with implementation of MM 3.2.3: Survey and Properly Handle Materials from Structures that May Contain Asbestos or Lead-Based Paint to address appropriate handling of any hazardous building materials, 3.2.2: Preparation and Implementation of an Emergency Action Plan to address operational use of hazardous materials, and Standard Development Requirement FMC 18.218.050(f) requiring remediation as appropriate (as discussed further under the topic of Hazardous Materials Sites), the project impact would be less-than-significant with mitigation.

For the above reasons, the proposed project would not result in significant impacts related to risks of upset not previously identified in the EIR as addressed through mitigation measures or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Hazardous Materials Near Schools

- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Same Conclusion (conclusion remains NI): The current project would not change the no impact conclusion related to hazardous materials near schools as the site is not located within one-quarter mile of a school.

Consistent with the no impact conclusion in the Prior EIR, while there are schools located to the west of the project site in Newark, they are located one quarter mile or more from the project site.

For the above reasons, the proposed project would not result in significant impacts related to hazardous materials near schools not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Hazardous Materials Site

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

Same Conclusion (conclusion remains LTS w/ MM): The current project would not change the less-than-significant with mitigation conclusion related to a hazardous materials site as the need to appropriately handle former contamination at the site has not changed since The Globe Planned District.

The Prior EIR noted that the project site’s soil and groundwater contained contamination. As discussed above, some remediation and further characterization has since been undertaken at the site and an Updated RMP (the document that addresses how to handle site contamination) has been prepared.

This Updated RMP provides protocols for managing contamination that may be encountered during future improvements or redevelopment activities conducted at the site, including:

- Communication requirements;
- Health and safety requirements;
- Soil management;
- Groundwater management;
- Stormwater management;
- Unanticipated subsurface conditions; and
- RMP reporting requirements.

Based on updated assessments and the currently proposed project, the Updated RMP determined that historical environmental conditions appear consistent with those identified at the time of the NFA determination, and appear adequately remediated and appropriately managed through implementation of the Updated RMP.

As noted above, the need for groundwater monitoring has been discontinued at the site per the Water Board's determination that the groundwater at the site has been adequately remediated and appropriately managed. MMs 3.2.1B and 3.2.1C related to the monitoring wells have been satisfied and are no longer applicable to the project.

The Prior EIR required Mitigation Measure 3.2.1A: PCB Removal and Disposal to address existing site contamination. The City has since adopted the following Standard Development Requirement, which supersedes Mitigation Measure 3.2.1A:

FMC 18.218.050(f): Hazardous Materials. New development projects with the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, if so determined by a site-specific environmental site assessment prepared to the satisfaction of the fire marshal or planning manager, shall implement the following measures prior to or during project construction, as applicable:

- (A) A soil management plan (SMP) shall be developed to provide guidelines for the appropriate handling and management of soil with known contaminants or recognized environmental condition (REC) concentrations above the applicable screening levels recommended in the California Department of Toxic Substances Control (DTSC) Office of Human and Ecological Risk (HERO) guidance document Human Health Risk Assessment or similar document provided by DTSC.

Prior to issuance of building and/or grading permits for site development, remediation work to remove known contaminants or RECs at the subject property shall be implemented to the satisfaction of the Alameda County Water District (ACWD), city of Fremont fire department, California Department of Toxic Substance Control (DTSC), or other appropriate agency having jurisdiction, depending on the location (e.g., depth) and the type of REC found and the jurisdictional purview of the agencies. Completion of the remediation work and procurement of an appropriate closure document or written statement that the remediation work has been satisfactorily completed and without further conditions or obligations shall be submitted to the satisfaction of the city of Fremont community development department. Compliance with this mitigation may require the

applicant or their agent to complete a preliminary endangerment report, voluntary cleanup agreement or other documentation as determined by the appropriate agency and receive concurrence that the site's RECs have been resolved.

The applicant would implement this requirement through implementation of the Updated RMP. Consistent with conclusions in the Prior EIR (and RMP), the Updated RMP concludes that with implementation of the RMP including deed restriction (commercial and industrial uses only) and considering the specifics of the proposed project, "historical environmental conditions appear consistent with those identified at the time of the [Water Board's No Further Action] determination, and appear adequately remediated and appropriately managed."

Consistent with conclusions in the Prior EIR, with implementation of Standard Development Requirement FMC 18.218.050(f) requiring remediation as appropriate, the project impact would be less-than-significant with mitigation.

Consistent with conclusions in the Prior EIR, with implementation of an Updated RMP, the project impact with respect to Hazardous Materials Sites would be less-than-significant with mitigation.

For the above reasons, the proposed project would not result in significant impacts related to hazardous materials sites not previously identified in the EIR as addressed through mitigation measures or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Airport Hazards

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

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion related to airport hazards because the project site is not located near an airport, consistent with conclusions for The Globe Planned District.*

The project site is not located within two miles of any public airport, or in the vicinity of a private airstrip. The San Jose International Airport, located about 10 miles away, is the closest airport to the project site. As such, there are no associated airport land use plans applicable to the site, and the project would not result in a safety hazard or excessive airport noise for people working at the site.

For the above reasons, the proposed project would not result in significant impacts related to airport hazards not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Emergency Access Routes

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion as the current project is redevelopment of an existing site and would not substantially change major access and evacuation routes, which has not changed since The Globe Planned District.*

The project is required to comply with the California Fire Code's access requirements. Additionally, the City of Fremont actively maintains a Disaster Management Operations Plan, and the project has been reviewed by the Fire Department to ensure that emergency response is not constrained. Compliance with these City standards would ensure that the project would not have an impact related to emergency response and evacuation planning, which is consistent with conclusions in the Prior EIR.

For the above reasons, the proposed project would not result in significant impacts related to emergency access routes not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Wildfire

- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion as the project site is in a developed area and the lack of wildfire risk in the vicinity has not changed since The Globe Planned District.*

Wildfire risks occur at the interface of wild lands and development. The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.³ Consistent with conclusions in the Prior EIR, the project would not have an impact with respect to wildfire.

For the above reasons, the proposed project would not result in significant impacts related to wildfire not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

³ CalFire, Very High Fire Hazard Severity Zone map, available at: <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

I. Hydrology and Water Quality

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Water Quality	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(MM 3.2.1B: Maintain Access to all Existing Groundwater Monitoring Wells, and MM 3.2.1C: Ongoing Groundwater Monitoring and Reporting have previously been satisfied and are no longer applicable)	LTS
b. Groundwater	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
c. Alter Drainage	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
d. Inundation	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
e. Water Plans	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS

Discussion

Hydrology and Water Quality Setting Changes from The Globe Planned District

Regulations regarding handling of stormwater are addressed through statewide rules and the local implementation of those rules, including the Statewide National Pollutant Discharge Elimination System (NPDES). These regulations and associated local permits and implementation guidelines are regularly updated and the current project would conform to current requirements.

Water Quality

- a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Reduced Conclusion (conclusion was revised from LTS w/ MM to LTS): While the Prior EIR had identified an impact and mitigation related to groundwater contamination and monitoring wells at the site, these measures have been satisfied and the monitoring wells are no longer used. The current project would have a less-than-significant impact with respect to water quality with compliance with applicable regulations.

The Prior EIR noted existing groundwater contamination at the site and referenced the need for ongoing groundwater monitoring and remediation due to prior contamination. However, since the Prior EIR, the Water Board (the regulatory agency overseeing hazardous materials issues at this site) issued a No Further Action determination in 2016, including a conclusion that groundwater at the site has been adequately remediated and appropriately managed, and use of the monitoring wells was discontinued. Therefore, related MM 3.2.1B: Maintain Access to all Existing Groundwater Monitoring Wells, and MM 3.2.1C: Ongoing Groundwater Monitoring and Reporting have previously been satisfied and are no longer applicable to the project.

As discussed further under the Alter Drainage topic below, the project represents redevelopment of an urban site and is required to comply with relevant requirements related to water quality and water quality plans including implementation of plans for stormwater control and pollution prevention.

Consistent with the previous assessment (other than regarding monitoring wells, which are no longer active), the proposed development is consistent with the type of development historically at the site and would comply with current water quality regulations and the impact would be less than significant.

For the above reasons, the proposed project would not result in significant impacts related to water quality not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Groundwater

- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Same Conclusion (conclusion remains LTS): The current project would not change the less than significant impact conclusion related to groundwater as development under the current project would not result in the potential for groundwater depletion, which has not changed since The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to groundwater. The project does not involve excavation that would affect groundwater. Dewatering activities are not anticipated to be necessary, but if subsequently determined to be required, any dewatering activities associated with the proposed project must comply with requirements established by the San Francisco Bay Regional Water Quality Control Board to ensure that such activities would not result in substantial changes in groundwater flow or quality. Following construction, the project would not substantially change impervious surface area and would not have a substantial impact on groundwater recharge. Therefore, the conclusion of a less than significant impact in regard to groundwater would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to groundwater not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Alter Drainage

- c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:
- i) result in substantial erosion or siltation on- or off-site;
 - ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
 - iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Same Conclusion (conclusion remains LTS): The current project would not change the less than significant impact conclusion related to alteration of drainage as development under the current project would not substantially alter drainage at the site and could comply with current stormwater regulations.

While the regulations have been updated since The Globe Planned District, the conclusions would remain the same.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to altering drainage, noting, “New impervious surface area will not be created through the redevelopment of the site. It is not anticipated that redevelopment of the site will increase stormwater runoff... Best Management Practices for stormwater pollution prevention are intended to achieve compliance with the goals of the Alameda County Urban Storm Water Runoff Program in conformance with the Federal National Pollutant Discharge Elimination System (NPDES) program established by the Clean Water Act. This will reduce potential impacts [to] insignificant levels.”

The project site is currently not being used, with existing buildings and pavement partially removed. However, as noted in the Prior EIR, the site has historically been fully developed and largely covered with buildings and pavement. The proposed project would redevelop the site and add landscaping and stormwater control areas consistent with current regulations. Following development, the site would include approximately 715,885 square feet of impervious area, representing approximately 74% of the site. The proposed stormwater system includes lined bioretention basins, which would allow natural cleaning and slowing of stormwater prior to release into the City’s stormwater system without impacting site contamination (see Section H: Hazards & Hazardous Materials).

As discussed under the topic Water Quality and Water Plans above, the project is required to comply with current regulations including implementation of a SWPPP to address construction-period runoff and a SCP to address operational runoff. With compliance with applicable regulations, the project would not represent a substantial alteration of the drainage patterns or flow from the site.

Consistent with the Prior EIR conclusions, the proposed development is consistent with the type of development historically at the site and would comply with current regulations and the impact with respect to altering drainage would be less than significant.

For the above reasons, the proposed project would not result in significant impacts related to altered drainage not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Inundation

- d) Would the project in flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?

Same Conclusion (conclusion remains LTS): *The current project would not change the not significant conclusions related to flooding and other inundation as the project site is not within a flood hazard area or subject to inundation hazards, which has not substantially changed since The Globe Planned District.*

The Prior EIR concludes the project would not have a significant impact with respect to flooding but notes, “The site is located in the western portion of the Fremont between Interstate 880 and the Bay. The proximity of the Bay may have a significant effect in the event of a catastrophic event, although unlikely.” Hazard mapping has been updated since the Prior EIR as discussed below.

Based on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), no portion of the project site is located within 100-year flood hazard boundaries, a Special Flood Hazard Area (100-year floodplain) or other Areas of Flood Hazard (e.g., the 500-year [or 2%] flood zone).⁴

Areas that are highly susceptible to tsunami inundation tend to be low-lying coastal areas such as tidal flats, marshlands and former Bay margins that have been artificially filled. Because of its location at the southern end of the San Francisco Bay and the shallowness of the Bay along the Fremont waterfront, the project site is not located within a tsunami inundation area.⁵ Seiches are not considered a hazard in the San Francisco Bay. The project site is not protected by a levee. Sea level rise of 16 inches by 2050, and 55 inches by 2100, has been predicted by the San Francisco Bay Conservation and Development Commission (BCDC). Even without implementation of shoreline protection measures such as levees, the increase in sea level associated with the predicted 2100 rise would not result in flooding of the project site, which is about 25-30 feet above sea level.

Therefore, consistent with the Prior EIR conclusions, the proposed development would not have a significant impact with respect to flooding and other inundation.

For the above reasons, the proposed project would not result in significant impacts related to inundation not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Water Plans

- e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Same Conclusion (conclusion remains LTS): The current project would not change the less than significant impact conclusion related to water plans as the current project would be required to follow all applicable water quality regulations, which has not changed since The Globe Planned District.

As discussed further under the Alter Drainage topic above, the project represents redevelopment of an urban site and is required to comply with relevant requirements related to water quality and water quality plans including implementation of plans for stormwater control and pollution prevention. Consistent with the previous assessment, the proposed development is consistent with the type of development historically at the site and would comply with current water quality regulations and the impact would be less than significant.

For the above reasons, the proposed project would not result in significant impacts related to water plans not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

⁴ Federal Emergency Management Agency (FEMA), effective 8/3/2009, Flood Insurance Rate Map (FIRM), Map Number 06001C0463G, available at <https://www.fema.gov/flood-maps>.

⁵ California Geological Survey, et al., Tsunami Inundation Maps for Emergency Planning

J. Land Use

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Division of an Existing Community	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
b. Conflict with Land Uses / Land Use Plans	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Land Use Setting Changes from The Globe Planned District

Approval of The Globe Planned District involved changes to the General Plan designation and zoning of the site consistent with the proposed development. The current project would again require changes to the General Plan designation and zoning of the site to allow for the proposed development.

Since the Prior EIR, the City's General Plan was updated in 2011. The proposed designation is consistent with the current General Plan, as discussed in subsection b) below.

Division of an Existing Community

a) Would the project physically divide an established community?

Same Conclusion (NI): *The current project would not change the no impact conclusion as the project would involve construction of on an already urbanized site, which has not changed since The Globe Planned District.*

As under The Globe Planned District, the site does not act to connect an established community and development of the site would not result in physical division of an established community. Therefore, the conclusion of no impact with respect to division of an established community under the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to division of an existing community not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Conflict with Land Use Plans

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Same Conclusion (NI): *The current project would not change the no impact conclusion as there are no conflicts with land uses/land use plans, which has not changed since The Globe Planned District.*

The Prior EIR concluded that The Globe Planned District would not have an impact related to conflict with land use plans noting, "The change of land use is needed to accommodate the proposed

development and specific uses. The elements of the project will be evaluated against and be consistent with the new General Plan designation. The project will not physically divide an established community...”

Based on the City’s preliminary review, the project would conform to the proposed General Plan designation of Industrial Tech (which primarily applies to R&D, “clean and green” tech, software facilities, and warehousing/distribution uses), and would be consistent with the land use and development standards of the I-T zoning district. The majority of surrounding uses east of Stevenson Boulevard fall under the Industrial and Innovation category and such uses would therefore be consistent with the general use and character of the area.

While representing a change to the General Plan designation of the site, the project is consistent with the following General Plan goals and policies:

Land Use Element: 2-1.11 (Infill Emphasis), 2-2.1 (Opportunity Areas for Growth and Change), 2-4.6 (Conversion of Older Shopping Centers and Commercial Uses), and 2-5.1 (Land Supply and Job Growth).

Economic Development Element: 6-1.1 (Increasing the Tax Base), 6-1.4 (Large Sales Tax and Employment Generators), 6-3.1 (Diverse Industrial and Technology Uses), and 6-3.2 (Attracting Emerging Growth Industries).

Mobility Element: 3-4.4 (Mitigating Development Impacts), and 3-6.6 (Trucking and Land Use Compatibility).

Consistent with the conclusions in the Prior EIR, the current project requires changes to the General Plan designation and zoning of the site consistent with the proposed development but would be generally consistent with the goals and policies of the General Plan and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

For the above reasons, the proposed project would not result in significant impacts related to conflict with land use plans not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

K. Mineral Resources

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Loss of Mineral Resources	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
b. Loss of Mineral Recovery Sites	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Loss of Mineral Resources

- a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to mineral resources, which are not known to occur on the project site, and there would be no change to the no impact conclusion related to mineral resources.*

The Prior EIR concluded that there were no known mineral resources with the potential to be affected by The Globe Planned District, which would therefore not have an impact related to mineral resources. The U.S. Geological Survey was consulted to confirm that there remain no known mineral resources in the vicinity of the project site.⁶ Therefore, the conclusion of no impact in regard to mineral resources from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to loss of mineral resources not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Loss of Mineral Recovery Sites

- b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Same Conclusion (NI): *There have been no changes in circumstance or new information related to mineral recovery sites, which are not known to occur on the project site, and there would be no change to the no impact conclusion related to mineral recovery sites.*

The Prior EIR concluded that there were no known mineral recovery sites with the potential to be affected by The Globe Planned District, which would therefore not have an impact related to mineral recovery sites. The project site is not within any of the mineral resource sectors identified in the City of

⁶ U.S. Geological Survey, Mineral Resources Data System: U.S. Geological Survey, Reston, Virginia. Accessed September 2021, at: <http://tin.er.usgs.gov/mrds/>

Fremont General Plan.⁷ The project would have no impact on the loss of mineral resources as designated on a local general plan, specific plan, or other land use plan. Therefore, the conclusion of no impact in regard to mineral recovery sites from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to mineral recovery sites not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

⁷ City of Fremont, 2011. City of Fremont General Plan. Land Use Element. Adopted December 2011. Available: <https://fremont.gov/generalplan>. Accessed January 5, 2022.

L. Noise

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Noise	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(g): Noise	NI
b. Vibration	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDR FMC 18.218.050(g): Noise	NI
c. Airport Noise	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Noise Setting Changes from The Globe Planned District

The noise environment has not changed substantially from that assessed in the Prior EIR and remains primarily characterized by transportation noise from vehicular traffic and railroads. Other sources of noise include industry, mechanical equipment on buildings, recreational activities, and intermittent construction noise.⁸

A few of the adjacent businesses to the southeast, which began operations between 2005 and 2014, are potentially sensitive to vibration, including 40919/40931 Encyclopedia – Neophotonics (semiconductor manufacturing); 40939 Encyclopedia – Clean Sciences Technology (electronic component manufacturing); and 40969 Encyclopedia – Celestica Precision Machines (semiconductor manufacturing). These are addressed in the analysis below.

Noise

- a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Same Conclusion (conclusion remains NI): The potential for loud construction activities has not substantially changed since The Globe Planned District and there would be no change to the no impact conclusion related to noise.

The Prior EIR concluded that The Globe Planned District would not have an impact related to noise noting, “The proposed project is located in a developed urban area near existing commercial and light industrial uses. There is no evidence that noise levels would be significantly increased or cause an impact to adjacent properties. Residential uses are not located within the vicinity of the project site, and there is no evidence that people visiting the project site would be exposed to noise levels in excess of the standards established by the General Plan.”

Consistent with the conclusions of the Prior EIR, the project vicinity remains characterized by commercial and light industrial uses with compatible noise levels. The project would be required to comply with applicable regulatory requirements under the City’s General Plan and noise ordinance

⁸ City of Fremont General Plan EIR, pp. 4-160 through 4-165.

(chapter 9.25 of the City of Fremont Municipal Code), and the City's allowable construction hours, and the City's Standard Development Requirement:

FMC 18.218.050(g): Noise. To reduce the potential for noise impacts during construction, the following requirements shall be implemented:

- (A) Construction equipment shall be well-maintained and used judiciously to be as quiet as practical.
- (B) Construction, excavating, grading, and filling activities (including the loading and unloading of materials, truck movements, and warming of equipment motors) shall be limited as provided in Section 18.160.010.
- (C) All internal combustion engine-driven equipment shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- (D) The contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
- (E) Loading, staging areas, stationary noise generating equipment, etc., shall be located as far as feasible from sensitive receptors.
- (F) The contractor shall comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.
- (G) Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number for the project sponsor in the event of noise complaints. The applicant shall designate an on-site complaint and enforcement manager to track and respond to noise complaints.
- (H) Temporary noise barriers, such as solid plywood fences, shall be installed around construction sites adjacent to operational businesses, residences or noise-sensitive land uses, unless an existing wall or other barrier provides equivalent noise attenuation. (Ord. 27-2016 § 37, 12-6-16; Ord. 23-2018 § 41, 10-2-18; Ord. 05-2021 § 52, 4-20-21.)

Therefore, the conclusion of no impact in regard to noise from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to noise not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Groundborne Vibration or Noise

- b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Same Conclusion (conclusion remains NI): The potential for excessive groundborne vibration or groundborne noise has not substantially changed since The Globe Planned District and there would be no change to the no impact conclusion related to groundborne vibration or noise.

The Prior EIR concluded that The Globe Planned District would not have an impact related to noise noting, “The proposed project is located in a developed urban area near existing commercial and light industrial uses. There is no evidence that noise levels would be significantly increased or cause an impact to adjacent properties. Residential uses are not located within the vicinity of the project site, and there is no evidence that people visiting the project site would be exposed to noise levels in excess of the standards established by the General Plan.”

Consistent with the conclusions of the Prior EIR, the project vicinity remains characterized by commercial and light industrial uses. As noted above, the adjacent development to the southeast includes buildings engaging in semiconductor and electronic component manufacturing – processes which can be sensitive to vibrations. These buildings are located as close as about 55 feet to the closest project property line, with their own internal driveway circulation and loading areas in between. Their internal processes would already be appropriately isolated from their own on-site vibrations from building operations and truck traffic and loading.

The proposed project uses would not be sources of substantial off-site operational groundborne vibration or noise except through truck traffic, which can cause some localized groundborne vibration and noise. While project operations could involve truck traffic as about 60 feet from the adjacent buildings, their own truck traffic and loading is already closer than that. Therefore, the project would not result in operational groundborne vibration or noise at potentially sensitive receptors at levels higher than that existing and accommodated by their existing processes.

Groundborne vibration and noise has the potential to be generated during construction activities at levels that could impact off-site uses during high-vibration construction activities such as pile driving – which is not proposed – and use of vibratory rollers. The project has proposed use of a small vibratory roller⁹ only in the drive aisle adjacent to the southeastern project boundary with the vibration sensitive uses and this will be a condition of project approval. A small vibratory roller in vibration mode slightly exceeds those of a loaded truck at a distance of 25 feet away. At the distance of at least 55 feet to the nearest vibration sensitive building, groundborne vibration would be the same or less than that from the adjacent buildings own truck traffic and loading docks. Therefore, the project would not result in construction-period groundborne vibration or noise at potentially sensitive receptors at levels higher than that existing and accommodated by their existing processes.¹⁰

As discussed above, the project would comply with the applicable construction hours in the City’s Municipal Code, which would limit the hours during which construction-related vibration could be produced. Additionally, the project would adhere to the standard development requirement related to noise-generating equipment. While this requirement is not specifically designed to address construction-related vibration, certain facets of the requirement would also reduce vibration impacts on neighboring uses. These include keeping construction equipment well-maintained, locating staging areas away from sensitive receptors, and providing contact information for a designated person to respond to complaints.

⁹ Small vibratory rollers are sometimes also called smooth drum rollers and are specifically not dual drum rollers.

¹⁰ Conclusions are based on personal correspondence with Michael Thill, Acoustical Consultant, Illingworth & Rodkin in November 2021, including the following information: Illingworth & Rodkin measured vibration levels produced by a small vibratory roller. The vibratory mode produced vibration levels of 0.087 in/sec PPV at 25 feet, which is slightly higher than that of a loaded truck.

For the above reasons, the proposed project would not result in significant impacts related to groundborne vibration or noise not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Airport Noise

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

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion as the site is outside the area significantly impacted by aircraft noise, which has not changed since The Globe Planned District.*

The project site is not located proximate to a public or private airport and remains well outside noise impact areas of Bay Area airport land use plans. Therefore, the conclusion of no impact in regard to airport noise from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to airport noise not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

M. Population & Housing

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Population Growth	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
b. Displacement of Housing or People	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Population and Housing Setting Changes from The Globe Planned District

The relevant planning document for this project and the analysis at issue is the City's Housing Element under its General Plan. The Housing Element was last adopted in 2015 and incorporates the Association of Bay Area Governments' (ABAG) Regional Housing Needs Allocation (RHNA) for South San Francisco. Like other local and regional planning documents, the City's Housing Element and General Plan are regularly updated.

Population Growth

- a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion as the site does not currently propose housing and represents redevelopment of an urban employment site and this has not changed since The Globe Planned District.*

The Prior EIR concluded that The Globe Planned District would not have an impact related to population and housing noting, "The proposed project does not include residential uses nor is it proposed on a site that has existing residential uses. The project is not anticipated to alter the location, distribution, density or growth rate of human populations. The proposed project will not have any impact on existing housing stock."

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment. Consistent with the conclusions of the Prior EIR, the project would therefore not result in substantial unplanned population growth and the conclusion of no impact in regard to population from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to population growth not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Displacement of People or Housing

- b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion as the site does not currently contain housing and represents redevelopment of an urban employment site and this has not changed since The Globe Planned District.*

The Prior EIR concluded that The Globe Planned District would not have an impact related to housing noting, “The proposed project does not include residential uses nor is it proposed on a site that has existing residential uses. The project is not anticipated to alter the location, distribution, density or growth rate of human populations. The proposed project will not have any impact on existing housing stock.”

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment. Consistent with the conclusions of the Prior EIR, the project would therefore not displace people or housing and the conclusion of no impact in regard to population and housing from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to displacement of people or housing not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

N. Public Services & Recreation

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Public Services	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
b. Recreation	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI

Discussion

Public Services and Recreation Setting Changes from The Globe Planned District

Area-wide development has continued throughout the vicinity and public service and recreation plans, operations, and development fee programs are regularly assessed and updated.

Public Services

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services: fire protection, police protection, schools, parks?

Same Conclusion (conclusion remains LTS): The current project would not change the no significant impact conclusions as the potential to increase demand for services has not substantially changed since The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to public services noting, "Because the project site contains existing commercial uses, it is not anticipated that redevelopment of the site would cause a significant burden on public services, although demand is expected to slightly increase. The project will be required to comply with all conditions of the Police and Fire Department, including fire alarm and suppression systems in all new buildings."

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment and use of services and would comply with applicable requirements and fee programs related to public services. Therefore, the conclusion of no significant impacts in regard to public services from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to public services not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Recreation

- b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be

accelerated or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Same Conclusion (conclusion remains NI): *The current project would not change the no significant impact conclusions as the potential to increase demand for recreation has not substantially changed since The Globe Planned District.*

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to public services and recreation noting, “The project is not anticipated to create a demand or impact local schools and/or park facilities... The project site is not located near park facilities, nor does it contain uses that would rely upon recreational facilities. The proposed project will have no significant impact on neighborhood or regional parks, and will not affect existing recreational opportunities.”

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment and use of services and would comply with applicable requirements and fee programs related to recreation. Therefore, the conclusion of no significant impacts in regard to recreation from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to recreation not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

O. Transportation

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Circulation System Plans and Facilities	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
b. Transportation Impacts	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
c. Hazards	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
d. Emergency Access	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
¹ Note that Energy was not formally assessed in the Prior EIR. As shown in this table, the project impact under this topic would not be significant and is equal to or less severe than what would have been identified under the Prior EIR.					

Discussion

Transportation Setting Changes from The Globe Planned District

Since the adoption of the Prior EIR, the California Natural Resources Agency certified and adopted new CEQA Guidelines in 2018 to implement the requirements of California Senate Bill (SB) 743. Specifically, SB 743 and the resulting CEQA Guideline section 15064.3 changed the CEQA transportation impact analysis significance criteria to eliminate auto delay, level of service (LOS), and similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA. The changes in CEQA Guidelines to implement SB 743 present vehicle miles traveled (VMT) as an appropriate measure of transportation impacts. These requirements are incorporated into the City of Fremont Vehicle Miles Traveled Analysis Approach and Mitigation Summary Report (April 2020).

While the Prior EIR identified level of service-based impacts and mitigation measures, these are not applicable to the current project under current CEQA law and are therefore not further discussed in this analysis. The assessment under subsection b) instead addresses VMT-based analysis.

A Transportation Impact Analysis has been prepared for the project by Fehr & Peers, dated January 3, 2022, as referenced in this document and included as Attachment D. Unless otherwise indicated, the information in this section is from the Transportation Impact Analysis.

Circulation System Conflict

- a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Reduced Conclusion (conclusion was revised from LTS w/ MM to LTS): While the Prior EIR had identified impacts and mitigation related to vehicular capacity or traffic congestion, these metrics are not considered for the analysis of this topic under current laws. An assessment of the current project demonstrates the project would have a less-than-significant impact with respect to circulation system conflict.

The Transportation Impact Analysis included a consideration of this topic for the current project with the following conclusions:

Bicycle Access and Circulation

Existing bicycle facilities in the vicinity of the project include:

- Class II buffered bicycle lanes on eastbound Stevenson Boulevard west of Cedar Boulevard, and Class II bicycle lanes on westbound Stevenson Street west of Balentine Drive
- Intermittent Class II bicycle lanes on Stevenson Boulevard east of Albrae Street
- Class II bicycle lanes on Balentine Drive north of Stevenson Boulevard
- Class II bicycle lanes on Albrae Street south of Stevenson Boulevard
- Class II bicycle lanes on Boyce Road and Cherry Street

The City of Fremont's 2018 Bicycle Master Plan proposes the following near the project site:

- Upgrade the existing Class II bicycles lanes on Boyce Road to Class IV separated bikeway

Considering the uses at the site, the project is expected to generate minimal bicycle trips. Most cyclists are expected to use Stevenson Boulevard and Albrae Street to access the site.

Bicycle Parking

Per City of Fremont Municipal Code Section 18.183.135, the project is required to provide the following bicycle parking:

- Long-term bicycle parking = 1, plus 5% of required automobile parking for tenants or occupants
- Short-term bicycle parking = 4, plus 5% of required automobile parking for visitors Where long-term bicycle parking is defined as bicycle lockers, indoor bicycle storage, or similar facilities protected from the weather and with a higher degree of security designed to serve primarily employees who leave their bikes for longer periods of times, and short-term bicycle parking is defined as bicycle racks designed to serve visitors who leave their bikes for relatively short periods of time.

The project will provide on-site bicycle parking as required by the Code. Considering the automobile parking requirements for the project, each project building is required to provide the following bicycle parking spaces:

- Building 1: 17 long-term and 20 short-term bicycle parking spaces
- Building 2: 14 long-term and 17 short-term bicycle parking spaces
- Building 3: 9 long-term and 12 short-term bicycle parking spaces

Pedestrian Access and Circulation

In the vicinity of the project, most streets provide a sidewalk on at least one side of the street. The existing sidewalks adjacent to the project site are described below:

- Albrae Street currently provides a nine-foot sidewalk north of the project site on the west side of the street. Adjacent to the project side, intermittent sidewalks with a landscaping strip are currently provided. It is recommended that the project provide a continuous five-foot sidewalk with four feet of landscaping along the project frontage on Albrae Street.
- Encyclopedia Circle provides a 4.5-foot sidewalk on the east side of the street along the north portion of the project frontage and no sidewalk along the south portion of the project frontage. It is recommended that the project provide a continuous five-foot sidewalk along the project frontage on Encyclopedia Circle.
- Main Street provides intermittent eight-foot sidewalks on both sides of the street that connect the site to Stevenson Boulevard.

The signalized Albrae Street/Stevenson Boulevard intersection provides marked crosswalks, pedestrian signal heads with pushbuttons, and one curb ramp per corner on all approaches, except the east approach of the intersection. The unsignalized study intersections on Stevenson Boulevard at Main Street and Encyclopedia do not provide marked crosswalks across Stevenson Boulevard, or the side streets.

The project site would provide sidewalks within the project site adjacent to all three buildings, which can be used to walk between the project buildings, parking facilities within the site, and the sidewalks on the adjacent streets.

Roadways

As discussed under subsection b), the project is consistent with City of Fremont VMT targets. As discussed under subsection c), all access locations would provide adequate sight distance between vehicles entering or exiting the site and pedestrians on the adjacent sidewalks and vehicles in both directions of the adjacent streets.

Transit Access

As of September 2021, no bus service is provided on the streets adjacent to the project site. The nearest bus stops to the project are on both directions of Stevenson Boulevard just west of Main Street. The bus stop is served by AC Transit Line 216 which provides service to various destinations in Fremont, Newark, and Union City, including the Fremont and Union City BART Stations. No amenities are provided at these bus stops. Access between the bus stop on eastbound Stevenson Boulevard and the project site is provided by walking along the sidewalks on Main Street or Albrae Street. Access between the bus stop on westbound Stevenson Boulevard and the project site is provided by walking along Albrae Street and crossing Stevenson Boulevard at the signalized Albrae Street/ Stevenson Boulevard intersection.

Circulation System Conclusions

As discussed above, the project would provide access and circulation for passenger automobiles, trucks, bicycles, and pedestrians in and around the site consistent with relevant requirements and policies and would not have a significant impact in this regard.

Additionally, as discussed under section C: Air Quality, Mitigation Measure 3.1.2 requires physical on-site improvements to promote pedestrians and bicycle use, improvements to transit facilities, preferential parking for electric or alternatively-fueled vehicles, and implementation of Transportation Demand Management (TDM) measures as feasible. Mitigation Measure 3.1.2 would remain applicable to the current project and the applicants have prepared a preliminary TDM Plan to meet this requirement.

For the above reasons, the proposed project would not result in significant impacts related to circulation system conflicts not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Transportation Impacts

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Reduced Conclusion (conclusion was revised from LTS w/ MM to LTS): While the Prior EIR had identified impacts and mitigation related to level of service, current laws require analysis on a VMT basis, which demonstrates the project would have a less-than-significant impact with respect to transportation impacts.

The State Office of Planning and Research's (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA recommends evaluating VMT impacts using an efficiency-based version of the metric, such as VMT per resident for residential developments or VMT per employee for office or other employment-based developments. Consistent with OPR's guidelines, City of Fremont uses the metric of home-work VMT per employee for evaluating the impacts of employment-based uses, such as the proposed project. The home-work VMT per employee measures all of the commute trips between homes and workplaces and divides that total distance by the number of employees at the site.

Based on the City of Fremont guidelines, the following significance thresholds are applicable to the project:

- Office Uses: 15% below the regional average VMT per employee
- Industrial Uses: The regional average VMT per employee

The VMT for the project has been estimated using the Alameda County Transportation Commission (CTC) Travel Demand Model. The Alameda CTC Model, which covers the entire nine county Bay Area, is a regional travel demand model that uses socio-economic data and roadway and transit network assumptions to forecast traffic volumes, transit ridership, and VMT using a four-step modeling process that includes trip generation, trip distribution, mode split, and trip assignment. This process accounts for changes in travel patterns due to future growth and expected changes in the transportation network. This analysis uses the latest version of the Alameda CTC Model, which was released in May 2019. The Model is based on the Metropolitan Transportation Commission (MTC) Plan Bay Area 2040 (i.e., Sustainable Communities Strategy) transportation network and land uses for 2020. Different areas are expressed geographically in transportation analysis zones (TAZ), which are used in transportation

planning models for transportation analysis and other planning purposes. The TAZ in which the project is located is TAZ 906.

The project VMT is based upon trips. Table 3 presents project trips and a comparison against trips for this area under the Prior EIR for comparison purposes.

Table 3: Project Trip Generation

Land Use	Size (KSF) ¹	Daily Trips	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Office ²	24.5	240	43	7	50	5	25	30
Warehouse ³	333.8	2,150	235	55	290	156	245	401
Manufacturing ⁴	36.8	280	18	5	23	8	17	25
Truck Traffic Adjustment ⁵		210	27	6	33	9	13	22
Total Project Trips		2,880	323	73	396	178	300	478
The Globe (Project Site) ⁶		14,170	N/A	N/A	N/A	398	431	829

Notes:

1. KSF = thousand square feet
2. ITE Trip Generation (Tenth Edition) land use category 710 (General Office Building in General Urban/Suburban Setting)
3. ITE Trip Generation (Tenth Edition Supplement) land use category 155 (High-Cube Fulfillment Center Warehouse (Sort) in General Urban/Suburban Setting)
4. ITE Trip Generation (Tenth Edition) land use category 140 (Manufacturing in General Urban/Suburban Setting)
5. Based on ITE Trip Generation (Tenth Edition Supplement), land use category 156 (High-Cube Parcel Hub Warehouse in General Urban/Suburban Setting), truck trip generation rates applied to the warehouse and manufacturing components of the project assumes a passenger car equivalent of 2.0 for the truck trips.
6. Estimated daily trips for the entitled project on the currently proposed project site based on the total daily trips for the EIR project in The Globe General Plan Amendment Draft EIR (2005), Appendix B.

Source: Fehr & Peers, Transportation Impact Analysis, dated January 3, 2022, Summarized from Tables 3 and 4. (Attachment D)

As shown in Table 3, it is estimated that the project would generate about 2,880 daily, and 396 AM and 478 PM peak hour net new trips. As also shown in the table, this is a substantially lower amount of traffic than would have occurred for this site under The Globe Planned Development.

Table 4 summarizes the estimated home-work VMT per employee under year 2020 conditions for the project based on the results of the Alameda CTC Model and compares the results to the City of Fremont's thresholds applicable to the project.

Table 4: Project Daily Vehicle Miles Traveled Summary

	Home-Based VMT per Employee year 2020
Project (TAZ 906)	13.5
Bay Area Regional Average (threshold for industrial uses)	18.1
Exceeds Threshold?	No
15% below Bay Area Regional Average (threshold for office uses)	15.4
Exceeds Threshold?	No

Source: Fehr & Peers, Transportation Impact Analysis, dated January 3, 2022, Table 1 and surrounding text. (Attachment D)

It is estimated that the project employees would have an average home-work VMT of 13.5 miles per employee per day in 2020, which is more than 15% below the regional average VMT per employee. Since the project is consistent with the City of Fremont General Plan, the cumulative VMT impact of the project is less than significant. Therefore, the project would have a less than significant impact with respect to VMT.

For the above reasons, the proposed project would not result in significant impacts related to transportation impacts not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Traffic Hazards

- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Same Conclusion (conclusion remains NI): The current project would not change the no impact conclusion as the project would meet applicable safety standards and that has not substantially changed since The Globe Planned District.

Vehicles would access the project site through the following six access points:

- A new driveway on Albrae Street opposite the existing Walmart driveway. This driveway would be 26 feet wide and accommodate passenger vehicles only. Currently, this segment of Albrae Street provides one motor vehicle lane and one bicycle lane in each direction and a center two-way left-turn lane.
- The project would have access to the existing driveway on Albrae Street just north of the project site. This driveway would be shared with the adjacent shopping center and used primarily by passenger vehicles driving to and from Building 3.
- A new driveway in the northwest corner of the project site on Encyclopedia Circle, just south of the northeast bend in Encyclopedia Circle would be 40 feet wide and accommodate both passenger vehicles and trucks.
- A new driveway in the southwest corner of the project site on Encyclopedia Circle would be 40 feet wide and accommodate both passenger vehicles and trucks.
- A new driveway on the west side of the project site on Encyclopedia Circle midway between the two other driveways would be 26 feet wide and accommodate passenger vehicles only.
- The project would also have direct access on Main Street on the north side of the project site. The access point would have a center median and provide 13-foot lanes in each direction to minimize potential conflicts between trucks and passenger vehicles and pedestrians accessing the adjacent shopping center.

The Transportation Impact Analysis assessed the safety of these access points. All six access locations would provide adequate sight distance between vehicles entering or exiting the site and pedestrians on the adjacent sidewalks and vehicles in both directions of the adjacent streets.

The project driveways would provide access to the surface parking spaces provided throughout the site. All parking spaces would be perpendicular spaces along two-way drive aisles. The drive aisles that accommodate only passenger vehicles would be generally 26 feet wide, which is adequate space for two-way circulation and would accommodate passenger vehicles maneuvering into and out of the parking spaces. The drive aisles that would also accommodate trucks would be generally 40 feet wide which would provide adequate space for truck circulation as well as passenger vehicle access. Based on a review of the site plan, the project parking lot would provide adequate sight distance throughout the site.

As discussed above, the project would not result in a traffic hazard and would not have a significant impact in this regard.

For the above reasons, the proposed project would not result in significant impacts related to traffic hazards not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Emergency Access

d) Would the project result in inadequate emergency access?

Same Conclusion (conclusion remains NI): *The current project would not change the no impact conclusion because the requirement to provide adequate emergency access has not substantially changed since The Globe Planned District.*

The proposed project would not reroute or change any of the city streets in its vicinity that would impact emergency vehicle access to nearby properties. As discussed under subsection c) above, the project would provide access suitable for truck traffic, which would also include emergency vehicles. Consistent with the conclusions of the Prior EIR, the project would have no impact with regard to

For the above reasons, the proposed project would not result in significant impacts related to emergency access not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

P. Utilities and Service Systems and Energy

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. New or Expanded Facilities	LTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
b. Water Supplies	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
c. Wastewater Capacity	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
d-e. Solid Waste	NI	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	NI
f. Energy ¹	-- ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	LTS
¹ Note that Energy was not formally assessed in the Prior EIR. As shown in this table, the project impact under this topic would not be significant and is equal to or less severe than what would have been identified under the Prior EIR.					

Discussion

Utilities and Service Systems Setting Changes from The Globe Planned District

Area-wide development has continued throughout the vicinity and utilities plans, services, and development fees are regularly assessed and updated.

California Assembly Bill (AB) 341 now requires businesses that generate 4 or more cubic yards of waste per week to recycle. AB 1826 requires all businesses to subscribe to organics recycling service.

New or Expanded Facilities

- a) Would the project require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Same Conclusion (conclusion remains LTS): *The current project would not change the no significant impact conclusion related to new or expanded facilities as the need for new or expanded facilities has not substantially changed since The Globe Planned District.*

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to utilities and service systems noting, "All applicable utilities and services required for this project have been, or will be made available. Appropriate review of the utility systems for the project will be conducted during the Development Organization (Building Permit) review to ensure adequate capacity and facilities. The project will integrate the goals of the Alameda County Urban Runoff Clean Water Program. Implementation of these measures will reduce any potential impact to insignificant levels."

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment and use of services and would comply with applicable requirements. Therefore, the conclusion of no significant impacts with regard to new or expanded services from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to new or expanded facilities not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Water Supplies

- b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Same Conclusion (conclusion remains NI): The current project would not change the no significant impact conclusions as the potential for demand to exceed the water availability has not substantially changed since The Globe Planned District.

As noted in the Prior EIR, the size of the project does not trigger a need for a project-specific Water Supply Assessment and the project would be required to conform to all current utility-related regulations including those related to water efficiency.

For the above reasons, the proposed project would not result in significant impacts related to water supplies not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Wastewater Capacity

- c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Same Conclusion (conclusion remains NI): The current project would not change the no significant impact conclusions as the potential to exceed wastewater capacity has not substantially changed since The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to utilities and service systems noting, "All applicable utilities and services required for this project have been, or will be made available. Appropriate review of the utility systems for the project will be conducted during the Development Organization (Building Permit) review to ensure adequate capacity and facilities. The project will integrate the goals of the Alameda County Urban Runoff Clean Water Program. Implementation of these measures will reduce any potential impact to insignificant levels."

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment and use of services and would comply with applicable requirements. Therefore, the conclusion of no significant impacts with regard to wastewater capacity from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to wastewater capacity not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Solid Waste Generation

- d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Same Conclusion (conclusion remains NI): The current project would not change the no significant impact conclusions as the potential to generate excessive solid waste has not substantially changed since The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to utilities and service systems noting, “All applicable utilities and services required for this project have been or will be made available. Appropriate review of the utility systems for the project will be conducted during the Development Organization (Building Permit) review to ensure adequate capacity and facilities. The project will integrate the goals of the Alameda County Urban Runoff Clean Water Program. Implementation of these measures will reduce any potential impact to insignificant levels.”

The project would be required to conform to all current utility-related regulations including those related to solid waste reduction.

For the above reasons, the proposed project would not result in significant impacts related to solid waste generation not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Solid Waste Regulations

- e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Same Conclusion (conclusion remains NI): The current project would not change the no significant impact conclusions as the potential to conflict with solid waste regulations has not substantially changed since The Globe Planned District.

The Prior EIR concluded that The Globe Planned District would not have a significant impact related to utilities and service systems noting, “All applicable utilities and services required for this project have been, or will be made available. Appropriate review of the utility systems for the project will be conducted during the Development Organization (Building Permit) review to ensure adequate capacity and facilities. The project will integrate the goals of the Alameda County Urban Runoff Clean Water Program. Implementation of these measures will reduce any potential impact to insignificant levels.”

The size of the project does not trigger a need for a project-specific Water Supply Assessment and the project would be required to conform to all current utility-related regulations including those related to water and energy efficiency, and solid waste reduction.

The proposed project would redevelop a site historically utilized for industrial / warehouse / and office uses with similar types of uses and related employment and use of services and would comply with applicable requirements. Therefore, the conclusion of no significant impacts with regard to solid waste regulations from the Prior EIR would remain the same with the current project.

For the above reasons, the proposed project would not result in significant impacts related to solid waste regulations not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Energy

- f) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Same Conclusion (conclusion remains LTS): *The Prior EIR did not explicitly address energy (assumed LTS) but both The Globe Planned District and the current project would comply with applicable energy efficiency regulations.*

The project would be considered to have a significant impact related to energy use if it would violate applicable federal, state and local statutes and regulations relating to energy standards and/or if energy consumption increases resulting from the project would trigger the need or expanded off-site energy facilities.

The current project would be required by the City to comply with all standards of Title 24 of the California Code of Regulations and the new California Green Building Standards Code (CALGREEN), as applicable, aimed at the incorporation of energy-conserving design and construction. PG&E infrastructure exists on the current project site, and any on-site and immediately adjacent improvements and extensions required to accommodate the redevelopment would be determined in consultation with PG&E prior to installation. The project is consistent with the types of uses that were historically located at the site and are located in the vicinity and by itself would not result in the need for new or expanded off-site facilities. Therefore, although the project could incrementally increase energy consumption, it would conform to applicable requirements to avoid wasteful or inefficient energy use and would not result in a significant impact related to the energy use.

For the above reasons, the proposed project would not result in significant impacts related to energy not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Q. Mandatory Findings of Significance

Impacts Related To:	Prior EIR Findings with Implementation of MM (If Required)	PROJECT			
		Relationship to Prior EIR Findings		Applicable SDRs or MMs	Project Level of Significance
		Equal or Less Severity	Substantial Increase in Severity		
a. Environmental Quality	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDRs FMC 18.218.050(b)(2), -(b)(3), -(d)(1), -(d)(2)	NI
b. Cumulative Impacts	SU w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDRs FMC 18.218.050(a), -(b)(2), -(b)(3), -(c), -(d)(1), -(d)(2), -(e), -(f), -(g) MMs 3.1.2, 3.2.2	SU w/MM
c. Adverse Effects on Human Beings	LTS w/MM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SDRs FMC 18.218.050(a), -(c), -(e), -(f), -(g) MMs 3.1.2, 3.2.2, 3.2.3	LTS w/MM

Environmental Quality

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Same Conclusion (conclusion remains NI): *The current project would not change the no significant impact conclusions as the potential for impacts related to environmental quality has not substantially changed since The Globe Planned District.*

With the implementation of the City's Standard Development Requirements to protect nesting birds and roosting bats during construction and to address the potential discovery of currently unknown cultural, tribal cultural, or paleontological resources at the site, the project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community. The project would not impact rare or endangered wildlife species, or eliminate important examples of the major periods of California history or prehistory.

For the above reasons, the proposed project would not result in significant impacts related to environmental quality not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Cumulative Impacts

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Same Conclusion (conclusion remains SU w/ MM): The current project would not change the SU impact with respect to operational emissions and the significant and unavoidable with mitigation conclusion related to operational-period criteria pollutant emissions, which is a cumulative impact.

The impact with respect to operational emissions would remain significant and unavoidable even with the implementation of mitigation. Other significant impacts requiring mitigation would occur in the topics of Air Quality and Hazardous Materials. As noted throughout this analysis, the project would have the same or reduced impacts from the Prior EIR.

For the above reasons, the proposed project would not result in significant impacts related to cumulative impacts not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

Adverse Effects on Human Beings

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Same Conclusion (conclusion remains LTS w/MM): The current project would not change the no significant impact conclusions as the potential for adverse effects on human beings has not substantially changed since The Globe Planned District.

The project would not result in substantial adverse effects on human beings, either directly or indirectly.

The City's Standard Development Requirements would minimize the potential for safety impacts related to construction-period emissions, site and soil hazards, disturbance of site contaminants, and construction-period noise.

Impacts and mitigation from the Prior EIR would remain applicable related to reduction of vehicle trips and related emissions, hazardous building materials, and response in the event of release of hazardous substances. As noted throughout this analysis, the project would have the same or reduced impacts from the Prior EIR.

For the above reasons, the proposed project would not result in significant impacts related to adverse effects on human beings not previously identified in the EIR or addressed through uniformly applied development policies or standards and no further environmental review is necessary for this topic.

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SOURCES

1. City of Fremont, Globe Planned District Environmental Review (SCH No. 2005042146), including an Initial Study (2005), Draft EIR (2005), Final EIR (2006) and Supplemental EIR (2006). Available at <https://www.fremont.gov/430/Environmental-Review> under the “Fremont Albrae Industrial” project.
2. City of Fremont, Fremont General Plan Update EIR, December 13, 2011. Available at <https://fremont.gov/398/General-Plan>.
3. City of Fremont, Fremont Municipal Code, Title 18 Planning and Zoning, Ch. 18.218 Standard Development Requirements to Address Resource Protection. Available at <https://www.codepublishing.com/CA/Fremont/#!/Fremont18/Fremont18218.html>.
5. CalTrans, State Scenic Highway website, available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.
6. California Department of Conservation, 2018. Williamson Act Status Report. Available at . https://www.conservation.ca.gov/dlrp/wa/Pages/stats_reports.aspx.
7. Bay Area Air Quality Management District, May 2017, California Environmental Quality Act Air Quality Guidelines.
8. Bay Area Air Quality Management District, June 2, 2010, News Release http://www.baaqmd.gov/~media/Files/Communications%20and%20Outreach/Publications/News%20Releases/2010/ceqa_100602.ashx
9. Illingworth & Rodkin, November 9, 2020, Air Quality and Greenhouse Gas Emissions Analysis.
10. Johnson Marigot Consulting, LLC, June 15, 2021, Site Visit Summary – 40714 Albrae Street, Fremont, CA.
11. Johnson Marigot Consulting, LLC, July 7, 2021, personal correspondence email.
12. HortScience/Bartlett Consulting, September 2020, Tree Inventory Report.
13. Terracon, August 26, 2020, Report of Expected Geotechnical Conditions.
14. Farallon Consulting, November 23, 2020, Phase I Environmental Site Assessment Report.
15. Farallon Consulting, September 17, 2021, Updated Risk Management Plan.

16. CalFire, Very High Fire Hazard Severity Zone map, available at:
<https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>
17. Federal Emergency Management Agency (FEMA), effective 8/3/2009, Flood Insurance Rate Map (FIRM), Map Number 06001C0463G, available at <https://www.fema.gov/flood-maps>.
18. California Geological Survey, et al., Tsunami Inundation Maps for Emergency Planning
19. U.S. Geological Survey, Mineral Resources Data System: U.S. Geological Survey, Reston, Virginia. Available at: <http://tin.er.usgs.gov/mrds/>.
20. City of Fremont, 2011. City of Fremont General Plan. Land Use Element. Adopted December 2011. Available: <https://fremont.gov/generalplan>.
22. Fehr & Peers, January 3, 2022, Transportation Impact Analysis.
23. Fehr & Peers, April 2021, Transportation Demand Management Plan.