RECIRCULATED PUBLIC REVIEW DRAFT

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

DRISCOLL ROAD MAIN RENEWAL PROJECT

ACWD JOB NO. 21212

FREMONT, ALAMEDA COUNTY, CALIFORNIA

LSA

November 2020

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DRISCOLL ROAD MAIN RENEWAL PROJECT

ACWD JOB NO. 21212

FREMONT, ALAMEDA COUNTY, CALIFORNIA

Submitted to:

Alameda County Water District
43885 S. Grimmer Boulevard
Fremont, California 94537

Prepared by:

LSA
157 Park Place
Pt. Richmond, California 94801
510.236.6810

Project No. AWD1601D

November 2020

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MITIGATED NEGATIVE DECLARATION

Project Name. Driscoll Road Main Renewal Project, ACWD Job No. 21212

Project Location. The Driscoll Road Main Renewal Project would extend primarily along Driscoll Road between its intersections with Mission Boulevard and Timber Creek Terrace (approximately) in Fremont, Alameda County, California. Proposed improvements would also occur on a lateral connection to the northwest along Paseo Padre Parkway.

Project Description. The Alameda County Water District (District) proposes to replace approximately 7,400 feet of existing 12-inch asbestos cement pipeline with a new 12- to 16-inch steel pipeline along Driscoll Road and Paseo Padre Parkway in the City of Fremont (City). Implementation of the project would reduce the number of leaks and breaks in the future that could take place and result in unplanned water service outages. The proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, existing connections with other pipelines and branch connections, and water service laterals along Driscoll Road and Paseo Padre Parkway (Figure 3). The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages. Most of the existing pipeline would be removed from service and protected in place to provide for potential future use, pending approval from the City.

Findings. It is hereby determined that, based on the information contained in the attached Initial Study, the project would not have a significant adverse effect on the environment.

Mitigation measures necessary to avoid the potentially significant effects on the environment are included in the attached Initial Study, which is hereby incorporated and fully made part of this Mitigated Negative Declaration. The District has hereby agreed to implement each of the identified mitigation measures, which would be adopted as part of the Mitigation Monitoring and Reporting Program.

_____ 12/1/2020

Ed Stevenson
Alameda County Water District

Date

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LIST OF ABBREVIATIONS AND ACRONYMS

AAQS	Ambient Air Quality Standards
AB 52	Assembly Bill 52
ABAG	Association of Bay Area Governments
AC	Asbestos Cement
ACFCD	Alameda County Flood Control and Water Conservation District
ACTC	Alameda County Transportation Commission
AHF	above the Hayward Fault
AT&T	American Telegraph and Telephone
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BHF	below the Hayward Fault
BMPs	Best Management Practices
CalFire	California Department of Fire and Forestry Protection
Caltrans	California Department of Transportation
CAP	City of Fremont Climate Action Plan
CBC	California Building Code
CDDW	California Division of Drinking Water
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CH_4	Methane
City	City of Fremont
CMA	Congestion Management Agency
C-N	Neighborhood Commercial
C-O	Commercial Office
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	CO_2 equivalents
CNDDB	California Natural Diversity Database

CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CRHR	California Register of Historic Resources
dB	decibels
dBA	A-weighted decibels
District	Alameda County Water District
DTSC	Department of Toxic Substances Control
EFZ	Earthquake Fault Zones
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHGs	Greenhouse gas emissions
GWP	Global Warming Potential
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
I-680	Interstate 680
IS/MND	Initial Study/Mitigated Negative Declaration
Ldn	day-night average level
Leq	Equivalent continuous sound level
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendent
MMI	Modified Mercalli Intensity
N_2O	Nitrous Oxide
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NO_2	Nitrogen Oxide
NOI	Notice of Intent
NOT	Notice of Termination
NPDES	National Pollution Discharge Elimination System

NWIC	Northwest Information Center
Oa	Holocene Alluvium
OoA	Older Alluvium
OS	Open Space
OS-RCP	Resource Conservation/Public
P	Planned District
Pb	Lead
PF	Public Facility
PFCs	Perfluorocarbons
PG&E	Pacific Gas and Electric Company
PM_{10}, $PM_{2.5}$	Particulate Matter
PPV	peak particle velocity
PRC	Public Resources Code
PRDs	Permit Registration Documents
R-1	Residential Single Family
R-2	Residential One and Two Family
R-G	Residential Garden Apartment
RMS	root-mean-square
RoadMod	Sacramento Metropolitan Air Quality Management District's Road Construction Emissions Model, Version 9.0.0
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
SF_6	Sulfur Hexafluoride
SFPUC	San Francisco Public Utility Commission
SLF	Sacred Lands File
SMARA	State Mining Reclamation Act
SMARTS	Stormwater Multiple Application and Report Tracking System
SO_2	Sulfur Dioxide
SRA	State Responsibility Areas
SWRCB	State Water Resources Control Board
SWPPP	Stormwater Pollution Prevention Plan
TACs	Toxic Air Contaminants

TMDLs	Total Maximum Daily Loads
USD	Union Sanitary District
USGS	U.S. Geological Survey
USFWS	U.S. Fish and Wildlife Service
VdB	vibration velocity decibels
VMT	Vehicle Miles Traveled
WDID	Waste Discharge Identification Number
WWTP	Wastewater Treatment Plant

1.0 PROJECT INFORMATION

1. **Project Title:**

   Driscoll Road Main Renewal Project, ACWD Job No. 21212

2. **Lead Agency Name and Address:**

   Alameda County Water District
   43885 S. Grimmer Boulevard
   Fremont, California 94537

3. **Contact Person and Phone Number:**

   Dorota Budzynska, Project Engineer
   Phone Number: (510) 688-4420
   Email: Dorota.Budzynska@acwd.com

4. **Project Location:**

   The Driscoll Road Main Renewal Project would extend primarily along Driscoll Road between its intersections with Mission Boulevard and Timber Creek Terrace (approximately) in Fremont, Alameda County, California. Proposed improvements would also occur on a lateral connection to the northwest along Paseo Padre Parkway (see Figures 1-1 and 1-2).

5. **Project Sponsor's Name and Address:**

   Alameda County Water District
   43885 S. Grimmer Boulevard
   Fremont, California 94537

6. **General Plan Designation:**

   None – Public Roadway

   General Plan designations along the project alignment include: Residential-Low, Residential-Medium, Residential-Medium-Low, Commercial-General, Public Facility, OS-RCP (Resource Conservation/Public).

7. **Zoning:**

   None – Public Roadway

   Zoning Districts along the alignment include OS (Open Space), PF (Public Facility), C-O (Commercial Office), C-N (Neighborhood Commercial), R-1 (Residential Single Family), R-2 (Residential One and Two Family), R-G (Residential Garden Apartment), and P (Planned District).

8. **Description of Project :**

   The Alameda County Water District (District) proposes to replace approximately 7,400 feet of existing 12-inch asbestos cement pipeline with a new 12- to 16-inch steel pipeline along Driscoll

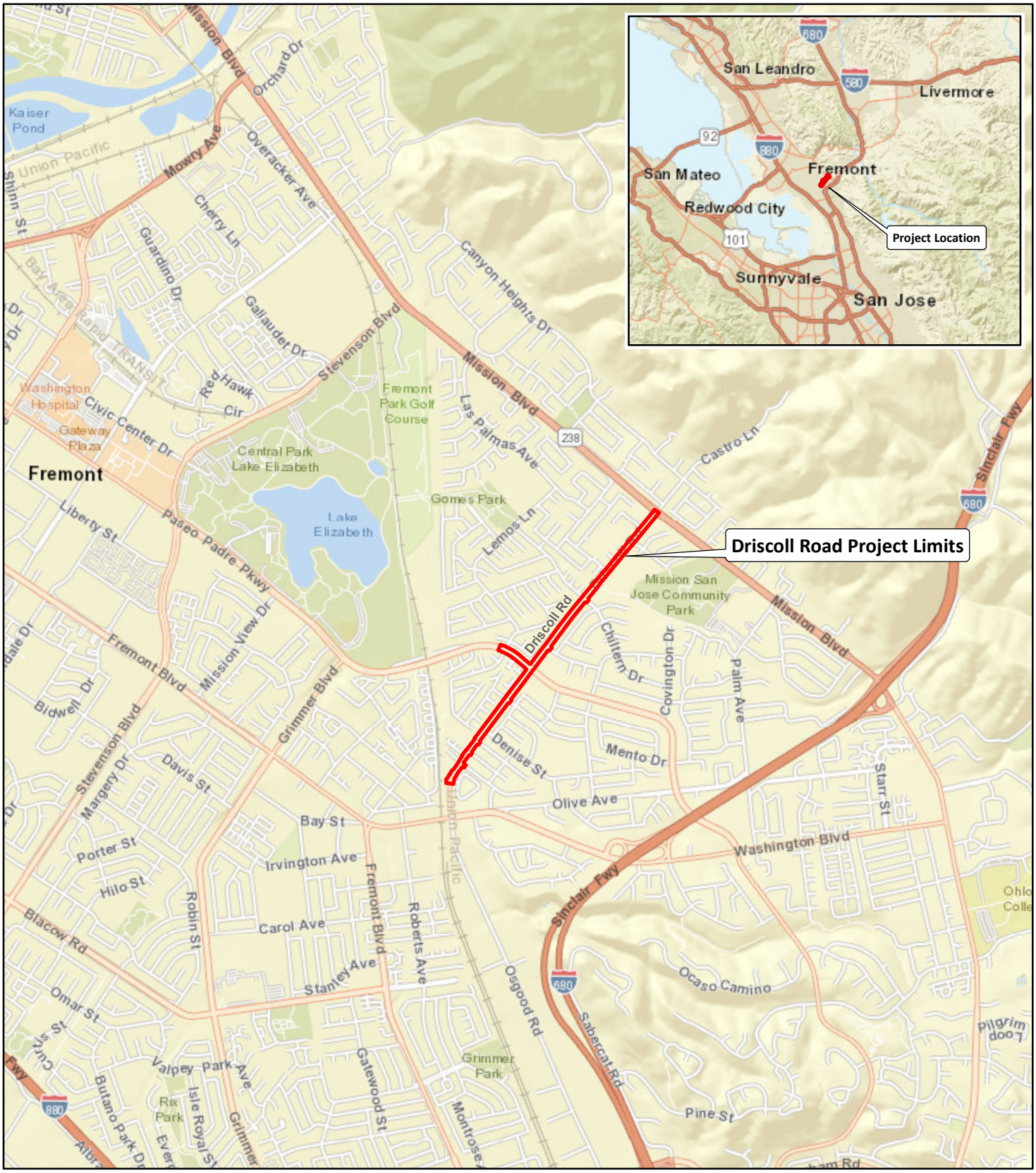
Road and Paseo Padre Parkway in the City of Fremont (City). Implementation of the project would reduce the number of leaks and breaks in the future that could take place and result in unplanned water service outages.

Project Background. The Alameda County Water District (District) provides water to businesses, industrial users, and more than 357,000 residents in the cities of Fremont, Union City, and Newark. The District was established in 1914 under the California County Water District Act and is governed by a five-member Board of Directors. The District's primary sources of water supply come from the Alameda Creek Watershed Runoff, the Sacramento-San Joaquin Bay-Delta (via the State Water Project or SWP), the San Francisco Public Utility Commission's (SFPUC) Hetch-Hetchy system and local groundwater from the Niles Cone Groundwater Basin.

The District operates a potable water system of approximately 900 miles of distribution pipeline, with over 70 percent consisting of asbestos cement (AC) main. Within this system, approximately 640 miles of pipeline have an average age of 50 years and are approaching the end of their estimated useful life. As such, the District created and is implementing the Water Main Renewal Program, which prioritizes certain pipelines as high priority for renewal. The pipelines are prioritized based on age, condition, break history, critical customers such as hospitals, school and other public facilities. Prioritized pipelines are typically 12 inches or larger, located in major surface streets, with many other adjacent utilities. The Driscoll Road Main Renewal Project, located along Driscoll Road and a portion of Paseo Padre Parkway in the city, is one such replacement project.

The existing water pipeline on Driscoll Road was originally installed in the 1950s and 1960s and is nearing the end of its useful life. Additionally, hydraulic modeling conducted in support of the 2011-2020 Capital Improvement Program Engineering Report concluded that portions of the pipeline on Driscoll Road are undersized, resulting in capacity constraints and inefficiencies in water transmission.

Project Components. The proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, existing connections with other pipelines and branch connections, and water service laterals along Driscoll Road and Paseo Padre Parkway (Figure 3). The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages. Most of the existing pipeline would be removed from service and protected in place to provide for potential future use, pending approval from the City. Proposed pipeline replacement segments are shown in Table A.



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LEGEND

Driscoll Road Project Limits

FIGURE 1

N

0 0.25 0.5
MILES

Driscoll Road Main Renewal Project
Fremont, Alameda County, California

Regional Location Map

SOURCE: ESRI World Street Map (02/20).

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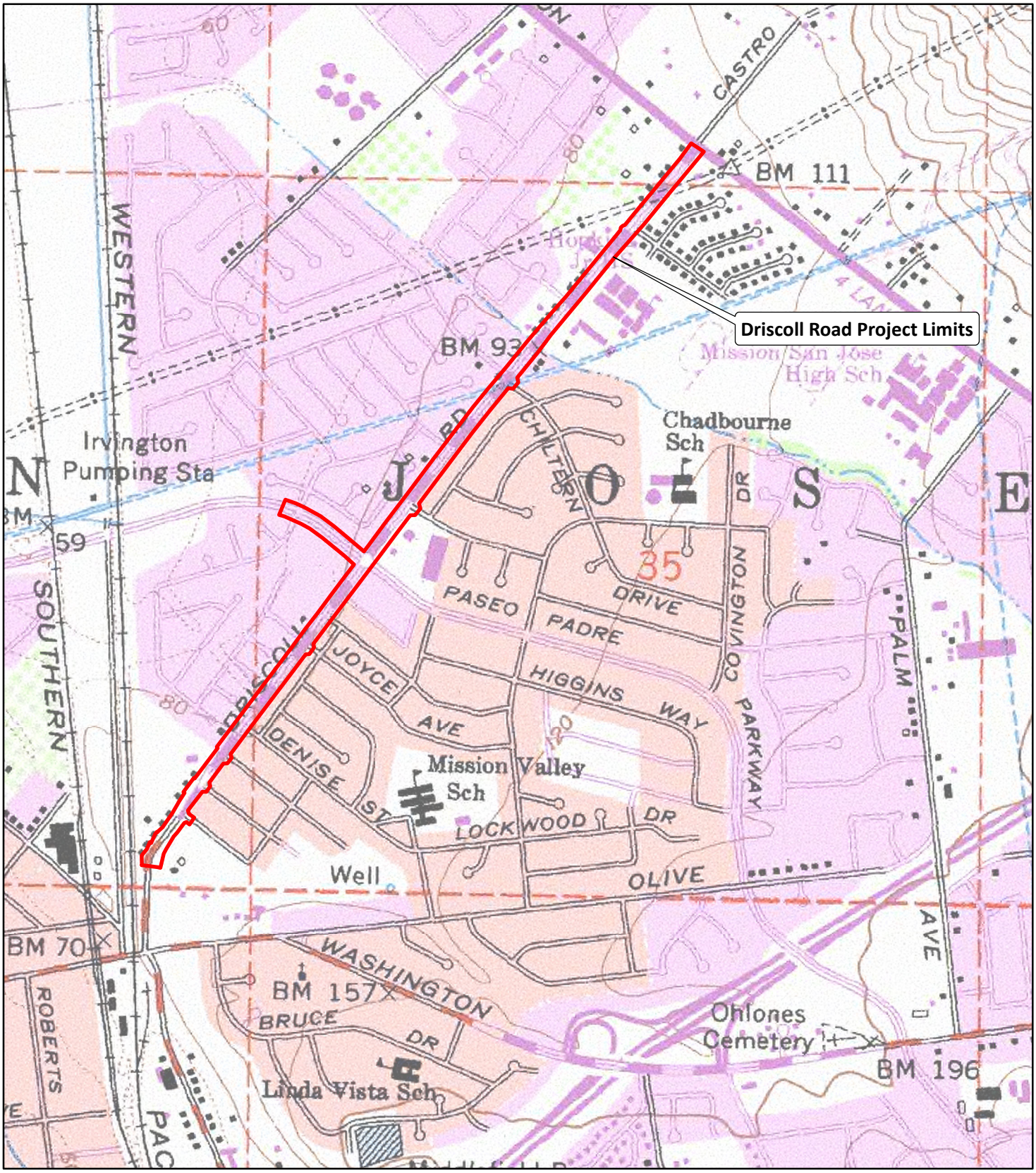

LSA

LEGEND

Driscoll Road Project Limits

FIGURE 2

0 500 1000
FEET

Driscoll Road Main Renewal Project
Fremont, Alameda County, California

Study Area

SOURCE: USGS 7.5-minute Topo Quad - *Niles, Calif.* (1980).

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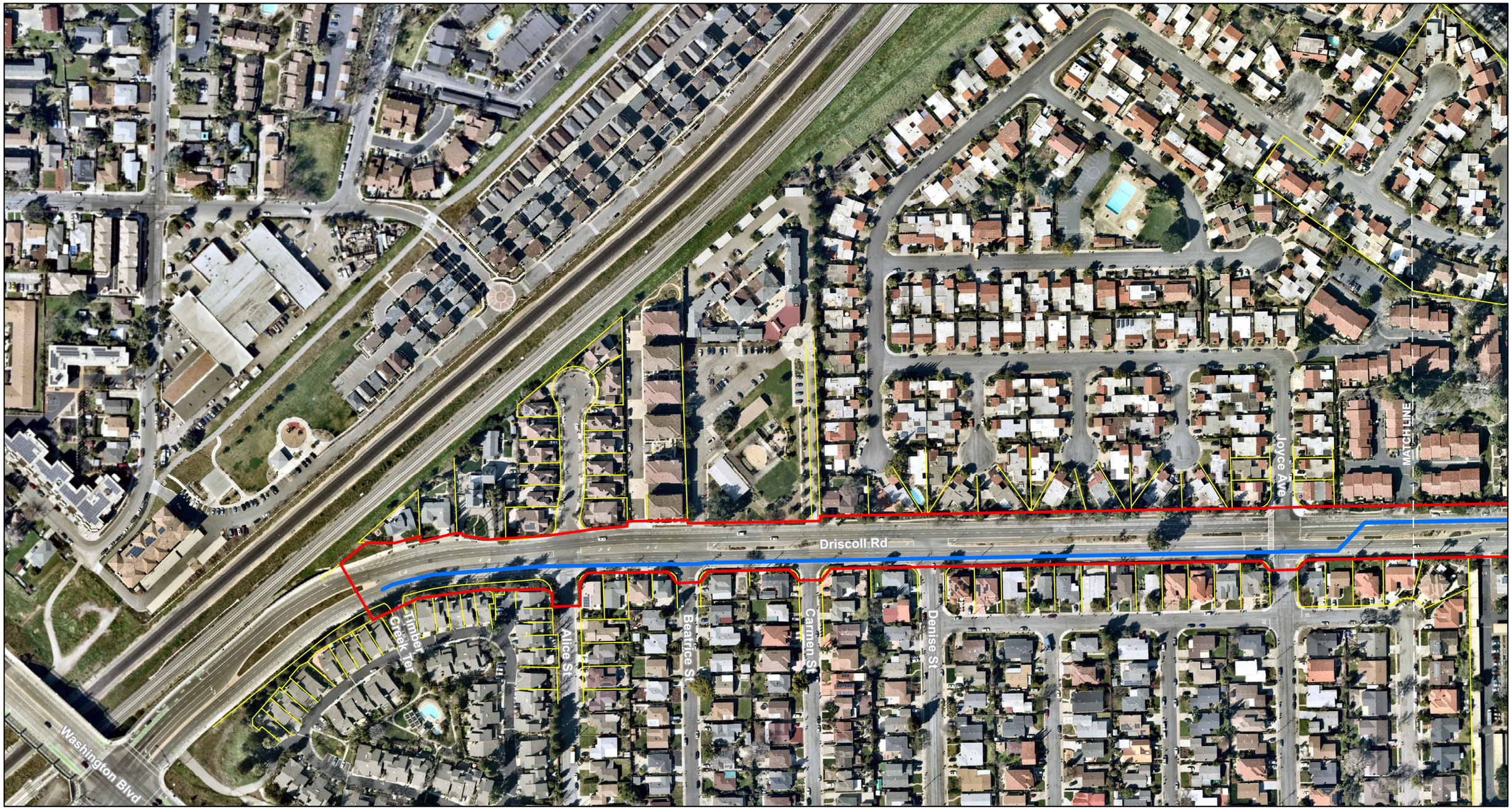

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LEGEND

- Driscoll Road Project Limits
- New Water Pipeline
- Right of Way/Property Line

0 100 200
FEET

SOURCE: Nearmap (02/2020).

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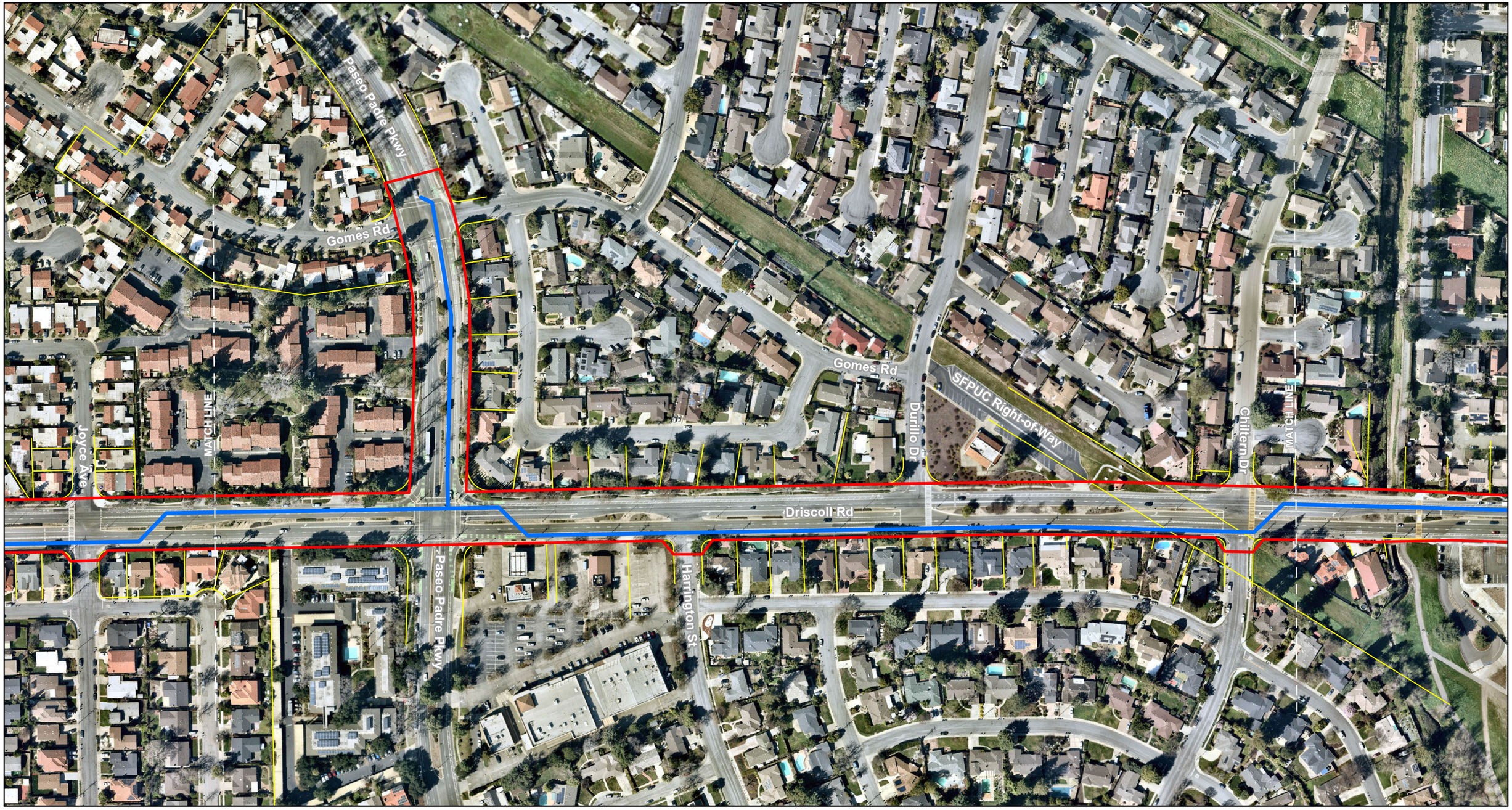
FIGURE 3
Sheet 1 of 3

Driscoll Road Main Renewal Project
Fremont, Alameda County, California

Proposed Project



LSA

LEGEND

- Driscoll Road Project Limits
- New Water Pipeline
- Right of Way/Property Line

0 100 200
FEET

SOURCE: Nearmap (02/2020).

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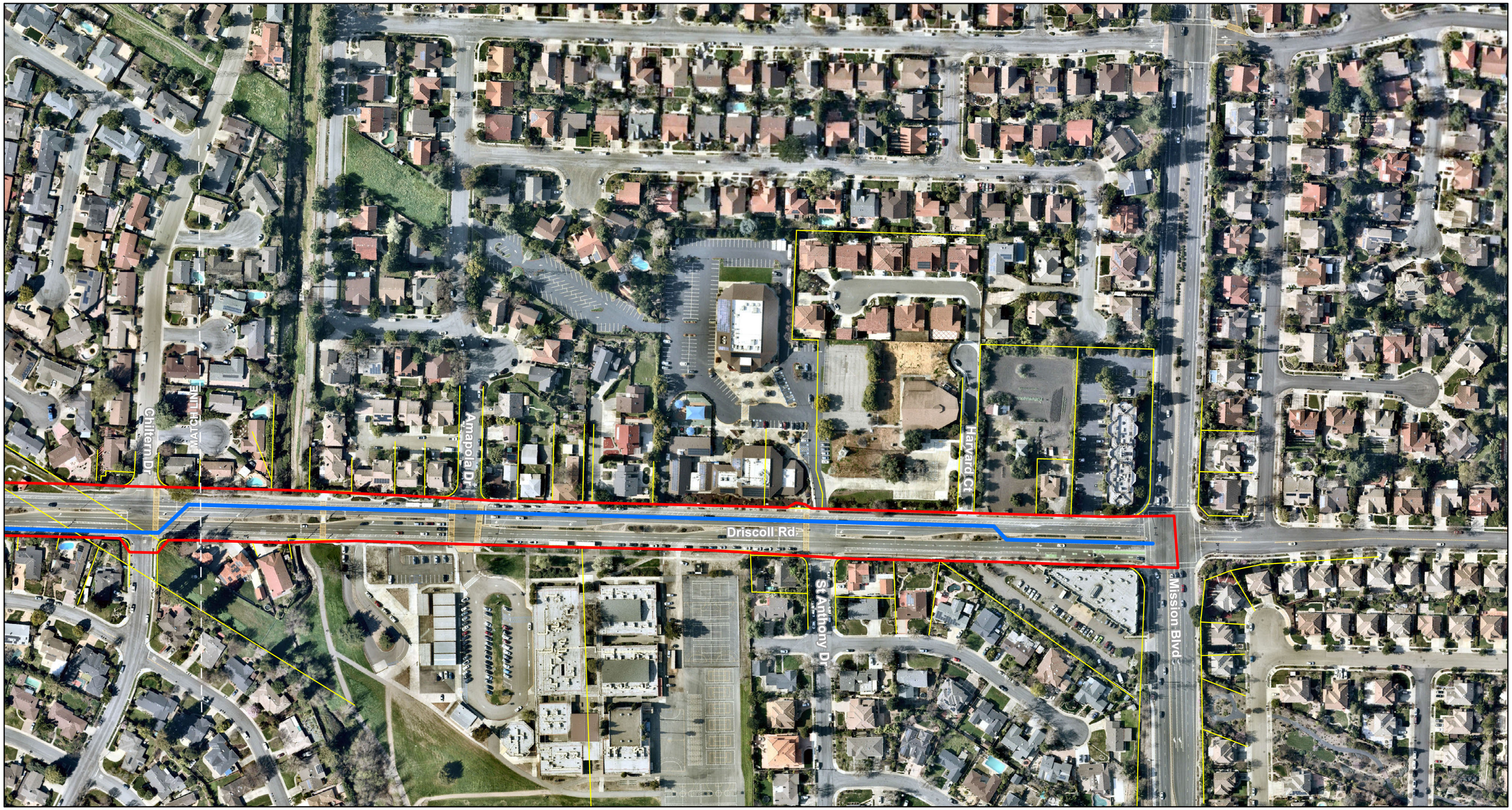
FIGURE 3
Sheet 2 of 3

Driscoll Road Main Renewal Project
Fremont, Alameda County, California

Proposed Project



LSA

LEGEND

- Driscoll Road Project Limits
- New Water Pipeline
- Right of Way/Property Line

0 100 200
FEET

SOURCE: Nearmap (02/2020).

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FIGURE 3
Sheet 3 of 3

Driscoll Road Main Renewal Project
Fremont, Alameda County, California

Proposed Project

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Table A: Pipeline Segments

Pipeline Segments	Pipe Diameter and Material	Approximate Length (linear feet)
Driscoll Road between Mission Boulevard to Paseo Padre Parkway	12-inch Steel	3,900
Paseo Padre Parkway between Driscoll Road and Gomes Road	12-inch Steel	750
Driscoll Road Paseo Padre Parkway and Timber Creek Court	16-inch Steel	2,700

Source: Alameda County Water District (February 2018).

The project would result in the replacement of the existing pipeline in Driscoll Road with a 12- to 16-inch welded-steel pipeline installed within the existing public right-of-way (ROW) (Figure 1-3). The north end of the replacement pipeline would be connected to a 14-inch AC main on Mission Boulevard. The south end of the replacement pipeline would terminate at a permanent blow-off at Timber Creek Terrace near Washington Boulevard. Other significant connections include a 16-inch pipeline tie-in to the 48-inch transmission main at Alice Court and a 12-inch connection on Paseo Padre Parkway to improve reliability of connection to the SFPUC Paseo Padre take-off. In addition, the Driscoll Road pipeline serves Hopkins Junior High School located on Driscoll Road between Chiltern Drive and Saint Anthony Drive.

The proposed pipeline would be installed within public streets and would require several special crossings, including but not limited to: SFPUC Bay Division Pipelines (BDPLs 1, 2, and 5); Kinder Morgan high pressure refined petroleum pipeline, Mission Creek culvert, and City of Hayward water pipeline.

The extent of pavement restoration required would be determined by the City, the jurisdiction in which the project occurs, based upon the existing condition of the pavement at the time of construction. At this point in the design process, it is assumed that pavement replacement would consist of a “T-section” followed by a grind and overlay of the disturbed area.

Project Construction. Project construction is anticipated to start in the fall of 2020 and last approximately 5 to 12 months. Construction activities would typically occur from 8:00 a.m. to 5:00 p.m., Monday through Friday. Additional restrictions would apply near Hopkins Junior High School. In addition, some nighttime construction may be required in order to avoid road closures during the construction period. Work within the Mission Boulevard/Driscoll Road intersection at the northern terminus of the proposed pipeline replacement project would occur within the California Department of Transportation (Caltrans) right-of-way and would be subject to a limited work window (9:00 a.m. to 3:00 p.m.). To minimize traffic congestion and ensure the work can be completed, the District proposes to conduct some of the work during the nighttime hours. Nighttime work hours would be between 8:00 p.m. and 5:00 a.m., Sunday through Thursday and would occur over a limited period, approximately 2-3 nights.

Prior to construction, temporary contractor laydown areas would be identified. Proposed laydown for construction would be located on an existing District property on Alice Court (Laydown Area 1 – see Figure 1-4), south of the project site, or other areas adjacent to the work area, as determined by the contractor. Construction staging would be confined to existing

disturbed areas. Access to the project site would likely be via Mission Boulevard and Interstate 680 (I-680). Once construction activities are complete, staging areas would be returned to existing conditions.

The proposed pipeline would be installed via open trench construction. The new pipeline would be fully welded steel installed within the trench. Following installation, the pipe-bedding zone (bottom and 6 inches above the new pipe) would be backfilled with sand in accordance with District specifications. The trench import backfill from 6-inches above the top of pipeline to paving subgrade would meet City requirements. Backfill would be compacted to minimum density of 95 percent. The top elevation of the trench would be graded to the original grade. The minimum trench width would be 1 foot greater than the outside diameter of the main. The minimum depth of cover between the top of the proposed 12-inch and 16-inch pipe and the finished grade would be 3.5 feet and 4 feet, respectively with the exception of where new pipeline would cross over SFPUC BDPLs 1 & 2 and where the minimum cover requirements cannot be met; in those situations a concrete cap above of the top of new pipeline would be installed.

Additionally, trenchless construction methods would be implemented where open cut construction is either infeasible, prohibited by permitting agencies, or where it would cause significant traffic or other disruptions that can be mitigated with trenchless construction. One short trenchless construction location is the crossing under the 24-inch City of Hayward asbestos cement water main on Mission Boulevard. Further evaluation of the preferred construction method of this crossing, including technical feasibility, relative construction risks, available space between utilities and utility owners' concerns would be done later in the design.

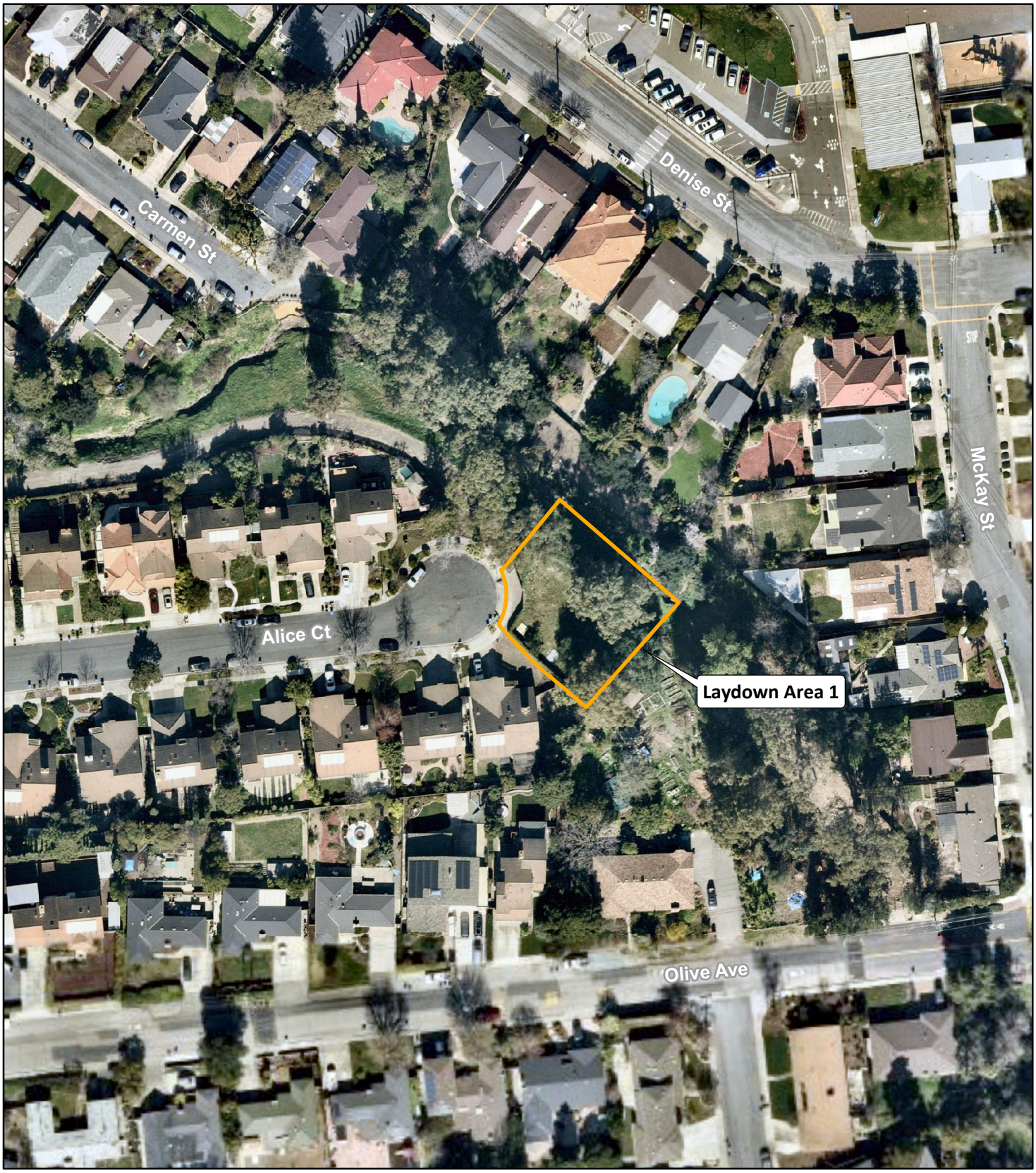
The contractor would employ the use of heavy construction machinery, likely including the following: excavator and/or backhoe, bobtail or larger truck to off-haul spoils, dump trucks, pick-up trucks, and possibly a small crane and a small air compressor/generator. Net spoils exported from the site would equal approximately 4,600 cubic yards and 4,300 cubic yards would be imported to the site, resulting in approximately 500 total truckloads of soil.

Driscoll Road is a relatively highly traveled corridor that has four lanes of traffic. A traffic control plan would be submitted by the project contractor for review and approval by the City and Caltrans prior to construction.

Implementation of a temporary, above-ground bypass may be required to provide water service during construction. This bypass may include connecting temporary piping to fire hydrants or to the water main that would not be impacted by the temporary outage. The size and extent of the temporary bypass will be evaluated later in the design process.

9. Surrounding Land Uses and Setting:

The project site extends approximately 1.5 miles along Driscoll Road from Timber Creek Terrace to Mission Boulevard, with a lateral pipeline extending northwest for approximately 750 feet along Paseo Padre Parkway between Driscoll Road and Gomes Road.



LSA

LEGEND

Laydown Area

FIGURE 4

N

0 50 100
FEET

SOURCE: Nearmap (02/2020).

Driscoll Road Main Renewal Project
Fremont, Alameda County, California

Laydown Area 1

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The proposed project would be located primarily within the Driscoll Road right-of-way. Within the project area, the Driscoll Road right-of-way from curb to curb is approximately 84 feet and consists of a four-lane road, with center divide, 10-foot-wide travel lanes and bike lanes on either side. Adjacent land uses include open space (Mission Creek), residential, commercial, and public facility development, including Hopkins Junior High School.

10. Other Public Agencies and Entities Whose Approval is Required (e.g., permits, or participation agreements):

- City of Fremont
- SFPUC
- Kinder Morgan
- City of Hayward
- California Department of Transportation (Caltrans)
- Alameda County Flood Control and Water Conservation District (ACFCD)
- California Division of Drinking Water (CDDW)
- Regional Water Quality Control Board (RWQCB)

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resource Code section 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.?

In March 2020, the District provided formal notification to those California Native American tribes that are traditionally and culturally affiliated with the geographic area within which the proposed project is located pursuant to the consultation requirements of AB 52. Letters were sent to all tribal representatives identified by the Native American Heritage Commission. The District received no responses from the tribal representatives during the 30-day comment period. Therefore, the AB 52 consultation is considered complete.

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2.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in Chapter 3.0.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☒ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☒ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

2.1 DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date 12/1/2020

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3.0 CEQA ENVIRONMENTAL CHECKLIST

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c. In non-urbanized areas, 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 a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a. Would the project have a substantial effect on a scenic vista? ***(No Impact)***

A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Aesthetic components of a scenic vista generally include: (1) scenic quality; (2) sensitivity level; and (3) view access. The proposed project is located in an area that is primarily characterized by urban development. Development in the project vicinity includes local roads, residential housing, commercial sites, and civic uses (e.g., churches, school). The project alignment would be visible from several public viewpoints, including Driscoll Road, as well as portions of Mission Boulevard and Paseo Padre Parkway, and public facilities including several churches and Hopkins Junior High School.

The project site is located approximately 4 miles east of San Francisco Bay. Views of the Bay are limited from the project site itself due to its elevation relative to adjacent roadways and surrounding development. Vistas at the project site consist primarily of urban land uses, including residential buildings, roadways, landscaping, and other infrastructure. Views of the project area from scenic areas generally blend in with surrounding urban development, especially when viewed from local roadways. Scenic vistas identified in the City of Fremont General Plan include Niles Canyon, the East Bay Hills, and San Francisco Bay.

Upon completion, the proposed project would be underground and out of view. No scenic vistas are identified in the City of Fremont General Plan to or from the project site. Limited scenic vistas are possible due to site topography and surrounding urban development. Therefore, implementation of the proposed project would not result in a substantial adverse effect on a scenic vista and no impact would occur. No mitigation is required.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ***(No Impact)***

Caltrans Landscape Architecture Program administers the Scenic Highway Program, contained in Streets and Highways Code Sections 260–263. In Alameda County, State Route 84 (Niles Canyon Road) from Mission Boulevard to I-680 near Sunol, and I-680 from Mission Boulevard in Fremont to the Contra Costa County line are officially designated State Scenic Highways. Neither of these State Scenic Highways are located in proximity to the project site and would not be affected by project activities.

The City of Fremont General Plan includes goals, policies, and actions to protect scenic corridors and enhance gateways into the City. Scenic corridors identified in the City of Fremont General Plan include Paseo Padre Parkway, the Bay Area Rapid Transit (BART) line, Mission Boulevard, State Route 84, Niles Canyon Road, and I-680.

No historic buildings or rock outcroppings are located on the project site or in the surrounding vicinity. Furthermore, implementation of the proposed project would not result in the removal of or damage to scenic resources. Therefore, implementation of the proposed project would not damage scenic resources within a State or locally designated scenic roadway and no impact would occur. No mitigation is required.

c. In non-urbanized areas, 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 a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? ***(No Impact)***

The existing visual character in the vicinity of the project consists primarily of urban development. Existing roadways and adjacent development visually dominate the character of the immediate project area. The project site location is visible from surrounding public sites, including local roadways, and public facilities, including the various churches and Hopkins Junior High School.

The proposed project would install a new underground pipeline along the alignment of the existing pipeline within the public right-of-way associated with Driscoll Road and Paseo Padre Parkway. Upon completion, the proposed project would be underground and out of view.

Construction activities associated with the pipeline installation would be visible from adjacent uses (commercial, residential, industrial, and civic). However, all temporary construction-related visual impacts such as construction equipment, staging areas, stockpile locations, and construction fencing would be removed following completion of construction.

Several trees may need to be removed or trimmed during project construction; however, these activities would not substantially degrade the visual quality of the site. Therefore, implementation of the proposed project would have no impact associated with degrading the existing visual character or quality of the project site and its surroundings. No mitigation is required.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ***(Less Than Significant Impact)***

No permanent sources of lighting would be installed as part of the project. Most of the construction activities would occur during the daytime in compliance with City of Fremont requirements. However, some nighttime construction may be conducted within the Mission Boulevard/Driscoll Road intersection due to the limited work window within Caltrans right-of-way. Lighting required during the construction period could generate light spillover in the vicinity of the project site.

"Spill light" is defined as light that trespasses or spills out of the intended area and illuminates adjacent property, and is generally considered unwanted. Although proposed construction lighting would be generally consistent with and similar to existing lighting along the project corridor, this lighting could increase levels of nighttime light in the area.

"Glare" refers to the sensation experienced looking into an excessively bright light source that causes a reduction in the ability to see or causes discomfort. As described above, construction vehicles may be operating at night for some portions of project construction, and thus could create nighttime sources of glare.

All temporary construction-related sources of light or glare (i.e., construction equipment headlights/safety lights) would cease following completion of construction. Nighttime construction work is proposed in just one location along the project alignment and would occur over a limited period, approximately 2-3 nights. Therefore, light and glare impacts associated with nighttime construction would be less than significant.

3.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. 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))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

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? ***(No Impact)***

The proposed pipeline replacement project would be constructed within the existing previously disturbed public right-of-way, along Driscoll Road and a portion of Paseo Padre Parkway.

The project site is classified as "Urban and Built-Up Land" on maps prepared by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP).[1] Urban and Built-Up Land is occupied by structures with a building density of at least one unit to 1.5 acres, or

[1] California Department of Conservation. 2016. Division of Land Resource Protection, Farmland Mapping and Monitoring Program, Alameda County Important Farmland 2016. Available online at: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/ala16.pdf (accessed February 18, 2020).

approximately six structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment and water control structures. No Farmland is mapped on or near the project site. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impact would occur, and no mitigation is required.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? ***(No Impact)***

The project site is not zoned for agricultural use and is not under a Williamson Act contract. Therefore, implementation of the project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur, and no mitigation is required.

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))? ***(No Impact)***

The project is not located on forest land or timberland, and would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Therefore, implementation of the project would not result in any impacts to forestland. No mitigation is required.

d. Would the project result in the loss of forest land or conversion of forestland to non-forest use? ***(No Impact)***

The project is not located on forest land or timberland, and would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Therefore, implementation of the project would not result in any impacts to forestland. No mitigation is required.

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? ***(No Impact)***

Refer to Sections 3.2.1.a and 3.2.1.c. The proposed project would not involve any other changes to the existing environment, which due to their location or nature, could result in conversion of Farmland to a non-agricultural use, or conversion of forest land to a non-forest use. Therefore, the proposed project would have no impact.

3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. 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?	☐	☒	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The proposed project is located in the City in Alameda County. This area is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the Bay Area. Air quality conditions in the Bay Area have improved significantly since the BAAQMD was created in 1955. Ambient concentrations of air pollutants and the number of days during which the region exceeds air quality standards have fallen substantially. In Fremont, and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, windless winter nights or hot, sunny summer afternoons.

Within the BAAQMD, ambient air quality standards for ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter less than or equal to 10 microns in diameter (PM_{10}), particulate matter less than or equal to 2.5 microns in diameter ($PM_{2.5}$), and lead (Pb) have been set by both the State of California and the federal government. The State has also set standards for sulfate and visibility. The BAAQMD is under State non-attainment status for ozone and particulate matter standards. The BAAQMD is classified as non-attainment for the federal ozone 8-hour standard and non-attainment for the federal $PM_{2.5}$ 24-hour standard.

This analysis follows the methods outlined in the BAAQMD CEQA Air Quality Guidelines.[2]

a. Would the project conflict with or obstruct implementation of the applicable air quality plan? ***(Less Than Significant Impact)***

The applicable air quality plan is the BAAQMD 2017 Clean Air Plan, which was adopted on April 19, 2017. In addition, the Regional Climate Protection Strategy is included in the 2017 Clean Air Plan, which identifies potential rules, control measures, and strategies that the BAAQMD can pursue to

[2] Bay Area Air Quality Management District. 2017. *CEQA Air Quality Guidelines*. May.

reduce greenhouse gases throughout the Bay Area. The 2017 Clean Air Plan/Regional Climate Protection Strategy serves as a roadmap for the district to reduce air pollution and protect public health and the global climate. The 2017 Clean Air Plan also includes measures and programs to reduce emissions of fine particulates and toxic air contaminants.

Consistency with the 2017 Clean Air Plan is determined by whether or not the proposed project would result in significant and unavoidable air quality impacts or hinder implementation of control measures (e.g., excessive parking or preclude extension of transit lane or bicycle path). The proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway. The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages. The project would not generate additional vehicle trips through the project area and would not include lighting or features that could contribute to a significant new source of energy usage. The proposed project, as indicated in the analysis that follows, would not result in significant operational- or construction-period emissions.

The proposed project would not conflict with the goals of the Clean Air Plan and would not conflict with any of the control measures identified in the plan or measures designed to bring the region into attainment. Additionally, the proposed project would not substantially increase the population, vehicle trips, or vehicle miles traveled. The proposed project would not hinder the region from attaining the goals outlined in the Clean Air Plan. Therefore, the proposed project would not inhibit or disrupt implementation of any control measures from the applicable Clean Air Plan and impacts would be less than significant.

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? ***(Less Than Significant with Mitigation Incorporated)***

Both State and federal governments have established health-based Ambient Air Quality Standards for six criteria air pollutants: CO, ozone (O_3), NO_2, SO_2, Pb, and suspended particulate matter (PM). These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. As identified above, the BAAQMD is under State non-attainment status for ozone, PM_{10}, and $PM_{2.5}$ standards. The Air Basin is also classified as non-attainment for both the federal ozone 8-hour standard and the federal $PM_{2.5}$ 24-hour standard.

Air quality standards for the proposed project are regulated by the BAAQMD CEQA Air Quality Guidelines. According to the BAAQMD CEQA Air Quality Guidelines, to meet air quality standards for operational-related criteria air pollutant and air precursor impacts, the project must not:

- Contribute to CO concentrations exceeding the State ambient air quality standards;
- Generate average daily construction emissions of reactive organic gases (ROG), nitrogen oxides (NO_x) or $PM_{2.5}$ greater than 54 pounds per day or PM_{10} exhaust emissions greater than 82 pounds per day; or

- Generate average operational emissions of ROG, NO_x or $PM_{2.5}$ of greater than 10 tons per year or 54 pounds per day or PM_{10} emissions greater than 15 tons per year or 82 pounds per day.

The following sections describe the proposed project's construction- and operation-related air quality impacts and CO impacts.

Construction Emissions. During construction, short-term degradation of air quality may occur due to the release of particulate matter emissions (e.g., fugitive dust) generated by excavating, grading, hauling, and other activities. Emissions from construction equipment are also anticipated and would include CO, NO_x, ROG, directly-emitted particulate matter ($PM_{2.5}$ and PM_{10}), and toxic air contaminants (TACs) such as diesel exhaust particulate matter.

Site preparation and project construction would involve excavating, grading, paving, and other activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. The BAAQMD has established standard measures for reducing fugitive dust emissions (PM_{10}). With the implementation of these Basic Construction Mitigation Measures, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, ROGs and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the project using the Sacramento Metropolitan Air Quality Management District Road Construction Emissions Model, Version 9.0.0 (RoadMod) as recommended by the BAAQMD for linear projects. Project construction would begin in fall 2020 and would continue for approximately 6 to 8 months; therefore, to be conservative, this analysis assumes construction would occur for 6 months. As described in the Project Description, the contractor would employ the use of heavy construction machinery, likely including the following: excavator and/or backhoe, bobtail or larger truck to off-haul spoils, dump trucks, pick-up trucks, and possibly a small crane and a small air compressor/generator, which was included in RoadMod. In addition, approximately 4,600 cubic yards of soil would be off-hauled and approximately 4,300 cubic yards of soil would be imported, which was also included in RoadMod.

RoadMod results are estimated in terms of maximum daily emissions and total emissions. Total emissions were averaged over the 6-month construction period to determine average daily emissions for comparison to the BAAQMD's average daily emissions threshold. Construction-related emissions for the project are shown in Table B. Detailed calculations are provided in Appendix A.

Table B: Project Construction Emissions in Pounds Per Day

Project Construction	ROG	NO_x	Exhaust PM_{10}	Fugitive Dust PM_{10}	Exhaust $PM_{2.5}$	Fugitive Dust $PM_{2.5}$
Average Daily Emissions	3.7	35.6	1.8	43.7	1.6	9.1
BAAQMD Average Daily Emission Thresholds	54.0	54.0	54.0	BMP	82.0	BMP
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA (February 2020).

As shown in Table B, construction emissions associated with the project would be less than significant for ROG, NO_x, and $PM_{2.5}$ and PM_{10} exhaust emissions. The BAAQMD requires the implementation of the BAAQMD Basic Construction Mitigation Measures to reduce construction fugitive dust impacts to a less-than-significant level. Implementation of Mitigation Measure AIR-1 would reduce construction dust emissions to a less-than-significant level.

Mitigation Measure AIR-1: In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked-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.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of the California Code of

Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact at the District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations.

Construction emissions associated with the project would be less than significant with implementation of Mitigation Measure AIR-1. Therefore, construction of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standards (AAQS).

Operational Emissions. Long-term air emission impacts are associated with stationary sources and mobile sources. Stationary source emissions result from the consumption of natural gas and electricity. Mobile source emissions result from vehicle trips and result in air pollutant emissions affecting the entire air basin. The proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway. The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages. Thus, once operational, the project would not result in an increase in the generation of vehicle trips that would increase air pollutant emissions. The project would not be a source of stationary source emissions. Therefore, the proposed project would not be a significant source of operational emissions. The operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State AAQS and impacts would be less than significant.

Localized CO Impacts. Emissions and ambient concentrations of CO have decreased dramatically in the Bay Area with the introduction of the catalytic converter in 1975. No exceedances of the State or federal CO standards have been recorded at Bay Area monitoring stations since 1991. The BAAQMD 2017 CEQA Guidelines include recommended methodologies for quantifying concentrations of localized CO levels for proposed transportation projects. A screening level analysis using guidance from the BAAQMD CEQA Guidelines was performed to determine the impacts of the project. The screening methodology provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD CEQA

Guidelines, a proposed project would result in a less-than-significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans.
- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Implementation of the proposed project would not conflict with the Alameda County Countywide Transportation Plan for designated roads or highways, a regional transportation plan, or other agency plans. The project site is not located in an area where vertical or horizontal mixing of air is substantially limited. The project would not increase traffic volumes at intersections to more than 44,000 vehicles per hour and intersection level of service associated with the project would not decline with the project. Therefore, the proposed project would not result in localized CO concentrations that exceed State or federal standards and this impact would be less than significant.

c. Would the project expose sensitive receptors to substantial pollutant concentrations? ***(Less Than Significant Impact)***

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 micrograms per cubic meter ($\mu g/m^3$). A significant cumulative impact would occur if the project in combination with other projects located within a 1,000-foot radius of the project site would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient $PM_{2.5}$ increase greater than 0.8 $\mu g/m^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

The closest sensitive receptors include residential uses located adjacent to the project alignment. Construction of the proposed project may expose these surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement the BAAQMD Basic Construction Mitigation Measures, as required by Mitigation Measure AIR-1

above. With implementation of Mitigation Measure AIR-1, project construction emissions would be below BAAQMD significance thresholds. Additionally, due to the linear nature of the project, construction activities at any one receptor location would occur for a limited duration. Once the project is constructed, the project would not be a source of substantial emissions. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

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

During construction, the various diesel powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is therefore considered less than significant. In addition, once the project is operational, it would not be a source of odors. Therefore, the proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and potential impacts would be considered less than significant.

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. 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?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

An LSA biologist and botanist conducted a survey of the proposed pipeline alignment and proposed laydown areas (project site) on February 26, 2020. They surveyed the entire project site and the two laydown areas and recorded observations in field notebooks. During the field survey, the biologist specifically searched for potential raptor and rookery nest sites in large trees that were present adjacent to the project site. A digital camera was used to document street trees and other features on the project site and adjacent areas.

The project site is entirely within an urban landscape, and the majority of the project site is occupied by paved surfaces including roadways, sidewalks, and parking lots. The pipeline alignment is within urban roadways Driscoll Road, Paseo Padre Parkway, and a small section of Mission Boulevard at its intersection with Driscoll Road. Buildings and urban landscaping occupy adjacent areas. The pipeline alignment, along the eastern portion of Driscoll Road, crosses Mission Creek, which flows under the road in a concrete box culvert. Upstream of the culvert, the creek is contained within a concrete channel, and downstream it flows within a cemented riprap channel; no native riparian trees or shrubs are present along the reach of Mission Creek near the project site. The only vegetation along the pipeline alignment consists of ornamental trees and shrubs.

Shrubs observed on the alignment were a variety of non-native ornamentals and included lily of the Nile (*Agapanthus africanus*), bottlebrush (*Callistemon* sp.), fortnight lily (*Dietes grandiflora*), fortune's spindle (*Euonymus fortunei*), Canary ivy (*Hedera canariensis*), common juniper (*Juniperus communis*), golden bamboo (*Phyllostachys aurea*), rosemary (*Rosmarinus officinalis*), and society garlic (*Tulbaghia violacea*).

Trees observed included deodar cedar (*Cedrus deodara*), Canary Island pine (*Pinus canariensis*), coast redwood (*Sequoia sempervirens*), sweetgum (*Liquidambar styraciflua*), shamel ash (*Fraxinus uhdei*), mayten (*Maytenus boaria*), pepper tree (*Schinus molle*), crape myrtle (*Lagerstroemia* sp.), olive (*Olea europaea*), Chinese pistache (*Pistacia chinensis*), cherry plum (*Prunus cerasifera*), evergreen pear (*Pyrus kawakamii*), Peruvian pepper tree (*Schinus molle*), and queen palm (*Syagrus romanzoffiana*). With the exception of coast redwood, none of these species is native to California, and the coast redwood does not occur naturally in the Fremont area.

Laydown Area 1 is within a residential area at the end of Alice Court and is bordered by large blue gums with a single Italian stone pine (*Pinus pinea*) at its southeastern edge. Weedy non-native annual plants such as wild oats, smilo grass (*Stipa miliacea*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), poison hemlock (*Conium maculatum*), wild geranium, greenstem filaree, treasure flower (*Gazania* sp.), bristly ox-tongue, Bermuda buttercup, prickly sow thistle, and vetch dominate the site, and patches of horseweed (*Erigeron canadensis*) and California poppies (*Eschscholzia californica*) were the only native herbaceous plant species present.

Shrubs present along the edges of Laydown Area 1 included the non-native mission prickly-pear (*Opuntia ficus-indica*) and Franchet's cotoneaster (*Cotoneaster franchetii*); native shrubs included a sapling coyote brush (*Baccharis pilularis*) and a single toyon (*Heteromeles arbutifolia*).

Wildlife observed in or adjacent to the project included mourning dove (*Zenaida macroura*), California scrub-jay (*Aphelocoma californica*), chestnut-backed chickadee (*Poecile rufescens*), Bewick's wren (*Thryomanes bewickii*), northern mockingbird (*Mimus polyglottos*), and yellow-rumped warbler (*Setophaga coronata*). All these species are native resident and/or wintering species in the Fremont area and, with the exception of the yellow-rumped warbler, are potential nesting species in local parks and gardens landscaped with shrubs and trees. No raptors or raptor nests were observed during the survey.

No fish or other aquatic vertebrates such as frogs or turtles were observed along the reach of Mission Creek that runs under the pipeline alignment. As noted above this reach is contained within a concrete/concrete riprap channel and there are no pools or bank cover.

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 Wildlife or U.S. Fish and Wildlife Service? ***(No Impact)***

There are numerous special-status plant and animal species in western Alameda County; the majority of these species occur in areas supporting upland shrub and/or grassland, riparian, and freshwater aquatic habitats located in the hills east of the urbanized lowlands along the Bay or in

saltmarsh habitats along the Bay Shore. Such natural habitats are not located on or adjacent to the project site. In general, special-status species are habitat specialists and are restricted to specific habitat types such as saltmarsh or coastal sage scrub. Due to the complete absence of natural habitats within or adjacent to the project site no special-status species would occur and the proposed project would have no adverse effects on any special-status species. As noted above, areas of weedy grassland are present in two of the laydown areas; however, these areas are small in area and surrounded by extensive urban development. In addition, they have likely been historically been disturbed by disking and mowing. Therefore, the proposed laydown areas would not likely support populations of special-status plants and/or animal species.

As noted above, the section of Mission Creek that runs under Driscoll Road is contained within a concrete box culvert, a concrete channel upstream of the road, and cemented riprap channel downstream of the road. This section of creek does not provide suitable habitat for native aquatic species, including special-status species such as the California red-legged frog (*Rana draytonii*) or western pond turtle (*Actinemys marmorata*) because of the altered channel and banks and urban setting. There are no historical or recent records of federally listed central California coast steelhead (*Oncorhynchus mykiss irideus*) Distinct Population Segment (DPS) in Mission Creek.[3] The project would have no adverse on any special-status species.

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, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ***(No Impact)***

As noted above, Mission Creek crosses the pipeline alignment; however, it is contained within a concrete/concreted riprap channel that does not support riparian habitat; the project site and creek channel is within an urban landscape with no native vegetation and no sensitive natural communities are present. All work for the proposed pipeline replacement would occur within the Driscoll Road easement and will not affect the underlying box culvert or creek. Therefore, the proposed project would have no adverse effects on riparian habitat or other sensitive natural communities.

c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ***(No Impact)***

As previously noted, the project site is entirely developed and improved with paved surfaces including roads, sidewalks, and parking lots; there are ornamental plantings adjacent to paved areas and, with the exception of Mission Creek, no wetlands or other waters are present on or adjacent to the project site.

Mission Creek is tributary to Elizabeth Lake, Lagoon Creek, and San Francisco Bay and is therefore under the jurisdiction of the United States Army Corps of Engineers. As noted above, Mission Creek

[3] Leidy, R.A., G.S. Becker, and B.N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (*Oncorhynchus mykiss*) in streams of the San Francisco Estuary. Center of Ecosystem Management and Restoration, Oakland, California.

is contained within a concrete box culvert under Driscoll Road and the proposed project would not result in any fill being placed in the creek or other disturbance to the creek bed and bank. As noted in the project description, all work on the proposed project would occur within the Driscoll Road easement and would not affect the box culvert or creek. Therefore, the proposed project would have no effect on federally protected wetlands.

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? ***(Less Than Significant with Mitigation Incorporated)***

Due to the urban location of the project site and the lack of any natural connected habitats there are no significant movement corridors for wildlife. During the field survey, no nursery sites such as heron rookeries or raptors nests were observed in any of the large trees that are adjacent to the project site or laydown areas. No buildings or large trees with deep hollows or cavities suitable for bat maternity roosts are located in the project area.

The vegetation within the project site includes mainly tall ornamental street trees; such trees could provide nesting habitat for some species of birds (e.g., American crow) protected under the federal Migratory Bird Treaty Act and the California Fish and Game Code. If the project require removal and/or trimming of trees during the nesting bird season (February 15 to August 31), impacts to the active nests of protected bird species could occur. The following mitigation measure would reduce the potential project impacts to protected nesting birds to less-than-significant level.

Mitigation Measure BIO-1: If project activities occur during the nesting season (February 15 to August 31), a qualified biologist shall conduct a preconstruction nesting bird survey prior to vegetation removal and/or vegetation trimming. The survey area shall include all suitable nesting habitats within the work area. Most areas adjacent to the project site are private property, therefore these areas will not be surveyed for nesting birds. Due to the urban setting of the project site, any nesting raptors or other native birds in the area would likely be habituated to human activity such as pedestrian, vehicle, and train traffic. If an active raptor nest is discovered during the preconstruction survey, the qualified biologist shall determine a suitable exclusion buffer based on the nesting species and context of the nest location.The preconstruction survey shall be conducted no more than 14 days prior to the start of work. If the survey determines the presence of nesting birds, the qualified biologist shall determine an appropriately sized exclusion zone around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned). Exclusion buffers shall be clearly delineated (i.e., orange construction fencing) around each active nest site. Active nest sites of protected bird species shall be monitored periodically to determine time of fledging. The qualified biologist shall determine when construction

activities may commence within the buffer.*e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* ***(Less Than Significant Impact)***

The proposed project is not expected to require the removal of any trees. However, if trees need to be removed no permit is required because under Chapter 18.215, Section (c) 5 of the Fremont Municipal Code: A tree, other than a landmark tree, removed or damaged by a public utility to the extent that such removal or damage is necessary for building or maintaining the public utility's facilities (Ord. 2481 § 1, 7-23-02; Ord. 11-2010 § 8, 5-25-10. 1990 Code § 4-5104.). There are no landmark trees in the project area.[4] Therefore, this impact would be less than significant.

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? ***(No Impact)***

The proposed project is not within the East Alameda County Conservation Strategy area or any other approved local, regional, or state conservation plan. Therefore, the project would not conflict with approved local, regional, or state habitat conservation plan.

[4] Fremont, City of. 2012. Landscape Architecture Division, Community Services Department. Landmark Trees of the City of Fremont.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? ***(Less Than Significant with Mitigation Incorporated)***

For a cultural resource to be considered a historical resource (i.e., eligible for listing in the California Register of Historical Resources), it generally must be 50 years or older. Under CEQA, historical resources can include precontact (e.g., Native American) archaeological deposits, historic-period archaeological deposits, historic buildings, and historic districts. The California Environmental Quality Act (CEQA) requires that agencies considering projects that are subject to discretionary action shall consider the potential impacts on cultural resources that may occur from project implementation (see Section 15064.5 and Question V of Appendix G of the CEQA Guidelines).

To identify historical resources at the project site, the following tasks were completed for this Initial Study: (1) a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System; (2) a review of geologic maps, historical maps, and historical aerial photographs to assess the potential for buried precontact and historic-period archaeological deposits; (3) a search of the Sacred Lands File at the Native American Heritage Commission (ACWD conducted tribal organization outreach required by AB 52); and (4) a field survey of the project corridor and laydown areas by a qualified archaeologist. Based on the results of these tasks—which are described below—the project would have a potentially significant impact on archaeological historical resources unless mitigation is incorporated.

Records Search and Map Review Results. The NWIC records search was conducted on February 19, 2020. The search indicated that there are no recorded cultural resources in the project area (i.e., project corridor and Laydown Areas 1 and 2), and four resources within a 0.25-mile radius (three built environment and one historic-period archaeological site). Of the four resources within the search radius, one, the Horner House (P-01-010328), is adjacent to the project area at the southwestern extent of the project corridor. Nine studies have been conducted that address portions of the project area, but not its entirety.

The surface geology of Laydown Area 1 consists of older Alluvium (QoA) formed during the Pleistocene (approximately 5.3 to 2.6 million years ago), which predates human occupation of North America. Buried precontact archaeological deposits are not anticipated in these sediments. The project corridor consists of Holocene alluvium (Qa). The Holocene-age alluvium formed sometime

during the past 10,000 years, when human habitation is documented in the region. These more recent sediments have a potential to contain buried precontact archaeological deposits.[5] However, these areas have been previously cut-and-filled extensively for the SFPUC aqueduct and the existing pipeline, reducing the potential for intact subsurface archaeological deposits.

Sanborn Fire Insurance maps do not provide coverage of the Driscoll Road or Laydown Area 1, indicating that physical development was too sparse to warrant inspection by the insurance industry in the late 19th and early 20th centuries. Historical topographic maps published between 1906 and 1973 and aerials between 1946 and 1968 depict a road with the same alignment as Driscoll Road as early as 1941. Laydown Area 1 is depicted as Orchards until 1961, then orchards are removed and depicted as a "well."

Native American Heritage Commission. LSA requested a review of the Native American Heritage Commission (NAHC) Sacred Lands File on March 20, 2020, for any Native American cultural resources located within the APE. LSA received a response on January 30, 2020, from Ms. Sarah Fonseca, Associate Governmental Program Analyst, stating that "A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative."

Field Survey Methods and Results. LSA archaeologists conducted field surveys to identify archaeological deposits and/or human remains in the project corridor and three laydown areas. The methods and results are presented below.

Project Corridor; Laydown Area 1. LSA conducted a pedestrian field survey of the project corridor and Laydown Area 1 on February 27, 2020. Within the project corridor, exposed ground surfaces were surveyed along the right-of-way on both sides of Driscoll Road, both sides of Paseo Padre Parkway, and both sides of Mission Boulevard, as delineated by project area maps. The corridor consisted of paved or landscaped sidewalk shoulders, but in most areas, imported landscaping soils and bark impeded ground visibility. Native soils as seen from behind the right-of-way fence at the creek north of Paseo Padre Parkway appeared disturbed for creek shoulder improvements and rock shoring.

Within Laydown Area 1, LSA surveyed in 10 meter transects, inspected rodent burrow spoils, and conducted surface scrapes using hand hoe every 10 meters. In Laydown Area 1, dense grass and other vegetation impeded visibility.

The field survey did not identify any archaeological cultural resources in the project corridor or Laydown Area 1.

Summary. The NWIC records search and field survey did not identify cultural resources in the project corridors or Laydown Area 1. One cultural resource, the Horner House is recorded adjacent to the project corridor. Previous developments of the project corridor make it unlikely that intact archaeological deposits would be identified during construction or project staging; Laydown Area 1 appears less modified.

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5 Dibblee, T.W. 1980. Preliminary geologic map of the Niles quadrangle, Alameda County, California.

Despite the negative results of the field survey, it cannot be entirely be ruled out that archaeological cultural resources could be encountered during project construction activities. Should such deposits be encountered during project ground disturbance, a substantial adverse change in the significance of a historical resource would occur from its demolition, destruction, relocation, or alteration such that the significance of the resource would be materially impaired (CEQA Guidelines Section 15064.5(b)(1)). To mitigate this potential impact, the project sponsor would be required to implement Mitigation Measure CULT-1: Accidental Discovery of Archaeological Historical Resources. With implementation of Mitigation Measure CULT-1, potential impacts to historical resources would be reduced to less than significant.

Mitigation Measure CULT-1: Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the District shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recording the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared and submitted to the District for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate local curation facility and used for future research and public interpretive displays, as appropriate.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ***(Less Than Significant with Mitigation Incorporated)***

According to the CEQA Guidelines, "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource" (CEQA Guidelines Section 15064.5(c)(1)). Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as "unique archaeological resources" (California PRC Section 21083.2). Archaeological deposits identified during project construction shall be treated by the project sponsor—in consultation with a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology—in accordance with Mitigation Measure CULT-1. Therefore, with implementation of Mitigation Measure CULT-1, impacts related to archaeological resources would be less than significant.

c. Would the project disturb any humans remains, including those interred outside of formal cemeteries? ***(Less Than Significant with Mitigation Incorporated)***

In the event that human remains are identified during project activities, these remains would be required to be treated in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, as appropriate. Section 7050.5 of the California Health and Safety Code states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

3.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☒	☐	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation? ***(Less Than Significant with Mitigation Incorporated)***

This analysis evaluates energy consumption for both construction and operation of the proposed project, including diesel fuel use for construction off-road equipment.

Construction. Construction of the proposed project would require the use of energy to fuel grading vehicles, trucks, and other construction vehicles. All or most of this energy would be derived from non-renewable resources. In order to increase energy efficiency on the site during project construction, the project would restrict equipment idling times to 5 minutes or less and would require construction workers to shut off idle equipment, as required by the Mitigation Measure AIR-1. In addition, construction activities are not anticipated to result in an inefficient use of energy as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant.

Operation. Typically, energy consumption is associated with fuel used for vehicle trips and electricity and natural gas use. However, the proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway. The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages. The project would not generate additional vehicle trips through the project area and, therefore, would not increase fuel usage. In addition, implementation of the proposed project would not include lighting or features that could contribute to a significant new source of electricity and natural gas usage. Therefore, implementation of the proposed project would not result in a long-term demand for electricity and natural gas nor would the project require new service connections or construction of new off-site service lines or substations to serve the project. The nature of proposed improvements would not require substantial amounts of energy for either construction or maintenance purposes. Therefore, the proposed project would not use non-renewable resources in

a wasteful or inefficient manner. Therefore, operational energy impacts would be less than significant.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? ***(Less Than Significant Impact)***

In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

The CEC is in the process of adopting the 2019 Integrated Energy Policy Report.[6] The 2019 Integrated Energy Policy Report provides the results of the CEC's assessments of a variety of energy issues facing California. Many of these issues will require action if the State is to meet its climate, energy, air quality, and other environmental goals while maintaining energy reliability and controlling costs. The 2019 Integrated Energy Policy Report covers a broad range of topics, including implementation of Senate Bill 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, transportation electrification, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to Senate Bill 1383), updates on California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

As indicated above, energy usage in the project area during construction and operation would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2019 Integrated Energy Policy Report. Thus, as shown above, the project would avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and not result in any irreversible or irretrievable commitments of energy. Impacts would be less than significant.

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6 California Energy Commission. 2019. *2019 Integrated Energy Policy Report.* California Energy Commission. Docket # 19-IEPR-01.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. 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?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

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. ***(Less Than Significant Impact)***

Surface rupture occurs when the ground surface is broken due to fault movement during an earthquake. The location of surface rupture generally can be assumed to be along an active or potentially active major fault trace.

The State of California enacted the Alquist-Priolo Fault Zoning Act in 1972, requiring the State Geologist to delineate Earthquake Fault Zones (EFZs) along known active faults that have high potential for fault rupture. The southernmost portion of the project alignment is located within the

Hayward Fault EFZ.[7] The remainder of the project site lies outside of the designated EFZ. However, the proposed project consists of installation of pipeline and no habitable structures are proposed as part of the project. The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault.

ii. Strong seismic ground shaking? ***(Less Than Significant Impact)***

The project site and the entire San Francisco Bay Area is in a seismically active region subject to strong seismic ground shaking. Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The extent of ground-shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The magnitude of a seismic event is a measure of the energy released by an earthquake; it is assessed by seismographs that measure the amplitude of seismic waves. The intensity of an earthquake is a subjective measure of the perceptible effects of a seismic event at a given point. The Modified Mercalli Intensity (MMI) scale is the most commonly used scale to measure the subjective effects of earthquake intensity. It uses values ranging from I to XII.[8] The closest fault to the project site is the Hayward Fault, located just to the south.

Mapping has been performed by the Association of Bay Area Governments (ABAG) for the likely shaking intensities in the Bay Area that would have a 10 percent chance of occurring in any 50-year period. A large earthquake (magnitude 6.7 or greater) on one of the major active faults in the region would generate violent (MMI 9) ground shaking at the project site.[9]

Buried pipelines, like the proposed project, are generally less susceptible to damage from strong ground shaking than above ground structures since below ground pipelines are typically embedded in compacted backfill that can tolerate more seismic movement. The proposed project would be designed and constructed using standard construction procedures. Accepted procedures for placement of the water lines and construction measures necessary to minimize potential adverse effects have been incorporated into the project design. No businesses or residences would be constructed as part of the proposed project and people would not regularly access the project site upon completion. Therefore, the proposed project would not expose people or structures to substantial effects related to ground-shaking and this impact would be less than significant.

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7 California Department of Conservation. 2018. California Earthquake Hazards Zone Application. Website: maps.conservation.ca.gov/cgs/EQZApp/app/ (accessed February 18, 2020).

8 United States Geological Survey. 2018. The Modified Mercalli Intensity Scale. Website: www.usgs.gov/natural-hazards/earthquake-hazards/science/modified-mercalli-intensity-scale?qt-science_center_objects=0#qt-science_center_objects (accessed February 18, 2020).

9 Association of Bay Area Governments. 2020a. Shaking Scenarios Map, Available online at: mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8 (accessed March 21, 2020).

iii. Seismic-related ground failure, including liquefaction? ***(Less Than Significant Impact)***

Liquefaction is the transformation of saturated, loose, fine-grained sediment to a fluid-like state because of earthquake shaking or other rapid loading. Soils most susceptible to liquefaction are loose to medium dense, saturated sands, silty sands, sandy silts, non-plastic silts and gravels with poor drainage, or those capped by or containing seams of impermeable sediment.

The California Geological Survey (CGS) has mapped Seismic Hazard Zones that delineate areas susceptible to liquefaction and/or landslides that require proposed new developments in these areas to conduct additional investigation to determine the extent and magnitude of potential ground failure. According to CGS,[10] the northernmost portion of the project alignment between Mission Boulevard and Chiltern Drive is located within a Seismic Hazard Zone for liquefaction. Mapping performed by ABAG indicates that the project site is in an area of low to moderate liquefaction susceptibility.[11]

The objective of the project is to improve the District's water distribution system reliability by replacing old, AC water pipelines with new pipelines to reduce the number of leaks and breaks that could take place along these pipelines, resulting in unplanned water service outages. The proposed project would install a new pipeline, thereby reducing the overall vulnerability of the system to seismic hazards, including liquefaction. The impact of seismic-related ground failure, including liquefaction, is less than significant.

iv. Landslides? ***(No Impact)***

The project area and surrounding vicinity is generally level and the surfaces along the project alignment are primarily impervious. The project site is located within a developed urban area and is not located within an earthquake-induced or rainfall-induced landslide zone.[12] Therefore, the project area is not subject to landslides. Implementation of the project would not adversely impact persons or structures due to landslides.

b. Would the project result in substantial soil erosion or the loss of topsoil? ***(Less Than Significant with Mitigation Incorporated)***

The potential for soil erosion exists during the period of earthwork activities and between the time when earthwork is completed and new vegetation is established or hardscape is installed. As previously described, the project site is located on relatively level terrain and is currently developed. The proposed project would not result in substantial soil erosion or the loss of topsoil due to the

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10 California Geological Survey. 2003. Earthquake Zones of Required Investigation, Niles Quadrangle. Available online at: maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps (accessed February 18, 2020).

11 Association of Bay Area Governments. 2020b. Liquefaction Susceptibility Map. Available: mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8 (accessed March 21, 2020).

12 Association of Bay Area Governments. 2020c. Interactive Landslide Hazards Map. Available online at: mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8 (accessed March 21, 2020).

existing condition of the site. Construction of the proposed project, including trenching and backfilling, would temporarily expose soils and could result in erosion. However, construction specifications require the preparation of a Stormwater Pollution and Prevention Plan (SWPPP) prior to any ground disturbance activities as required by the Construction General Permit (refer to Section 3.10, Hydrology and Water Quality, for a more detailed description). The SWPPP would provide the details of the erosion control measures to be applied on the project site during the construction period, including Best Management Practices (BMPs) for erosion control that are recognized by the Regional Water Quality Control Board (RWQCB). Implementation of a SWPPP, as required by Mitigation Measure WQ-1 (refer to Section 3.10, Hydrology and Water Quality), would reduce potential impacts to soil erosion or the loss of topsoil to less than significant.

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? ***(Less Than Significant Impact)***

Please refer to Section 3.7.a. As previously described, the project site is located on relatively level terrain, and is currently developed. The proposed pipeline would be designed and constructed with adequate foundations and bedding in accordance with standard engineering practices. The project site is not anticipated to become unstable as a result of the proposed project, or potentially result in on- or off-site landslides, liquefaction, or lateral spreading. Therefore, the proposed project would not result in a geologic hazard from landslide, lateral spreading, subsidence, liquefaction or collapse and the impact is less than significant.

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

Expansion and contraction of volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes markedly. Changes in soil volume could result in significant expansion pressure on the proposed pipeline. Expansive soils are common throughout California and can cause damage to foundations and slabs unless properly treated during construction.

Soil types found along the project alignment include Azul clay loam (9 to 30 percent slopes), Clear Lake clay (2 to 9 percent slopes), Danville silty clay loam (0 to 2 percent slopes), Tierra loam (0 to 5 percent slopes), and Yolo silt loam (0 to 3 percent lopes), according to the Natural Resources Conservation Service web soil survey.[13] The shrink-swell potential for these soil types range from moderate to high.[14] The proposed project would be designed and constructed using standard construction methods. Standard construction methods for pipelines include appropriate selection of

[13] United States Department of Agriculture Soil Conservation Service. 2019. Web Soil Survey. Website: websoilsurvey.sc.egov.usda.gov/App/HomePage.htm (accessed February 18, 2020).

[14] United States Department of Agriculture Soil Conservation Service. 1975. Soil Survey of Alameda County, Western Part. Available online at: www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/ california/CA610/0/alameda.pdf (accessed February 18, 2020).

backfill materials that do not exhibit expansive behavior. Therefore, impacts associated with expansive soils would be less than significant.

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? ***(No Impact)***

Implementation of the project would not include installation of septic tanks or alternative wastewater disposal systems. Therefore, there would be no impact to soils and wastewater disposal.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ***(Less Than Significant With Mitigation Incorporated)***

The proposed project would not require deep excavation or trenching that would likely encounter paleontological resources. However, in the event that fossil remains are encountered, or paleontologically sensitive bedrock (Monterey Formation or Briones Sandstone) are exposed, impacts to paleontological resources could occur. Implementation of Mitigation Measure GEO-1 would reduce potential impacts to paleontological resources to less than significant.

Mitigation Measure GEO-1: If fossil remains or paleontologically sensitive bedrock is exposed during project construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist shall be contacted to review the find. The project team (the District and the paleontologist) shall develop and implement a plan for impact avoidance. Should avoidance be infeasible due to engineering requirements, the project team shall develop and implement a plan to offset the loss of paleontological data through the implementation of a data recovery project, including paleontological recovery. If determined to be a unique paleontological resource, the potentially significant impacts caused by construction may be mitigated through monitoring during construction activity (beyond the area of the initial find), and, if warranted by potential finds, recovery of fossils; preservation, stabilization, and identification of collected resources; curation of resources into a museum repository; and preparation of a final report documenting the monitoring methods and results, to be submitted to the District.

3.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***(Less Than Significant Impact)***

Greenhouse gas emissions (GHGs) are present in the atmosphere naturally, and are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur Hexafluoride (SF_6)

While GHGs produced by human activities include naturally-occurring GHGs such as CO_2, CH_4, and N_2O, some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere. Certain other gases, such as water vapor, are short-lived in the atmosphere compared to those GHGs that remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is generally excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this analysis, the term “GHGs” will refer collectively to the six gases identified in the bulleted list provided above.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The global warming potential is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere

("atmospheric lifetime"). The GWP of each gas is measured relative to carbon dioxide, the most abundant GHG. The definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the heat trapped by one unit mass of CO_2 over a specified time period. GHG emissions are typically measured in terms of pounds or tons of "CO_2 equivalents" (CO_2e). For example, sulfur hexafluoride is 22,800 times more potent at contributing to global warming than carbon dioxide.

Construction Greenhouse Gas Emissions. The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. Construction activities would produce combustion emissions from various sources. During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change. According to the results of the RoadMod analysis, the project would generate 511.9 metric tons of CO_2e construction emissions. Implementation of Mitigation Measure AIR-1 would further reduce construction GHG emissions by limiting construction idling emissions. Therefore, construction emissions would not be considered significant.

Operational Greenhouse Gas Emissions. Long-term GHG emissions are typically generated from mobile and area sources as well as indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions typically include project-generated vehicle trips to and from a project. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site. Energy source emissions are typically generated at off-site utility providers as a result of increased electricity demand generated by a project. Waste source emissions generated by projects include energy generated by land filling and other methods of disposal related to transporting and managing project generated waste. In addition, water source emissions associated with projects are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

The proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway. The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages. The project would not generate additional vehicle trips through the project area and, therefore, would not increase mobile source emissions. In addition, the project would not be a source of energy or area source emissions. Therefore, the proposed project would not generate any GHG emissions or result in any new vehicle trips that would contribute to an increase in GHG emissions. GHG emissions generated by the proposed project would be less than significant.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ***(Less Than Significant Impact)***

The City of Fremont CAP,[15] adopted in 2012, identifies specific and achievable actions for reducing GHG emissions in Fremont. The actions are organized within a three-tier implementation time frame: short term; medium term; and long term, consistent with the goals and policies outlined in the City's General Plan. The CAP goals and actions relate to land use and mobility, energy, solid waste, water, and municipal services and operations.

As discussed above, the proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway. The City of Fremont CAP outlines GHG reduction measures for municipal services and operations. Measure M17 Energy Efficiency Improvements – Water and Wastewater Pumps suggests that at the end of the units' useful life, replace least efficient water and wastewater motors and pumps in locations such as City parks with more energy-efficient units. The proposed project would comply with this measure as the new pipeline would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages.

In addition, the proposed project would not result in a substantial increase in GHG emissions and, therefore, would be consistent with the CAP and would not generate emissions that would exceed the project-level significance criteria established by the BAAQMD. The project would also be consistent with the strategies and policies included in the CAP. Therefore, the proposed project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. This impact would be less than significant.

[15] Fremont, City of. 2012. *City of Fremont Climate Action Plan*. November.

3.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. 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?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(Less than Significant Impact)***

The proposed project would install new underground water pipeline along the alignment of existing underground pipelines. After project construction, no routine transport or disposal of hazardous materials would be associated with the proposed project. The District would be required to comply with existing government regulations in the use and disposal of any hazardous materials necessary for maintenance of the project pipelines, and such materials would not be used in sufficient strength or quantity to create a substantial risk to human or environmental health. Therefore, the proposed project would have a less-than-significant impact related to the routine transport, use, or disposal of hazardous materials.

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? ***(Less Than Significant with Mitigation Incorporated)***

As described in 3.9.a above, operation of the project would not require routine use of hazardous materials; therefore, no hazards or hazardous materials impacts related to long term operation of the project are anticipated. Hazardous materials most likely to be used during construction include typical construction materials such as gasoline, diesel, motor oil, lubricants, solvents, and adhesives. Such materials would be kept at construction staging areas, and would be secured when not in use. In the unlikely event of a spill, fuels would be controlled and disposed of in accordance with applicable regulations. Drips and small spills would be the most likely potential hazardous materials releases to occur; however, any release that occurs in close proximity to a stream or drainage channel could have a significant impact on the environment, if not properly controlled. The District would be required to prepare and implement a SWPPP for the proposed project in accordance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit)(Order No. 2009-0009-DWQ, NPDES No. CAS000002) (SWRCB, 2009) permitting requirements, which would reduce the potential for hazardous materials releases to occur during construction, and would reduce the potential for spills to impact sensitive habitat or human health, to less than significant. SWPPPs are required for construction sites over one acre that do not qualify for a waiver. Therefore, with implementation of Mitigation Measure WQ-1 (refer to Section 3.10, Hydrology and Water Quality), development of the proposed project would not create a significant hazard to the public or environment and this impact would be less than significant.

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? ***(Less Than Significant Impact)***

Schools in the project area include: Hopkins Junior High School, located on the project alignment, Joshua Chadbourne Elementary School, located 0.1 miles to the east of the project site, Mission San Jose High School, located 0.5 miles to the east of the project site, John Gomes Elementary School, located 0.4 miles to the west of the project site, and Mission Valley Elementary School, located 0.1 miles to the east of the project site. The proposed project would install a water pipeline and would not result in the routine use, transport or disposal of substantial quantities of hazardous materials. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

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? ***(Less Than Significant Impact)***

The project site is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore would not create a hazard to the public or environment. The project site is not on a state-listed hazardous materials clean-up site. However,

according to the California State Water Resources Control Board (SWRCB) Geotracker website,[16] three State-listed hazardous materials clean-up sites are located within 1,000 feet of the project site. All three of these sites are designated "closed." A closed site indicates that regulatory requirements for response actions, such as site assessment and remediation, have either been completed or were not necessary and therefore potential migration of residual contaminants in groundwater beneath the project corridor (if any) does not likely pose a risk to human health and the environment.

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 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? ***(No Impact)***

The project site is not located within an airport land use plan, or within 2 miles of a public airport or public use airport. The closest airports to the project site are the Hayward Executive Airport, located approximately 13 miles to the north, and the Palo Alto Airport, located approximately 11 miles to the west of the project site. Therefore, the project would not result in a safety hazard for people residing or working in the project area.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(Less Than Significant Impact)***

The proposed project would result in replacement of an existing waterline within existing public right-of-way, along Driscoll Road and Paseo Padre Parkway. Operation of the proposed project would be the same or similar to operation and maintenance of existing pipelines and would not impair or physically interfere with emergency response or evacuation plans.

Construction of the proposed project would not result in substantial temporary traffic delays, as traffic flow would largely be maintained, even though temporary lane closures would be required. During construction, one lane would remain open for emergency access. Therefore, the proposed project would not physically interfere with the implementation of an adopted emergency response plan or evacuation plan. This impact would be less than significant.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ***(Less Than Significant Impact)***

The project site is located within a developed urban area and according to the California Department of Fire and Forestry Protection (CalFire), the project site is not located in a Very High Fire Hazard Severity Zone.[17] Construction of the pipeline would occur along the existing alignment, in developed areas consisting primarily of impervious surface; therefore, there would be a low fire hazard risk. Implementation of the project would not change the degree of exposure to wildfires

[16] State Water Resources Control Board. 2018. Geotracker website application. Website: geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0600101130 (accessed January 28, 2020).

[17] California Department of Fire and Forestry Protection. 2008. Alameda County Very High Fire Hazard Severity Zones in LRA. Available online at: osfm.fire.ca.gov/media/6638/fhszl_map1.pdf (accessed February 18, 2020).

because no new aboveground structures or housing would be constructed and people would not regularly access the project site. During construction, the most likely source of ignition would be by mechanical activities such as operation of backhoes, mini excavators, or rolled compactors. However, the potential for ignition can be greatly reduce through equipment features, fuel treatment, and management of behavior. Therefore, impacts associated with exposing people or structures to a significant risk of loss, injury, or death involving wildland fires would be less than significant.

3.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☒	☐	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. 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 offsite;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

The majority of the project site is located within the Mission Creek Watershed, which is the upper portion of the larger Laguna Creek Watershed located in Fremont. The entire Laguna Creek Watershed drains into the southeastern end of the San Francisco Bay at Mud Slough. Mission Creek flows from the hills and then meanders toward Lake Elizabeth, where it branches into Laguna Creek and Irvington Creek.[18]

The project site is located within the Niles Cone Subbasin of the Santa Clara Valley Groundwater Basin. The Niles Cone Subbasin covers an approximately 105 square mile area and is bounded on the east by the Diablo Range and on the west by the San Francisco Bay. The Hayward Fault intersects the easterly edge of the basin and interrupts groundwater flowing westward. This separates the basin into two zones, one above the Hayward Fault (AHF) and one below the Hayward Fault (BHF). The AHF zone has significantly higher ground water levels than the BHF. Depths of ground water

[18] Math Science Nucleus. 2004. Mission Creek. Website: www.msnucleus.org/watersheds/mission/missioncreek.html (accessed February 19, 2020).

vary throughout Fremont depending on location. For example, a depth of about three feet is common near the Bay and depths of 70 feet exist in the flatlands west of the Hayward Fault.[19]

The Niles Cone Subbasin is a conjunctively managed basin. Local runoff along with imported water is percolated into the Niles Cone Subbasin through recharge in Alameda Creek itself and through recharge ponds within Quarry Lakes Regional Recreational Area and adjacent areas. The water is subsequently recovered through ACWD's groundwater production wells and provided as a potable supply to a population of over 356,000 in the cities of Fremont, Newark, and Union City.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 06001C0426G (August 3, 2009),[20] the area north of Driscoll Road from approximately Amapola Drive to Carmen Street lies within Zone X (i.e., an area in which there is a 0.2 percent chance per annum of a one hundred-year storm event with base flood elevations). In addition, the project alignment would cross a 100-year floodplain Zone A associated with Mission Creek (i.e., an area in which there is a one percent chance per annum of a one hundred-year storm event with base flood elevations).

The two major upstream dams are James Turner (San Antonio Reservoir) and Del Valle, which are inspected regularly by the California Division of Safety of Dams. Flood waters resulting from dam failure would take 90 minutes (Turner) and 160 minutes (Del Valle) to reach populated areas of the City. The Calaveras Reservoir is also located upstream from Fremont but a further distance away.[21]

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? ***(Less Than Significant with Mitigation Incorporated)***

Pollutants of concern during project construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and transport of sediment downstream compared to existing conditions. During a storm event, soil erosion could occur at an accelerated rate. In addition, construction-related pollutants such as chemicals, liquid and petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste could be spilled, leaked or transported via storm runoff into adjacent drainages and into downstream receiving waters. Any of these pollutants has the potential to be transported via stormwater runoff into receiving waters (i.e., Mission Creek).

The project is subject to the requirements of the State Water Resources Control Board's Construction General Permit.

In compliance with the Construction General Permit, the Construction Contractor would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP), and implement construction BMPs

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19 Fremont, City of. 2011a. *City of Fremont General Plan*.

20 Federal Emergency Management Agency. Flood Map Service Center, Driscoll Road, Fremont, California. Website: msc.fema.gov/portal/search?AddressQuery=Driscoll%20Road%2C%20Fremont%2C%20California#searchresultsanchor (accessed February 19, 2020).

21 Fremont, City of. 2011a, op. cit.

during construction activities. Construction BMPs would include, but not be limited to, Erosion and Sediment Control BMPs, designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters. Compliance with State and local regulations regarding stormwater during construction, as required by Mitigation Measure WQ-1 below, would ensure that the proposed project would result in less-than-significant impacts to water quality during construction.

Mitigation Measure WQ-1: Construction General Permit. Prior to the commencement of construction activities, the District shall obtain coverage under the Construction General Permit. The District shall submit the Permit Registration Documents, including a Notice of Intent for coverage under the permit to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number is obtained from SMARTS. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared by a Qualified SWPPP Developer and implemented by a Qualified SWPPP Practitioner to address all construction-related activities, equipment, and materials that have the potential to impact water quality. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include Best Management Practices to ensure that the potential for soil erosion, sedimentation, and spills is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTS.

Operation of the project would be similar to the existing condition and would not result in any increase in impervious surface area or an associated increase in the rate and volume of stormwater runoff. Therefore, implementation of the project would not result in any long-term operational impacts that would violate any water quality standards or waste discharge requirements, and no mitigation is required.

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? ***(Less Than Significant Impact)***

The project site is currently developed and largely covered by impervious surfaces. The pipeline installation would not result in any changes to impervious surface area. Groundwater would not be extracted during operation of the proposed pipeline. Because the project would not result in the development of large areas of impervious surfaces that would prevent water from infiltrating into the groundwater nor would it result in direct additions or withdrawals to existing groundwater, operation of the project would result in a less-than-significant impact associated with depleting groundwater supplies or substantially interfering with groundwater recharge, and no mitigation is required.

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 offsite;
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
iv. Impede or redirect flood flows? ***(Less Than Significant with Mitigation Incorporated)***

During construction activities, excavated soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for soil erosion and the transport of sediment downstream compared with existing conditions. Additionally, during a storm event, soil erosion could occur at an accelerated rate. As discussed in Section 3.10.a above and specified in Mitigation Measure WQ-1, the Construction General Permit requires preparation of a SWPPP and implementation of construction BMPs to reduce impacts to water quality during construction, including those impacts associated with soil erosion, and siltation. Therefore, adherence to Mitigation Measure WQ-1 would ensure that construction of the project would result in a less-than-significant impact related to altering the existing drainage pattern of the project site during construction activities in a manner that would result in substantial erosion or siltation on- or off-site, increase surface runoff, result in flooding or impede or redirect flood flows.

After installation of the pipeline, soils would be compacted and recovered to be consistent with current topography, similar to the existing condition. Therefore, no significant change in either drainage patterns or on-site or off-site effects from erosion and siltation would occur and this impact would be less than significant.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? ***(Less Than Significant Impact)***

Dam failure is defined as the structural collapse of a dam that releases the water stored in a reservoir behind the dam. A dam failure is usually the result of the age of the structure, inadequate spillway capacity, or structural damage caused by an earthquake or flood. As described above, earthquake-induced dam failure of the James Turner, Del Valle, or Calaveras Dams could have serious effects on the City. These dams are evaluated annually by the California Division of Safety Dams to ensure that they are safe performing as intended. Regular inspections and required maintenance of the dams substantially reduce the potential for catastrophic failure. Existing dam inspection and maintenance programs ensure that dam failures remain a very low probability event. Upon completion, the proposed project would be located underground, posing minimal risk of release of pollutants in the unlikely event of failure associated with the James Turner, Del Valle, or Calaveras Dams.

A levee is a type of dam that runs along the banks of a river or canal that provides flood protection. A levee system failure could create severe flooding and high water velocities. No levees are located

within the project area. Implementation of the project involves installing an underground pipeline; no structures would be installed aboveground, similar to the existing condition. Therefore, the project would not increase the risk of levee failure; the risk of levee failure would be similar to the existing condition. No impact would occur and no mitigation is required.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? ***(Less Than Significant Impact)***

As discussed above, due to the size of the proposed project, construction and operation of the project would be subject to State and regional requirements related to stormwater runoff. Required compliance with State and local regulations regarding stormwater and dewatering during construction and operation would ensure that the proposed project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. As a result, this impact would be less than significant.

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. 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?	☐	☐	☒	☐

The proposed improvements to the pipeline would be located along the alignment of the existing pipeline within the public right-of-way, along Driscoll Road and Paseo Padre Parkway. Laydown areas for construction would be located on existing District properties on Alice Court, south of the project site or other areas adjacent to the work area, as determined by the contractor.. Adjacent land uses include commercial and residential development and public facilities, including several churches and Hopkins Junior High School.

The project site is located within the City. The entirety of the pipeline alignment would be located within City right-of-way.

a. Would the project physically divide an established community? ***(No Impact)***

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. Implementation of the project would replace old, AC water pipelines with new pipelines to reduce the number of leaks and breaks that could take place along these pipelines, resulting in unplanned water service outages. The proposed project would not expand the existing water system; therefore, implementation of the project would not physically divide an established community and no impact would occur.

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? ***(Less Than Significant Impact)***

The City of Fremont General Plan and the City of Fremont Municipal Code are the primary land use plans containing policies and regulations applicable to the project. The project would be located along the alignment of the existing pipeline within the public right-of-way, along Driscoll Road and Paseo Padre Parkway. The proposed project would not change existing land use within the project area and would not result in the conversion of adjacent land uses or conflicts with applicable City land use designations or zoning standards. The proposed project would not conflict with any applicable land use plan, policy or regulation with jurisdiction over the project.

The City of Fremont General Plan (2011) and relevant sections of the City's Municipal Code (2019) outline relevant policies and regulations applicable to the proposed project, including policies to

preserve visual, cultural, and natural resources and to protect the health and safety of their citizens. Consistent with the goals and policies of these relevant planning documents, the project has been designed to minimize impacts to natural and cultural resources. Project conformance and/or potential conflicts with these ordinances are described in the relevant resource sections of this Initial Study. Where potentially significant environmental impacts have been identified in this Initial Study/Mitigated Negative Declaration, they have been mitigated to less than significant with implementation of appropriate mitigation measures. Therefore, the project would be consistent with applicable land use plans, policies and regulations, and no additional mitigation is required.

3.12 MINERAL RESOURCES

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

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? ***(No Impact)***

Minerals are any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat and oil bearing rock, but excluding geothermal resources, natural gas and petroleum. Mineral resources within Fremont's city limits include construction aggregate (sand, gravel and crushed rock); salt; and other resources (clay, mineral springs, and limestone). These resources are designated by the State as regionally significant; however, there are currently no active mining operations within the City.[22]

Six mineral resource sectors in the City are designated by the State Mining and Geology Board as containing regionally significant aggregate resources; however, none of these sites are located on or in the vicinity of the project site. Therefore, the proposed project would not result in the loss of availability of a known mineral resources that would be of value of the region and the residents of the state.

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? ***(No Impact)***

In addition to the State-designated aggregate resources, the City has identified other locally-important mineral resource sites, including former quarries, and salt, clay and limestone deposits.[23] None of these sites are located on or in the vicinity of the project site. Therefore, the proposed project would not 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.

[22] Fremont, City of. 2011a, op. cit.

[23] Fremont, City of. 2011b. *City of Fremont General Plan*, Diagram 7-4, Mineral Resources and Sites Subject to SMARA (Surface Mining and Reclamation Act).

3.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. 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?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
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 2 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?	☐	☐	☒	☐

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements that better represent human sensitivity to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq}, the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on dBA. CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours.

A project would have a significant noise effect if it would substantially increase the ambient noise levels for adjoining areas or conflict with adopted environmental plans and goals of applicable regulatory agencies, including, as appropriate, the City.

The City also addresses noise in the Safety Element.[24] The Safety Element includes goals, polices, and implementation measures that work to minimize impacts to residents and property due to noise and ground vibration sources.

In addition, the City sets allowable hours for construction activity for development projects in a zoning district on any property within 500 feet of one or more residences, lodging facilities, nursing homes or inpatient hospitals to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays.[25] No construction is allowed on Sundays.

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? ***(Less Than Significant with Mitigation Incorporated)***

The following section addresses the short-term construction and long-term operational noise impacts of the proposed project.

Short-Term (Construction) Noise Impacts. Project construction would result in short-term noise impacts on the nearby sensitive receptors. Maximum construction noise would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days depending on the phase of construction. The level and types of noise impacts that would occur during construction are described below.

Short-term noise impacts would occur during grading and site preparation activities. Table C lists typical construction equipment noise levels (L_{max}) recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor, obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the project area but would no longer occur once construction of the project is completed.

Two types of short-term noise impacts could occur during construction of the proposed project. The first type involves construction crew commutes and the transport of construction equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. As shown in Table C, there would be a relatively high single-event noise exposure potential at a maximum level of 84 dBA L_{max} with trucks passing at 50 feet.

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24 Fremont, City of. 2011a, op. cit.

25 Fremont, City of. 2019. *Construction Hours*. Available online at: fremont.gov/DocumentCenter/View/4095/Construction-Hours?bidId= (accessed February 2020). October.

The second type of short-term noise impact is related to noise generated during grading and construction on the project site. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table C lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 feet between the equipment and a noise receptor.

Table C: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor (%)	Maximum Noise Level (L_{max}) at 50 Feet[1]
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Impact Pile Drivers	20	95
Jackhammers	20	85
Pick-up Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84
Welder	40	73

Source: Roadway Construction Noise Model (FHWA 2006).
Note: Noise levels reported in this table are rounded to the nearest whole number.
[1] Maximum noise levels were developed based on Spec 721.560 from the Central Artery/Tunnel (CA/T) program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.
L_{max} = maximum instantaneous sound level

Typical maximum noise levels range up to 87 dBA L_{max} at 50 feet during the noisiest construction phases. The site preparation phase, including excavation and grading of the site, tends to generate the highest noise levels because earthmoving machinery is the noisiest construction equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders.

Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings.

As discussed Section 1.0, Project Information, the contractor would employ the use of heavy construction machinery, likely including the following: excavator and/or backhoe, bobtail or larger truck to off-haul spoils, dump trucks, pick-up trucks, and possibly a small crane and a small air compressor/ generator. Therefore, this analysis assumes that a backhoe, dump truck, pick-up truck, crane, and compressor would be operating simultaneously during construction of the proposed project. Based on the typical construction equipment noise levels shown in Table C, noise levels associated with these pieces of construction equipment operating simultaneously would be approximately 80 dBA L_{max} at 50 feet.

The closest sensitive receptors include residential uses located adjacent to the project alignment. As these surrounding residences would be adjacent to the construction area, these residences would be subject to short term construction noise exceeding 80 dBA L_{max}. However, construction equipment would operate at various locations within the 1.5-mile project site and, due to the linear nature of the project, construction activities at any one receptor location would occur for a limited duration.

Construction noise is permitted by the City when activities occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays. No construction is allowed on Sundays in Fremont. As outlined in the project description, the District would conduct limited nighttime work within the Mission Boulevard/Driscoll Road intersection at the northern terminus of the proposed pipeline replacement project to minimize traffic congestion and ensure the work can be completed. Nighttime work hours would be between 8:00 p.m. and 5:00 a.m., Sunday through Thursday. Caltrans Standard Specifications in Section 14-8.02 requires that noise levels from the Contractor's operations not exceed 86 dBA Lmax (at a distance of 50 feet) between the hours of 9:00 p.m. and 6:00 a.m.

Consistent with Chapter 18.160.010 of the City of Fremont Municipal Code, construction activities occurring outside of daytime hours may be permitted by the City of Fremont City Manager for projects located within a right-of-way if such modified hours will minimize disruption to the community as a whole, such as to facilitate the orderly flow of traffic or to reduce negative impacts on commercial or residential activity. The project encroachment permit will list the necessary conditions to be implemented in order to safeguard the interests of the public for any proposed nighttime work.

Nighttime construction work is proposed in just one location along the project alignment and would occur over a limited period, approximately 2-3 nights. In addition, implementation of Mitigation Measure NOI-1 would reduce potential construction period noise impacts for sensitive receptors to less-than-significant levels.

Mitigation Measure NOI-1: The project contractor shall implement the following measures during construction of the proposed project:

- Construction equipment shall be well-maintained and used judiciously to be as quiet as practical.
- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities.
- Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.
- Construction excavation, 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 of the Fremont Municipal Code, which requires that all general construction related activities are restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays. Construction activities shall be prohibited on Sundays. To conduct work outside of these hours, written permission from the City of Fremont City Manager demonstrating sufficient cause shall be required prior to commencement of night work.
- Designate a "disturbance coordinator" at the District who would be responsible for responding to any local complaints about construction noise. Place signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contract number for the disturbance coordinator. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem.

Implementation of Mitigation Measure NOI-1 would require the construction contractor to implement noise-reducing measures during construction, which would reduce short-term construction noise impacts to a less-than-significant level.

Operational Noise Impacts. A characteristic of sound is that a doubling of a noise source is required in order to result in a perceptible (3 dBA or greater) increase in the resulting noise level. The proposed project would consist of replacing approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway. The project would improve system hydraulics by replacing the hydraulically constrained portion of the system with a larger diameter pipeline, and would reduce the number of future breaks and leaks that could result in unplanned water service outages.

The project would not generate new vehicle trips and therefore would not result in a doubling of traffic volumes along any roadway segment in the project vicinity and would not result in a perceptible increase in traffic noise levels at receptors in the project vicinity. Operation of the proposed project would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, since the project is not expected to generate substantial vehicular traffic or other operational noise. Therefore, the proposed project would not result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance. This impact would be less than significant.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels? ***(Less Than Significant with Mitigation Incorporated)***

Vibration refers to groundborne noise and perceptible motion. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. Vibration energy propagates from a source, through intervening soil and rock layers, to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by the occupants as the motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of groundborne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment), and occasional traffic on rough roads. In general, groundborne vibration from standard construction practices is only a potential issue when within 25 feet of sensitive uses. Groundborne vibration levels from construction activities very rarely reach levels that can damage structures; however, these levels are perceptible near the active construction site. With the exception of old buildings built prior to the 1950s or buildings of historic significance, potential structural damage from heavy construction activities rarely occurs. When roadways are smooth, vibration from traffic (even heavy trucks) is rarely perceptible.

The streets surrounding the project area are paved, smooth, and unlikely to cause significant groundborne vibration. In addition, the rubber tires and suspension systems of fire engines and other on-road vehicles make it unusual for on-road vehicles to cause groundborne noise or vibration problems. It is, therefore, assumed that no such vehicular vibration impacts would occur and, therefore, no vibration impact analysis of on-road vehicles is necessary. Additionally, once constructed, the proposed project would not contain uses that would generate groundborne vibration.

Construction Vibration. Construction of the proposed project could result in the generation of groundborne vibration. This construction vibration impact analysis discusses the level of human annoyance using vibration levels in vibration velocity decibels (VdB) and will assess the potential for building damages using vibration levels in peak particle velocity (PPV inches per second [(in/sec]) because vibration levels calculated in root-mean-square (RMS) are best for characterizing human response to building vibration, while vibration level in PPV is best used to characterize potential for damage. The Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment guidelines indicate that a vibration level up to 102 VdB (an equivalent to 0.5 in/sec in PPV) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a non-engineered timber and masonry building, the construction vibration damage criterion is 94 VdB (0.2 in/sec in PPV).

Table D shows the PPV and VdB values at 25 feet from a construction vibration source. As shown in Table D, bulldozers and other heavy-tracked construction equipment (except for pile drivers and vibratory rollers) generate approximately 87 VdB of groundborne vibration when measured at 25 feet, based on the Transit Noise and Vibration Impact Assessment. At this level, groundborne vibration would result in potential annoyance to residents and workers, but would not cause any damage to the buildings.

Table D: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 feet	
	PPV (in/sec)	L_V (VdB)[a]
Pile Driver (Impact), Typical3	0.644	104
Pile Driver (Sonic), Typical	0.170	93
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drilling	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Sources: *Transit Noise and Vibration Impact Assessment* (FTA 2018).
[a] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
µin/sec = micro-inches per second
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

Construction vibration, similar to vibration from other sources, would not have any significant effects on outdoor activities (e.g., those outside of residential buildings in the project vicinity). Outdoor site preparation for the proposed project is expected to include the use of bulldozers and loaded trucks. The greatest levels of vibration are anticipated to occur during the site preparation phase. All other phases are expected to result in lower vibration levels. The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the project boundary (assuming the construction equipment would be used at or near the project boundary) because vibration impacts occur normally within the buildings. The formula for vibration transmission is provided below.

$$L_v dB\ (D) = L_v dB\ (25\ \text{feet}) - 30\ \text{Log}\ (D/25)$$
$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

As identified above, residential structures are located adjacent to the project alignment. Construction vibration levels at these residences from construction equipment or activity could exceed the FTA threshold of 94 VdB (0.2 in/sec PPV) for non-engineered timber and masonry building damage when bulldozers and loaded trucks operate at the project segment boundary adjacent to the residential structures. Therefore, implementation of Mitigation Measure NOI-2 would be required to increase the distance between the heavy construction equipment and the surrounding structures to a minimum of 15 feet.

Mitigation Measure NOI-2: The use of heavy construction equipment within 15 feet of existing structures shall be prohibited.

Implementation of Mitigation Measure NOI-2 would ensure that construction vibration level would be below the FTA threshold of 94 VdB (0.2 in/sec PPV) for building damage. Although construction vibration levels at the adjacent sensitive would have the potential to result in annoyance, these vibration levels would no longer occur once construction of the project is completed. In addition, due to the linear nature of the project, construction activities at any one receptor location would occur for a limited duration. Therefore, impacts associated with construction vibration would be considered less than significant with mitigation incorporated.

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 2 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? ***(Less Than Significant Impact)***

The proposed project is not located within 2 miles of a public or public use airport. Aircraft noise is occasionally audible at the project site; however, no portion of the project site lies within the 60 dBA CNEL noise contours of any public airport nor does any portion of the project site lie within 2 miles of any private airfield or heliport. Therefore, the proposed project would not result in the exposure of people residing or working in the project area to excessive noise levels. There would be no impact.

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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)? ***(No Impact)***

The proposed project would install a new underground pipeline along the alignment of the existing pipeline within the public right-of-way along Driscoll Road and Paseo Padre Parkway. Land uses in the vicinity consist of commercial and residential development, and public facilities, including several churches and Hopkins Junior High School. The proposed water line replacement would replace existing pipelines within the existing right-of-way to improve water pressure and flow as well as enhance the reliability of the water system by replacing the existing, aging pipeline. The proposed project would not provide additional major infrastructure or increase the capacity of the existing water system to accommodate new development nor would the project extend or expand infrastructure or services to existing undeveloped areas in the vicinity of the proposed alignment. Because the proposed water line would be installed to serve the existing water system, and not anticipated demand for future development around the project site, it would not substantially induce growth. The project would not expand the capacity of the current water system or provide additional major infrastructure so as to encourage population growth or new development. The project would not include any new housing, commercial or industrial space. Therefore, the project would not directly or indirectly induce substantial population growth and no impact would occur.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? ***(No Impact)***

The project would be constructed along the alignment of the existing pipeline primarily within the public right-of-way associated with Driscoll Road and Paseo Padre Parkway. No housing or people would be displaced as a result of implementation of the project and no impact would occur.

3.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

The project site is located in the City, in an urban area served by existing public services.

Fire Protection. Fire protection and emergency response services are provided by the City of Fremont Fire Department. Emergency services are delivered through 13 in-service fire companies from 11 strategically located fire stations in the City. The closest fire station to the project site is Fire Station 3 located at 40700 Chapel Way.[26]

Police Protection. Police protection in Fremont is provided by the Fremont Police Department. As of 2019, the department consists of over 300 staff, of which more than 200 are sworn personnel, and more than 100 are professional staff.[27] The Fremont Police Department is headquartered at 2000 Stevenson Boulevard in Fremont. The project site is located within Zone 1, which covers mostly Central Fremont, including Downtown and the Niles District.

Schools. The City is served by the Fremont Unified School District (FUSD). FUSD is the second largest of the 18 school districts in Alameda County with 28 elementary schools, one pre-kindergarten campus, five junior high schools, five high schools and one continuation school. FUSD operates one special education school for special needs children, an adult school and is a participating District in a regional occupational training program.[28] FUSD schools in the vicinity of the project site include: Hopkins Junior High School, located on the project alignment, Joshua Chadbourne Elementary School, located 0.1 miles to the east of the project site, Mission San Jose High School, located 0.5 miles to the east of the project site, John Gomes Elementary School, located 0.4 miles to the west of

[26] Fremont, City of. 2019. City of Fremont Fire Department. Website: fremont.gov/96/Fire-Department (accessed February 19, 2020).

[27] Fremont, City of. 2019. City of Fremont Police Department. Website: www.fremontpolice.gov/home (accessed February 19, 2020).

[28] Fremont, City of. 2011a, op. cit.

the project site, and Mission Valley Elementary School, located 0.1 miles to the east of the project site.

Parks. Refer to Recreation for a discussion about parks.

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

i. Fire protection?
ii. Police protection?
iii. Schools?
iv. Parks?
v. Other public facilities? ***(No Impact)***

Development of the project would improve the reliability of the District's system by installing new pipeline to replace the existing, aging infrastructure in order to reduce the number of leaks and breaks that could take place along these pipelines, resulting in unplanned water service outages. The project does not include the construction of structures that would increase the population in the area or that would generate a higher demand for fire or police services, schools, parks, or other public facilities. Therefore, the demand for public services for the project would be the same as under existing conditions and no impact would occur.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ***(No Impact)***

The City of Fremont Recreation Services Department operates and maintains 53 parks, providing a wide range of recreation facilities to the community. Total acreage is about 1,148 acres, with about 865 acres owned by the City. The remainder is leased from other agencies.[29] These facilities include several community parks, historical sites, Central Park with Lake Elizabeth, Aqua Adventure Waterpark, a skate park, a sports complex, a tennis center, Fremont Park Golf Club, Olive Hyde Art Gallery, three program centers, and four community centers.[30]

Development of the project would improve the reliability of the District's system by installing new pipelines that would replace existing, aging infrastructure. No housing would be constructed as part of the project. Therefore, implementation of the project would not increase the use of existing neighborhood or regional parks in the project vicinity. Implementation of the project would not have an adverse effect on existing park facilities and would not generate a demand for additional recreational facilities. Therefore, no impact would occur.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ***(No Impact)***

Refer to Section 3.16.a, above. The project does not include construction or expansion of existing recreational facilities and no impact would occur.

29 Fremont, City of. 2011a, op. cit.

30 Fremont, City of. 2019. City of Fremont, Recreation Services. Website: fremont.gov/259/Recreation-Services (accessed February 19, 2020).

3.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? ***(Less Than Significant Impact)***

The Alameda County Transportation Commission (ACTC), which is Alameda County's designated Congestion Management Agency (CMA), has established a 100 peak-hour trip threshold for requiring preparation of a Traffic Impact Analysis. LSA has examined the peak trip generation potential during the construction and operational periods, as described below.

Short-Term Construction Impacts. As discussed in the project description, project construction is anticipated to start at the beginning of 2021 and last approximately six to eight months. Construction activities would typically occur from 8:00 a.m. to 5:00 p.m., Monday through Friday. Laydown areas for construction would be located on existing District properties on Alice Court, south of the project site or other areas adjacent to the work area, as determined by the contractor. Access to the project site would likely be via Mission Boulevard or Washington Boulevard and I-680. Once construction activities are complete, staging areas would be returned to their existing condition.

As outlined in the project description, the proposed project would replace approximately 1.5 miles of the existing pipeline, associated fittings, valves, fire hydrant laterals, and existing water service connections with other pipelines and branch connections along Driscoll Road and Paseo Padre Parkway in the City. The proposed pipeline would be installed via open trench construction with a segment of pipeline being excavated and installed each day. During construction, it is expected that one lane of the public right-of-way will be closed to through traffic. It should be noted that the construction period is temporary and regular roadway operation will resume after the project is completed. A traffic control plan would be submitted by the project contractor for review and approval by the City and Caltrans prior to construction.

The types of construction equipment anticipated to be used during construction include: excavators, loaders, water truck, utility trucks, flatbed trucks, dump trucks, kick brooms, street sweepers,

smooth drum rollers, and paving machines. The equipment would likely be delivered when the construction begins and removed when it ends. Therefore, on a typical day, heavy equipment related to construction activities would not affect the roadway network.

Analysis of the cut and fill quantities provided in the project description reveal that net spoils exported from the site would equal approximately 4,600 cubic yards and 4,300 cubic yards would be imported to the site, resulting in approximately 500 total truckloads of soil. Over the duration of the construction period, these haul trips would average four per day and it is unlikely that haul trips would affect the AM or PM peak hours.

The trip generation is based on the list of equipment provided by the District as well as LSA's experience with other pipeline construction projects in the San Francisco Bay Area. For the no more than 25 pieces of heavy equipment operating at the project site, it is estimated that no more than 40 employees per day would be on site during the construction period. In order to present the worst-case trip generation, no carpooling was assumed for construction employees. Therefore, these 40 employees would generate 80 trips per day of which 40 would occur during the AM peak hour and 40 would occur during the PM peak hour.

The trip generation is expected to be less than 100 peak hour trips, which is less than the ACTC thresholds. Therefore, the project would not conflict with a program plan, ordinance or policy addressing the circulation system and the impact would be less than significant.

Operational Impacts. Upon completion of construction, no additional daily or peak hour trips are anticipated to be attracted to or generated by the project site.

b. Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? ***(Less Than Significant Impact)***

According to the screening threshold for small projects, defined in the State of California Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018, "projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact."

As described above, during the short-term construction activity, 80 daily trips are anticipated. Therefore, in accordance with the Technical Advisory, impacts related to CEQA Guidelines section 15064.3, subdivision (b) can be assumed to be less than significant.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ***(Less Than Significant Impact)***

The proposed project would not change the existing roadway design. During construction, construction vehicles would be staged within the off-roadway construction site. Additional heavy vehicles may travel along major arterials and I-680 during construction. Any lane closures or traffic control measures would be consistent with those published in the California Joint Utility Traffic Control Manual. Implementing measures contained within the California Joint Utility Traffic Control

Manual would facilitate safe passage of both construction vehicles and private vehicles. As a result, the proposed project would not substantially increase hazards for vehicles due to a design feature or incompatible uses.

d. Would the project result in inadequate emergency access? ***(Less Than Significant Impact)***

Effects of the proposed project on emergency access would be limited to construction and would be temporary in nature. Only one lane will be closed during construction; therefore, emergency access would still be possible along all roadways and full access would be restored following construction. Therefore, the proposed project would not result in inadequate emergency access.

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. 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.	☐	☒	☐	☐

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. ***(Less Than Significant with Mitigation Incorporated)***

Assembly Bill 52 (AB 52), which became law on January 1, 2015, provides for consultation with California Native American tribes during the CEQA environmental review process, and equates significant impacts to "tribal cultural resources" with significant environmental impacts. Public Resources Code (PRC) Section 21074 states that "tribal cultural resources" are:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and are one of the following:
    - Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    - Included in a local register of historical resources as defined in subdivision (k) of PRC Section 5020.1.
    - 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 PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

A "historical resource" (PRC Section 21084.1), a "unique archaeological resource" (PRC Section 21083.2(g)), or a "nonunique archaeological resource" (PRC Section 21083.2 (h)) may also be a tribal cultural resource if it is included or determined to be eligible for inclusion in the California Register.

The consultation provisions of the law require that a public agency consult with local Native American tribes that have requested placement on that agency's notification list for CEQA projects. Within 14 days of determining that a project application is complete, or a decision by a public agency to undertake a project, the lead agency must notify tribes of the opportunity to consult on the project, should a tribe have previously requested to be on the agency's notification list. California Native American tribes must be recognized by the NAHC as traditionally and culturally affiliated with the project site, and must have previously requested that the lead agency notify them of projects. Tribes have 30 days following notification of a project to request consultation with the lead agency.

The purpose of consultation is to inform the lead agency in its identification and determination of the significance of tribal cultural resources. If a project is determined to result in a significant impact on an identified tribal cultural resource, the consultation process must occur and conclude prior to adoption of a Negative Declaration or Mitigated Negative Declaration, or certification of an Environmental Impact Report (PRC Sections 21080.3.1, 21080.3.2, 21082.3).

None of the tribes contacted for this project responded to the District's invitation to consult within the 30-day notification period, consistent with the requirements of PRC 21080.3.1. As such, tribal consultation for the proposed project was not conducted.

As discussed in Section 3.5, Cultural Resources, the NWIC records search and the archaeological survey completed for the project did not identify evidence of Native American archaeological deposits or ancestral remains. The proposed project would not impact on known tribal cultural resources that are listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources, nor has the District identified a tribal cultural resource at the project site. As noted in Section 3.5, Cultural Resources, implementation of Mitigation Measures CULT-1 and CULT-2 would ensure that potential impacts related to previously undiscovered historic or archaeological resources and human remains, including tribal cultural resources, would be less than significant.

3.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. 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?	☐	☐	☒	☐
d. 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?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? ***(Less Than Significant Impact)***

A variety of local and regional purveyors in this area provide and maintain utility and service system facilities associated with electricity, water, stormwater, wastewater, solid waste, communications and natural gas. Several of these utilities run parallel to the water pipeline route in the form of sewer pipes, storm drains, power lines, gas mains, and telephone lines.

Water Supply. The Alameda County Water District has jurisdiction over the water service lines in the City. The District stores water in 11 reservoirs and tanks throughout the District's service area. According to the City of Fremont General Plan, total distribution system water use (excluding system losses) was approximately 137 acre-feet per day, or 45 million gallons per day (mgd) (50,000 acre-feet per year) in fiscal year 2007-2008.[31]

The project would not result in the construction of new water treatment facilities or expansion of such facilities. The proposed project would install a new water pipeline along approximately the same alignment as the existing pipeline. Development of the proposed project would provide beneficial effects by improving the District's water distribution system reliability by reducing the number of leaks and breaks that could take place along these pipelines, resulting in unplanned water service outages. Applicable and required permits (e.g., Regional Water Quality Control Board

[31] Fremont, City of. 2011a, op. cit.

stormwater permit) would be obtained. In addition, measures (e.g., Best Management Practices, Best Available Control Technologies) have been incorporated into the project design along with conformance with appropriate guidelines and policies to reduce possible environmental impacts to the extent practicable. Potentially significant environmental impacts associated with the proposed project would be reduced to less than significant with implementation of the mitigation measures included in this Initial Study.

Wastewater. The Union Sanitary District (USD) is responsible for collection and treatment of wastewater for a 60 square mile area including Union City, Fremont and Newark. The Alvarado Wastewater Treatment Plant is located in Union City, just west of Union City Boulevard. Wastewater generated within the USD service area is collected and conveyed by gravity sewers to three major pump stations. The Irvington Pump Station serves the southern portion of the service area, the Newark Pump Station serves the central portion and the Alvarado Pump Station serves the northern portion. Wastewater collected in the southern and central areas is transported to the Alvarado Wastewater Treatment Plant (Alvarado WWTP) in Union City via dual 33-inch and 39-inch force mains prior to outfall in the San Francisco Bay after treatment. The northern area wastewater is pumped directly to the WWTP from the Alvarado Pump Station.

Implementation of the project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities. The project entails installation of a new water pipeline along the alignment of the existing pipeline within the public right-of-way. However, project construction could result in the discharge of potable and non-potable water. Discharge of potable and non-potable water would be in compliance with NPDES Municipal Regional Permit requirements. Dewatering of the work area may be necessary in areas where groundwater is encountered within the planned depth of excavation, depending on surface and groundwater levels at the time of construction. This discharge would be consistent with RWQCB requirements and would not require or result in the relocation of construction of new or expanded wastewater treatment facilities. Therefore, this impact would be less than significant.

Stormwater. The Alameda County Flood Control and Water Conservation District (ACFC), a division of the Alameda County Public Works Agency, provides flood protection for Alameda County residents and businesses. The stormwater system in Fremont is managed through a joint partnership between the ACFC and the City. The ACFC has delineated two management zones within the City – Zone 5 in the northern part of the City and Zone 6 in the south. Zone 6 includes the following creeks: Laguna, Mission, Canada Del Aliso, Agua Caliente, Agua Fria, Toroges and Scott. Water from these creeks flows to a series of pipelines and channels that discharge to either Coyote Creek or Mowry Slough before continuing to San Francisco Bay. Lake Elizabeth is a reservoir in Zone 6.

The City has responsibility for maintaining the majority of the storm drainage system and ensuring that adequate storm drainage facilities are built to support new development. The City maintains local storm drains, replacing pipes and other facilities as needed.

The project would entail construction of a water pipeline that would be located underground. Implementation of the proposed project would not affect the amount of on-site runoff and; therefore, would not require the expansion of stormwater facilities. No additional stormwater drainage facilities would be required and no impact would occur.

Gas, Electricity and Telecommunications. Pacific Gas & Electric (PG&E) provides natural gas and electricity in the City. Traditional telephone service is provided by AT&T and its various precursor companies. Comcast operates the fiber-optic cable communications network. A variety of cellular and wireless service companies operate in Fremont, providing important voice and data connections for the community.[32]

The project would entail construction of a water pipeline that would be located underground. No new gas, electricity or telecommunications facilities would be required to serve the proposed project. The proposed pipeline alignment has been designed to avoid impacts to other utilities located within the existing right-of-way. Therefore, the proposed project would not require or result in the relocation or construction of new or expanded gas, electricity or telecommunications facilities and no impact would occur.

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? ***(Less Than Significant Impact)***

The project would not result in an increase in the amount of water that is distributed to the site currently. New or expanded water supply entitlements would not be required to serve the project. The project would require potable or reclaimed water for dust suppression during project construction. However, the amount of water required would be relatively small and would only be needed during the construction period.

As outlined in the project description, implementation of a temporary, above-ground bypass may be required to provide water service during construction. This bypass may include connecting temporary piping to fire hydrants or to the water main that would not be impacted by the temporary outage. The size and extent of the temporary bypass will be evaluated later in the design process. With implementation of this temporary bypass, the proposed project would not result in a disruption in water service during the construction period.

Therefore, a less-than-significant impact related to water supplies would occur as a result of implementation of the project.

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? ***(Less Than Significant Impact)***

Refer to Section 3.19.a above. Implementation of the project would not result in a change in the wastewater treatment needed. Impacts related to wastewater treatment would be less than significant.

[32] Fremont, City of. 2011a, op. cit.

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? ***(Less Than Significant Impact)***

Implementation of the project would generate solid waste associated with construction activities, including construction materials, trench spoils, and general refuse. To minimize the amount of solid waste, some solid waste generated by the proposed project, such as excavated soils would be re-compacted on site. Other non-hazardous waste would be hauled to local disposal centers for recycling or taken to landfills. The proposed project would generate approximately 4,600 cubic yards of solid waste, which would be disposed of at a local landfill.

The closest landfill to the project site is the Newby Island Landfill (approximately 6 miles south). As of October 2014, the Newby Island landfill had remaining capacity of 21.2 million cubic yards, with a total capacity of 57.5 million cubic yards.[33] The quantity of solid waste materials associated with construction would be limited to the construction period, and would not pose a significant impact upon existing landfills. No additional solid waste would be generated by long-term operations of the proposed project. Impacts related to solid waste disposal are considered less than significant.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? ***(Less Than Significant Impact)***

As described in Section 3.19.d. implementation of the project would generate solid waste associated with construction activities. To the extent possible, solid waste would be recycled either on-site or transported to a local disposal center for recycling. Solid waste generation would be limited to the construction period; no solid waste would be generated from long-term operation of the proposed project. The proposed project would comply with federal, State, and local statutes and regulations related to solid waste. This impact would be less than significant and no mitigation is required.

[33] CalRecycle. 2019. Facility/Site Summary Details: Newby Island Sanitary Landfill (43-AN-0003). Website: www2.calrecycle.ca.gov/swfacilities/Directory/43-AN-0003/ (accessed February 20, 2020).

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan? ***(Less Than Significant Impact)***

The project site is not located within any State responsibility areas (SRA) for fire service,[34] and is not within a very high fire hazard severity zone.[35] In addition, as noted in Section 3.9.f, the proposed project would not impair the implementation of, or physically interfere with, and adopted emergency response plan. Therefore, this impact would be less than significant.

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? ***(Less Than Significant Impact)***

Refer to Section 3.20.a. additionally, as noted in Section 1.0, Project Information, the project site is generally level, and is bound by existing development on all sides. Therefore, the proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, and this impact would be less than significant.

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34 California Department of Fire and Forestry Protection. 2007. Alameda County Fire Hazard Severity Zones in SRA (map). Available online at: osfm.fire.ca.gov/media/7271/fhszs_map1.pdf (accessed February 20, 2020).

35 California Department of Fire and Forestry Protection. 2008. Alameda County Very High Fire Hazard Severity Zones in LRA. Available online at: osfm.fire.ca.gov/media/6638/fhszl_map1.pdf (accessed February 18, 2020).

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? ***(Less Than Significant Impact)***

Refer to Section 3.20.a. The proposed project is not located within an SRA for fire service and is not within a very high fire hazard severity zone. Therefore, the proposed project would not require the installation or maintenance of associated infrastructure, and this impact would be less than significant.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? ***(Less Than Significant Impact)***

Refer to Section 3.20.a and 3.20.b. The project site is generally level and is not located within an SRA for fire service or a very high fire hazard severity zone. Therefore, the proposed project would not expose people or structures to significant risks as a result of post-fire slope instability or drainage and runoff changes.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☒	☐	☐
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.)	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

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? ***(Less Than Significant with Mitigation Incorporated)***

Implementation of the mitigation measures recommended in this Initial Study would ensure that the construction and operation of the proposed project would not substantially degrade the quality of the environment; reduce the habitat, population, or range of a plant or animal species; or eliminate important examples of California history or prehistory. As described in Section 3.4, the proposed project would not result in impacts to biological resources, with the exception of potential impacts to nesting birds. The Biological Resources section of this IS/MND, includes mitigation measures to minimize impacts to nesting birds to a less than significant level. Mitigation is provided in the Cultural Resources section of this IS/MND, in the event that unanticipated archeological or paleontological resources and/or human remains are identified in the project area during construction.

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)? ***(Less Than Significant Impact)***

The CEQA Guidelines require a discussion of significant environmental impacts that would result from project-related actions in combination with “closely related past, present, and probably future

projects: located in the immediate vicinity (CEQA Guidelines Section 15130[b][1][A]). Cumulative environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the proposed project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the proposed project.

The proposed project would be located in a highly developed urban area that is largely built out. According to the City development activity map,[36] several projects have been approved or are currently under review in the project vicinity and could be under construction concurrently with the proposed project. These projects include: the Fremont Seventh Day Adventist Church multi-purpose building located at 225 Driscoll Road (7,000-square-foot multi-purpose building); the First United Methodist Church of Fremont social hall located at 2950 Washington Boulevard (14,585-square-foot social hall and associated landscaping); Orchard Heights located at 41948-43232 Mission Boulevard (53 single-family residential units); and the Winston Development located at2529 Washington Boulevard (14 single-family residential units). As described in this Initial Study/Mitigated Negative Declaration, impacts associated with the proposed project would be temporary, construction-related and would be reduced to less than significant with implementation of the mitigation measures contained herein. Therefore, the proposed project would not make a considerable contribution towards a cumulative impact related to construction impacts. Additionally, the proposed project would not generate a significant amount of greenhouse gas emissions and would therefore not result in a cumulatively considerable impact to global climate change. The proposed project would improve the reliability of the existing water distribution system. No mitigation is required.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ***(Less Than Significant with Mitigation Incorporated)***

As described in this IS/MND, any potential environmental impacts from the project would be reduced to less than significant with the implementation of the recommended mitigation measures. With implementation of measures both incorporated into the project design and recommended as mitigations to reduce the impacts associated with air quality, cultural resources, hazards, and traffic, the project would not result in substantial adverse effects on human beings.

[36] Fremont, City of. 2019. Development Activity, Amended through January 9, 2020. Available online at: www.fremont.gov/DocumentCenter/View/4983/Development-Activity-Map?bidId= (accessed February 20, 2020).

4.0 LIST OF PREPARERS

LSA Associates, Inc.
157 Park Place
Point Richmond, California 94801

Theresa Wallace, AICP, Principal in Charge
Shanna Guiler, AICP, Associate, Project Manager
Tim Lacy, Principal Biologist
Eric Lichtwardt, Associate/Wildlife Biologist
Tim Milliken, Senior Botanist
Andrew Pulcheon, Principal Cultural Resources
Lora Holland, Senior Cultural Resources Manager
Greg Gallaugher, Graphics and Production
Charis Hanshaw, Document Management

2491 Alluvial Avenue, PM 626
Clovis, California 93611

Amy Fischer, Principal, Air Quality & Noise Specialist
Cara Carlucci, Air Quality and Noise Specialist

20 Executive Park, Suite 200
Irvine, California 92614

Arthur Black, Associate/Transportation

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APPENDIX A

CALEEMOD OUTPUT SHEETS

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Road Construction Emissions Model, Version 9.0.0

Daily Emission Estimates for -> Driscoll Road Main Renewal Project

Project Phases (Pounds)	ROG (lbs/day)	CO (lbs/day)	NOx (lbs/day)	Total PM10 (lbs/day)	Exhaust PM10 (lbs/day)	Fugitive Dust PM10 (lbs/day)	Total PM2.5 (lbs/day)	Exhaust PM2.5 (lbs/day)	Fugitive Dust PM2.5 (lbs/day)	SOx (lbs/day)	CO2 (lbs/day)	CH4 (lbs/day)	N2O (lbs/day)	CO2e (lbs/day)
Grubbing/Land Clearing	4.32	33.40	42.38	72.05	2.05	70.00	16.44	1.88	14.56	0.07	7,060.05	1.83	0.12	7,141.02
Grading/Excavation	5.90	43.46	59.15	72.81	2.81	70.00	17.07	2.51	14.56	0.11	10,327.10	2.40	0.29	10,474.38
Drainage/Utilities/Sub-Grade	4.20	33.06	39.77	71.96	1.96	70.00	16.33	1.77	14.56	0.07	7,124.12	1.74	0.11	7,199.12
Paving	4.53	40.58	44.25	2.30	2.30	0.00	2.11	2.11	0.00	0.08	7,427.01	1.93	0.10	7,505.60
Maximum (pounds/day)	5.90	43.46	59.15	72.81	2.81	70.00	17.07	2.51	14.56	0.11	10,327.10	2.40	0.29	10,474.38
Total (tons/construction project)	0.33	2.53	3.20	4.08	0.16	3.93	0.96	0.14	0.82	0.01	557.33	0.13	0.01	564.26

Notes:

Project Start Year ->	2020
Project Length (months) ->	6
Total Project Area (acres) ->	19
Maximum Area Disturbed/Day (acres) ->	7
Water Truck Used? ->	Yes

	Total Material Imported/Exported Volume (yd^3/day)		Daily VMT (miles/day)			
Phase	Soil	Asphalt	Soil Hauling	Asphalt Hauling	Worker Commute	Water Truck
Grubbing/Land Clearing	0	0	0	0	400	80
Grading/Excavation	122	0	210	0	1,320	80
Drainage/Utilities/Sub-Grade	0	0	0	0	1,080	40
Paving	0	0	0	0	720	40

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.

Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.

CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1 , 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.

Total Emission Estimates by Phase for -> Driscoll Road Main Renewal Project

Project Phases (Tons for all except CO2e. Metric tonnes for CO2e)	ROG (tons/phase)	CO (tons/phase)	NOx (tons/phase)	Total PM10 (tons/phase)	Exhaust PM10 (tons/phase)	Fugitive Dust PM10 (tons/phase)	Total PM2.5 (tons/phase)	Exhaust PM2.5 (tons/phase)	Fugitive Dust PM2.5 (tons/phase)	SOx (tons/phase)	CO2 (tons/phase)	CH4 (tons/phase)	N2O (tons/phase)	CO2e (MT/phase)
Grubbing/Land Clearing	0.03	0.22	0.28	0.48	0.01	0.46	0.11	0.01	0.10	0.00	46.60	0.01	0.00	42.76
Grading/Excavation	0.16	1.15	1.56	1.92	0.07	1.85	0.45	0.07	0.38	0.00	272.64	0.06	0.01	250.86
Drainage/Utilities/Sub-Grade	0.10	0.76	0.92	1.66	0.05	1.62	0.38	0.04	0.34	0.00	164.57	0.04	0.00	150.87
Paving	0.04	0.40	0.44	0.02	0.02	0.00	0.02	0.02	0.00	0.00	73.53	0.02	0.00	67.41
Maximum (tons/phase)	0.16	1.15	1.56	1.92	0.07	1.85	0.45	0.07	0.38	0.00	272.64	0.06	0.01	250.86
Total (tons/construction project)	0.33	2.53	3.20	4.08	0.16	3.93	0.96	0.14	0.82	0.01	557.33	0.13	0.01	511.89

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.

Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.

CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1 , 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.

The CO2e emissions are reported as metric tons per phase.

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APPENDIX B

MITIGATION MONITORING AND REPORTING PROGRAM

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MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation and Monitoring Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the proposed Driscoll Road Main Renewal Project (proposed project). The purpose of the MMRP is to ensure the implementation of avoidance and minimization measures and mitigation measures identified as part of the environmental review for the project. MMRP Table A includes the following information:

- A list of avoidance and minimization measures and mitigation measures;
- The timing for implementation of the measure;
- The party responsible for implementing the measure;
- The agency/city department responsible for monitoring the implementation; and
- The monitoring action and frequency.

The Alameda County Water District must adopt a MMRP or an equally effective program, if it approves the proposed project with the mitigation measures included in the IS/MND. Public Resources Code, Section 21081.6(a) requires an agency to adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of project approval.

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Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
AESTHETICS				
There are no mitigation measures related to Aesthetics.				
AGRICULTURAL AND FOREST RESOURCES				
There are no mitigation measures related to Agricultural and Forest Resources.				
AIR QUALITY				
AIR-1: In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction Mitigation Measures shall be implemented: ● All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ● All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ● All visible mud or dirt tracked-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. ● All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). ● All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. ● Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. ● All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ● A publicly visible sign shall be posted with the telephone number and person to contact at the District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations.	● Include measure as Condition of Approval. ● Implementation actions are outlined in the measure.	Throughout the construction period.	● Alameda County Water District (ACWD) is responsible for incorporating this measure into contract specification and for ensuring compliance during construction. ● The Construction Contractor is responsible for implementing this measure.	*Verified by:* *Date:*

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
BIOLOGICAL RESOURCES				
BIO-1: If project activities occur during the nesting season (February 15 to August 31), a qualified biologist shall conduct a preconstruction nesting bird survey prior to vegetation removal and/or vegetation trimming. The survey area shall include all suitable nesting habitats within the work area. Most areas adjacent to the project site are private property, therefore these areas will not be surveyed for nesting birds. Due to the urban setting of the project site, any nesting raptors or other native birds in the area would likely be habituated to human activity such as pedestrian, vehicle, and train traffic. If an active raptor nest is discovered during the preconstruction survey, the qualified biologist shall determine a suitable exclusion buffer based on the nesting species and context of the nest location. The preconstruction survey shall be conducted no more than 14 days prior to the start of work. If the survey determines the presence of nesting birds, the qualified biologist shall determine an appropriately sized exclusion zone around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned). Exclusion buffers shall be clearly delineated (i.e., orange construction fencing) around each active nest site. Active nest sites of protected bird species shall be monitored periodically to determine time of fledging. The qualified biologist shall determine when construction activities may commence within the buffer.	• Include measure as Condition of Approval • Incorporate measure as part of construction specifications	No more than 14 days prior to construction activities	• ACWD is responsible for incorporating this measure into contract specification and ensuring work is conducted outside of the nesting bird season, if possible. • A qualified biologist is responsible for conducting a pre-construction survey of the site, determining an appropriate exclusion zone, and monitoring the exclusion fencing during construction. • The Construction Contractor is responsible for keeping work out of the exclusion zone.	*Verified by:* *Date:*
CULTURAL RESOURCES				
CULT-1: Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the District shall be responsible for funding and implementing appropriate mitigation measures. Mitigation	• Include measure as Condition of Approval. • Incorporate measure as part of construction specifications.	Throughout the construction period.	• ACWD is responsible for incorporating this measure into contract specifications, hiring a qualified archaeologist (if discoveries are made), and for ensuring compliance during construction. • The qualified archaeologist is responsible for	*Verified by:* *Date:*

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
measures may include recording the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods, findings, and recommendations shall be prepared and submitted to the District for review, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate local curation facility and used for future research and public interpretive displays, as appropriate.			determining the appropriate treatment of the discovery. ● The Construction Contractor is responsible for cooperating with the qualified archaeologist with any stop-work orders if resources are discovered.	
GEOLOGY AND SOILS				
GEO-1: If fossil remains or paleontologically sensitive bedrock is exposed during project construction, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist shall be contacted to review the find. The project team (the District and the paleontologist) shall develop and implement a plan for impact avoidance. Should avoidance be infeasible due to engineering requirements, the project team shall develop and implement a plan to offset the loss of paleontological data through the implementation of a data recovery project, including paleontological recovery. If determined to be a unique paleontological resource, the potentially significant impacts caused by construction may be mitigated through monitoring during construction activity (beyond the area of the initial find), and, if warranted by potential finds, recovery of fossils; preservation, stabilization, and identification of collected resources; curation of resources into a museum repository; and preparation of a final report documenting the monitoring methods and results, to be submitted to the District..	● Include measure as Condition of Approval. ● Incorporate measure as part of construction specifications.	Throughout the construction period.	● ACWD is responsible for incorporating this measure into contract specifications, hiring a qualified paleontologist (if discoveries are made), and for ensuring compliance during construction. ● The qualified paleontologist is responsible for determining the appropriate treatment of the discovery. ● The Construction Contractor is responsible for cooperating with the qualified paleontologist with any stop-work orders if resources are discovered	*Verified by:* *Date:*
GREENHOUSE GAS EMISSIONS				
There are no new mitigation measures related to Greenhouse Gas Emissions. Implementation of Mitigation Measure AIR-1 (above) would reduce impacts associated with construction-related greenhouse gas emissions.				

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
HAZARDS AND HAZARDOUS MATERIALS				
There are no new mitigation measures related to Hazards and Hazardous Materials. Implementation of Mitigation Measure WQ-1 (below) would reduce impacts associated with hazards and hazardous materials.				
HYDROLOGY AND WATER QUALITY				
WQ-1: Construction General Permit. Prior to the commencement of construction activities, the District shall obtain coverage under the Construction General Permit. The District shall submit the Permit Registration Documents, including a Notice of Intent for coverage under the permit to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number is obtained from SMARTS. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared by a Qualified SWPPP Developer and implemented by a Qualified SWPPP Practitioner to address all construction-related activities, equipment, and materials that have the potential to impact water quality. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include Best Management Practices to ensure that the potential for soil erosion, sedimentation, and spills is minimized and to control the discharge of pollutants in storm water runoff as a result of construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTS.	● Include measure as Condition of Approval. ● Incorporate measure as part of construction specifications.	Prior to and throughout construction activities.	● ACWD is responsible for incorporating this measure into contract specification, obtaining coverage under the Construction General Permit, and for ensuring compliance during construction ● The Construction Contractor is responsible for implementing the SWPPP during construction.	*Verified by:* *D*ate:
LAND USE/PLANNING				
There are no mitigation measures related to Land Use/Planning.				
MINERAL RESOURCES				
There are no mitigation measures related to Mineral Resources.				

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
NOISE				
NOI-1: The project contractor shall implement the following measures during construction of the proposed project: ● Construction equipment shall be well-maintained and used judiciously to be as quiet as practical. ● Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. ● Utilize "quiet" models of air compressors and other stationary noise sources where technology exists. ● Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site. ● Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities. ● Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines. ● Construction excavation, 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 of the Fremont Municipal Code, which requires that all general construction related activities are restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays. Construction activities shall be prohibited on Sundays. To conduct work outside of these hours, written permission from the City of Fremont City Manager demonstrating sufficient cause shall be required prior to commencement of night work. ● Designate a "disturbance coordinator" at the District who would be responsible for responding to any local complaints about construction noise. Place signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contract number	● Include measure as Condition of Approval. ● Incorporate measure as part of construction specifications.	Throughout the construction period	● ACWD is responsible for incorporating this measure into contract specification and for ensuring compliance during construction, and for implementing the measure. ● The Construction Contractor is responsible for implementing this measure.	*Verified by:* *Date:*

Table A: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions	Timing Requirements	Monitoring/Reporting Responsibility	Verified By and Date
for the disturbance coordinator. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem.				
NOI-2: The use of heavy construction equipment within 15 feet of existing structures shall be prohibited.	● Include measure as Condition of Approval. ● Incorporate measure as part of construction specifications.	Throughout the construction period	● ACWD is responsible for incorporating this measure into contract specification and for ensuring compliance during construction, and for implementing the measure. ● The Construction Contractor is responsible for implementing this measure.	*Verified by:* *Date:*
POPULATION AND HOUSING				
There are no mitigation measures related to Population/Housing.				
PUBLIC SERVICES				
There are no mitigation measures related to Public Services.				
RECREATION				
There are no mitigation measures related to Recreation.				
TRANSPORTATION/TRAFFIC				
There are no mitigation measures related to Transportation/Traffic.				
TRIBAL CULTURAL RESOURCES				
There are no new mitigation measures related to Tribal Cultural Resources. Implementation of Mitigation Measure CULT-1 (above) would reduce impacts to tribal cultural resources.				
UTILITIES/SERVICE SYSTEMS				
There are no mitigation measures related to Utilities and Service Systems.				

Source: LSA (2020).

APPENDIX C

NOTIFICATIONS, COMMENT LETTERS, AND RESPONSE TO COMMENTS

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ALAMEDA COUNTY WATER DISTRICT

43885 SOUTH GRIMMER BOULEVARD • FREMONT, CALIFORNIA 94538
(510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

DIRECTORS

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JAMES G. GUNTHER
JUDY C. HUANG
PAUL SETHY
JOHN H. WEED

MANAGEMENT

ROBERT SHAVER
General Manager
KURT ARENDS
Operations and Maintenance
LAURA J. HIDAS
Water Resources
ED STEVENSON
Engineering and Technology Services
JONATHAN WUNDERLICH
Finance

June 15, 2020

Alameda County Clerk Recorder's Office
1106 Madison Street
Oakland, CA 94607

Dear Sir or Madam:

Subject: Draft Initial Study/Mitigated Negative Declaration-Environmental Assessment, Alameda County Water District, Driscoll Road Main Renewal Project; ACWD Job 21212

The Alameda County Water District (ACWD) has prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Driscoll Road Main Renewal Project (Project). The Project is located in the City of Fremont, California.

In accordance with the California Environmental Quality Act and National Environmental Policy Act, the Notice of Intent and Draft IS/MND is to be made available for public review and comment. Five (5) sets of the County Clerk Environmental Declaration Cover Sheet and Draft IS/MND are enclosed for posting. The public review period begins on June 19, 2020 and ends on July 20, 2020.

Subsequent to the public review period, please return one (1) set of documents to ACWD, with County Clerk certification that the document was posted for the duration indicated above. A check in the amount of $50 is enclosed for the Clerk's handling fee.

If you have questions or require additional information, please contact me by telephone at (510) 668-4420 or by email at dorota.budzynska@acwd.com.

Sincerely,

Dorota Budzynska
Project Manager

cs
Enclosures
By FedEx
cc: Ed Stevenson, ACWD
Rekha Ippagunta, ACWD
Chris Delp, ACWD

RECYCLED PAPER

ALAMEDA COUNTY CLERK-RECORDER
1106 MADISON STREET
OAKLAND, CA 94607
(510)272-6362

SUED TO:
AMEDA COUNTY WATER DISTRICT

CEIPT # 2689472
TE 06/16/2020 03:21:26 PM

RVICE	PGS	QTY	FEE
SHIERING NDLING FEE	1	1	50.00
al Amount Due			$50.00
CK 247655			50.00
al Amount Paid			$50.00

MELISSA WILK
County Clerk-Recorder
Deputy: Cindy B

REC'D by ACWD
JUN 19 2020
ENG & TECH SVCS
WATER RESOURCES

IRONMENTAL DECLARATION

ALIFORNIA FISH AND GAME CODE SECTION 711.4)

D ADDRESS

TRICT

FOR COUNTY CLERK USE ONLY

ENDORSED
FILED
ALAMEDA COUNTY

JUN 16 2020

MELISSA WILK, County Clerk
By _____ Deputy

FILE NO: _____

ATION OF ENVIRONMENTAL DOCUMENT:

LEASE MARK ONLY ONE CLASSIFICATION)

CE OF EXEMPTION / STATEMENT OF EXEMPTION

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00 - COUNTY CLERK HANDLING FEE

2. NOTICE OF DETERMINATION (NOD)

[ ] A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC.)

$ 2,406.75 - STATE FILING FEE

$ 50.00 - COUNTY CLERK HANDLING FEE

[ ] B - ENVIRONMENTAL IMPACT REPORT (EIR)

$ 3,343.25 - STATE FILING FEE

$ 50.00 - COUNTY CLERK HANDLING FEE

3. OTHER: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

*****A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH EACH COPY OF AN ENVIRONMENTAL DECLARATION BEING FILED WITH THE ALAMEDA COUNTY CLERK.*****

BY MAIL FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND TWO (2) SELF-ADDRESSED ENVELOPES.

IN PERSON FILINGS:

PLEASE INCLUDE FIVE (5) COPIES OF ALL NECESSARY DOCUMENTS AND ONE (1) SELF-ADDRESSED ENVELOPES.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2020

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REC'D by ACWD
JUN 19 2020
ENG & TECH SVCS
WATER RESOURCES

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

ALAMEDA COUNTY WATER DISTRICT
43885 S. GRIMMER BLVD.
FREMONT, CA 94538

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ALAMEDA COUNTY

JUN 16 2020

MELISSA WILK, County Clerk
By _____ Deputy

FILE NO: _____

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JUN 19 2020
ENG & TECH SVCS
WATER RESOURCES

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FILED
ALAMEDA COUNTY
JUN 16 2020
MELISSA WILK, County Clerk
By LB Deputy

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED DRISCOLL ROAD MAIN RENEWAL PROJECT IN THE CITY OF FREMONT

The Alameda County Water District (ACWD) has prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Driscoll Road Main Renewal Project (Project). The Project is located in the City of Fremont, California.

In accordance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), the Notice of Intent and Draft IS/MND is to be made available for public review and comment.

Proposed Project Location and Summary

The Project extends primarily along Driscoll Road between its intersections with Mission Boulevard and Timber Creek Terrace and on a lateral connection to the northwest along Paseo Padre Parkway in the City of Fremont, California.

ACWD proposes to replace approximately 7,400 feet of existing 12-inch asbestos cement pipeline with a new 12- to 16-inch steel pipeline, and associated fittings, valves, fire hydrant laterals, existing connections with other pipelines and branch connections, and water service laterals along Driscoll Road and Paseo Padre Parkway. Implementation of the project would reduce the number of leaks and breaks in the future that could take place and result in unplanned water service outages.

Review Period and Access to Project Materials

The Draft IS/MND may be reviewed online at: the following link: www.acwd.org under About Us > News & Information > Public Notices.

The 30-day public review period is from June 19, 2020 through July 20, 2020. Comments regarding the Draft IS/MND should be directed to Dorota Budzynska, project manager, by mail at ACWD, 43885 South Grimmer Blvd., Fremont, CA 94538, by phone at (510) 668-4420, or via email at dorota.budzynska@acwd.com. ACWD will hold a future public meeting to consider adoption of the IS/MND and project approval at a later date.

REC'D by ACWD

AUG 10 2020

ENG & TECH SVCS
WATER RESOURCES

*ENVIRONMENTAL DECLARATION

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

ALAMEDA COUNTY WATER DISTRICT
43885 S. GRIMMER BLVD.
FREMONT, CA 94538

FOR COUNTY CLERK USE ONLY

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ALAMEDA COUNTY

JUN 16 2020

MELISSA WILK, County Clerk
By _____ Deputy

FILE NO: _____

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

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1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

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FEES ARE EFFECTIVE JANUARY 1, 2020

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK

FILED
ALAMEDA COUNTY

JUN 16 2020

MELISSA WILK, County Clerk
By CB Deputy

NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
FOR THE PROPOSED DRISCOLL ROAD MAIN RENEWAL PROJECT
IN THE CITY OF FREMONT

The Alameda County Water District (ACWD) has prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Driscoll Road Main Renewal Project (Project). The Project is located in the City of Fremont, California.

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ACWD proposes to replace approximately 7,400 feet of existing 12-inch asbestos cement pipeline with a new 12- to 16-inch steel pipeline, and associated fittings, valves, fire hydrant laterals, existing connections with other pipelines and branch connections, and water service laterals along Driscoll Road and Paseo Padre Parkway. Implementation of the project would reduce the number of leaks and breaks in the future that could take place and result in unplanned water service outages.

Review Period and Access to Project Materials

The Draft IS/MND may be reviewed online at: the following link: www.acwd.org under About Us > News & Information > Public Notices.

The 30-day public review period is from June 19, 2020 through July 20, 2020. Comments regarding the Draft IS/MND should be directed to Dorota Budzynska, project manager, by mail at ACWD, 43885 South Grimmer Blvd., Fremont, CA 94538, by phone at (510) 668-4420, or via email at dorota.budzynska@acwd.com. ACWD will hold a future public meeting to consider adoption of the IS/MND and project approval at a later date.

CLERK'S CERTIFICATE OF POSTING. Pub. Res. 21152: I certify that a copy of this document was posted at the Recorder's Office, Oakland, CA, for the period prescribed by law.

Executed at Oakland, CA COUNTY CLERK

Date 08/03/2020 By _____ Deputy

Argus
c/o Bay Area News Group-East Bay
41424 Christy St.
Fremont, CA 94538
510-403-4483

2060466

ALAMEDA COUNTY WATER DIST.
ATTN: ACCOUNTS PAYABLE
43885 S. GRIMMER BLVD.
FREMONT, CA 94537

PROOF OF PUBLICATION

FILE NO. Driscoll Road Main Renewal Proj

In the matter of

Argus

The Argus

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Argus, a newspaper published in the English language in the City of Fremont, County of Alameda, State of California.

I declare that the Argus is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order dated July 28, 2008 in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Argus as a Newspaper of General Circulation, Case Number HG08-390724. Said order states "The Argus" has been established, printed and published in the City of Fremont, County of Alameda, State of California; That it is a newspaper published daily for the dissemination of local and telegraphic news and intelligence of general character and has a bona fide subscription list of paying subscribers; and...THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:...That "The Argus" is a newspaper of general circulation for the City of Fremont, County of Alameda, California. Said order has not been revoked.

I declare that this notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

06/19/2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: June 19, 2020

Public Notice Advertising Clerk

Legal No. **0006492297**

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION - Alameda County Water District's (ACWD) Driscoll Road Main Renewal Project. Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the ACWD has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Driscoll Road Main Renewal Project located in the City of Fremont, CA. The proposed project involves replacement of approximately 7,400 feet of existing water main, associated fittings, valves, fire hydrant laterals, connections with other pipelines and water service laterals along Driscoll Road and a portion of Paseo Padre Parkway. Implementation of the project would reduce the number of leaks and breaks in the future that could take place and result in unplanned water service outages. The IS/MND report describes the proposed project, analyzes whether the project would result in any potential significant environmental impacts, describes measures that would mitigate any potential significant impacts to a less than significant level, and determines that the project, incorporating a number of mitigation measures, will not have a significant adverse effect on the environment.

The IS/MND is available for public review and can be viewed online at the following link: www.acwd.org under About Us > News & Information > Public Notices. The period for accepting comments on the adequacy of the environmental documents is from June 19, 2020 to 5:00 p.m. July 20, 2020. Any comments must be in writing and be submitted to the following address: Alameda County Water District, 43885 South Grimmer Boulevard, Fremont, CA 94538, attn.: Dorota Budzynska, or email address: dorota.budzynska@acwd.com. The proposed IS/MND will be considered for adoption by the ACWD Board of Directors at the regularly scheduled board meeting on September 10, 2020, at 6 p.m. Meetings are typically held at the ACWD office located at 43885 South Grimmer Boulevard, Fremont, CA 94538; however given the current shelter-in-place orders, meetings are currently being held online. Those interested in attending the meeting should refer to the District's website several days before the meeting for direction on how to attend.

AR #6492297; Jun. 19, 2020

LSA

CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: October 22, 2020

TO: Dorota Budzynska, Alameda County Water District

FROM: Shanna Guiler, AICP, Associate/Environmental Planner

SUBJECT: Driscoll Road Main Renewal Project Initial Study/Mitigated Negative Declaration - Response to Comments

In accordance with CEQA Guidelines Section 15073, the Public Review Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Driscoll Road Main Renewal Project (project) was circulated for public review for 30 days beginning on June 16, 2020 and ending on July 15, 2020. The Public Review Draft IS/MND was posted with the Alameda County Clerk's office and made available online at: https://www.acgov.org/auditor/clerk/eir.htm. One comment letter was received by the Alameda County Water District (District) during this comment and review period from Bill Roth, Senior Planner, for the Community Development Department at the City of Fremont. A copy of this letter is attached.

In addition, the District has determined that limited night work may be conducted to minimize impacts to traffic circulation. This minor change to the project description is detailed further below.

RESPONSE TO COMMENTS

LSA has reviewed the comment letter, dated July 9, 2020, regarding the IS/MND for the Driscoll Road Main Renewal Project and provides the following responses. Specific comments taken directly from the letter are indicated in italics.

Page 3-17: e. Would the project conflict with any local policies or ordinances…

Please correct the reference to Fremont Municipal Code (FMC) Section 18.215.050(c)(5). Additionally, the City of Fremont has Standard Development Requirements that pertain to resource protection, including biological resource protection. Please see FMC 18.218.050 Standard development requirements. The proposed mitigation measure, BIO-1, is consistent and would not conflict with Fremont's Standard Development Requirement 18.218.050(b)(2) Nesting Birds.

This comment is noted. Page 3-17 of the Public Review Draft IS/MND has been revised to correct the reference to the Fremont Municipal Code as indicated in the comment above. Further, it is noted that Mitigation Measure BIO-1 is consistent with the City's Standard Development Requirement 18.218.050(b)(2) related to nesting birds. No further revisions to the IS/MND are required.

Page 3-20: Mitigation Measure CULT-1

As previously mentioned, Fremont has Standard Development Requirements that pertain to resource protection, including cultural resource protection. The proposed mitigation measure, CULT-1, is consistent with Fremont's Standard Development Requirement 18.218.050(c)(2) Accidental Discovery of Cultural Resources and would ensure potential impacts would be reduced to less than significant. Please inform the Fremont Planning Manager of any such discoveries of buried cultural resources or human remains.

This comment, which states that Mitigation Measure CULT-1 is consistent with the City's Standard Development Requirement 18.218.050(c)(2) related to cultural resources, is noted. The District will inform the Fremont Planning Manager of the discovery of any cultural resources or human remains during the construction period. No revisions to the IS/MND are required.

Page 3-28: Mitigation Measure GEO-1

The proposed mitigation measure, GEO-1, is consistent with Fremont's Standard Development Requirement 18.218.050(c)(2)(C) pertaining to accidental discovery of paleontological resources and requiring the provisions of CEQA Guidelines Sections 15064.5(e) and (f), and of subsection (c)(2)(D) of FMC18.218.050, requiring cessation of work, notification, and evaluation and, as such, would ensure potential impacts would be reduced to less than significant. Please inform the Fremont Planning Manager of any such discoveries.

This comment, which states that Mitigation Measure GEO-1 is consistent with the City's Standard Development Requirement 18.218.050(c)(2)(C) related to paleontological resources, is noted. The District will inform the Fremont Planning Manager of the discovery of any paleontological resources during the construction period. No revisions to the IS/MND are required.

Pages 3-37, 3-38: Mitigation Measure WQ-1

On page 3-37, the Initial Study states, "The project is subject to the requirements of the State Water Resources Control Board's Construction General Permit." On page 3-38, Mitigation Measure WQ-1 requires the District to obtain coverage under the Construction General Permit. If the project is already required to obtain coverage under the Construction General Permit, would that not be considered a standard project requirement (i.e., "part of the project") rather than mitigation?

The commenter is correct that the District would be required to obtain coverage under the Construction General Permit for the proposed project as a standard regulatory requirement. However, the District has opted to include this measure as a mitigation measure so that it can be included in the Mitigation Monitoring and Reporting Program to assist the District in monitoring compliance with all regulatory requirements. No revisions to the IS/MND are required.

Page 3-47: Mitigation Measure NOI-1

As previously mentioned, Fremont has Standard Development Requirements that pertain to resource protection, including noise. Per FMC 18.218.040 Applicability, "these universal development standards for resource protection are applicable to all temporary project sites, new development project sites, and on sites being redeveloped where there may be a potential adverse impact to special-status species, cultural, archeological and/or paleontological resources, possible burial sites associated with indigenous cultures, and/or to air quality resulting from the elimination of trees, site grading, ground disturbing construction activities, and/or demolition of buildings." The proposed mitigation measure, NOI-1, is generally consistent with the requirements of FMC 18.218.050(d)(1) Construction Noise but should be revised to include all requirements listed in FMC 18.218.050(d)(1). As a Standard Development Requirement, FMC 18.218.050(d)(1) is a required part of the project, rather than mitigation. Please also see additional Community Noticing recommendations in the second part of this letter, which pertains to design and implementation concerns outside of CEQA.

This comment, which states that Mitigation Measure NOI-1 is generally consistent with the City's Standard Development Requirement 18.218.050(d)(1) related to construction noise, is noted; however, page 3-47 of the IS/MND will be revised to include all requirements listed in Fremont Municipal Code Section 18.218.050(d)(1) as shown below. Double-underlined text represents language that has been added to the mitigation measure, and text with strikethrough represents language that has been deleted from the mitigation measure.

Mitigation Measure NOI-1: The project contractor shall implement the following measures during construction of the proposed project:

- <u>Construction equipment shall be well-maintained and used judiciously to be as quiet as practical.</u>
- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.
- <u>Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.</u>
- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.
- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities.
- <u>Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.</u>

- Construction excavation, 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 of the Fremont Municipal Code, which requires that all general construction related activities are restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays. Construction activities shall be prohibited on Sundays.

- Designate a "disturbance coordinator" at the District who would be responsible for responding to any local complaints about construction noise. Place signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contract number for the disturbance coordinator. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem.

Page 3-50: Mitigation Measure NOI-2

For areas where project construction is anticipated to include more intensive vibration-generating activities in close proximity to existing structures, consider development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Such a plan could protect ACWD and resident interests. Monitoring would ensure that, should vibration levels approach limits, construction could be suspended and contingencies to either lower vibration levels or secure the affected structures could be implemented to avoid damage. Where monitoring has indicated high levels of vibration or complaints of damage have been made, conduct post-survey on such structures and make appropriate repairs or compensation where damage has occurred as a result of construction activities.

This comment is noted. Implementation of Mitigation Measure NOI-2, which prohibits the use of heavy construction equipment within 15 feet of existing structures, would be sufficient to reduce construction vibration levels below the FTA threshold for building damage; therefore, a vibration monitoring and construction contingency plan is not required. With implementation of Mitigation Measure NOI-2, impacts related to vibration would be less than significant. No revisions to the IS/MND are required.

The City also provided comments not specifically related to the environmental document, but related to the design and implementation of the proposed project, including recommendations for noticing, construction hours, and construction staging to minimize impacts to residents and businesses near the project area. The District is only required to consider comments received on the adequacy of the CEQA document, not design-related issues. However, the District will coordinate

with City staff as the project progresses to ensure project work is compatible with adjacent land uses and consistent with City requirements.

MINOR CHANGE IN THE PROJECT DESCRIPTION

Subsequent to issuance of the Public Review Draft IS/MND, the District has determined that some nighttime construction may be required in order to avoid road closures during the construction period. Work within the Mission Boulevard/Driscoll Road intersection at the northern terminus of the proposed pipeline replacement project would occur within the California Department of Transportation (Caltrans) right-of-way and would be subject to a limited work window (9:00 a.m. to3:00 p.m.). To minimize traffic congestion and ensure the work can be completed, the District proposes to conduct some of the work during the nighttime hours.

Construction of the proposed project would occur in the same vicinity using similar construction techniques as described in the Public Review Draft IS/MND. However, with this change, the District may conduct work during nighttime hours to minimize impacts to traffic operations. Nighttime work hours would be between 8:00 p.m. and 5:00 a.m., Sunday through Thursday. Construction noise is permitted by the City when activities occur between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays. No construction is allowed on Sundays in Fremont. Caltrans Standard Specifications in Section 14-8.02 requires that noise levels from the Contractor's operations not exceed 86 dBA L_{max} (at a distance of 50 feet) between the hours of 9:00 p.m. and 6:00 a.m.

Consistent with Chapter 18.160.010 of the City of Fremont Municipal Code, construction activities occurring outside of daytime hours may be permitted by the City of Fremont City Manager for projects located within a right-of-way if such modified hours will minimize disruption to the community as a whole, such as to facilitate the orderly flow of traffic or to reduce negative impacts on commercial or residential activity. The project encroachment permit will list the necessary conditions to be implemented in order to safeguard the interests of the public for any proposed nighttime work.

As described in the Public Review Draft IS/MND, construction equipment would operate at various locations within the 1.5-mile project site and, due to the linear nature of the project, construction activities at any one receptor location would occur for a limited duration. Nighttime construction work is proposed in just one location along the project alignment and would occur over a limited period, approximately 2-3 nights. However, Mitigation Measure NOI-1, has been further modified to address potential nighttime construction work, as follows:

Mitigation Measure NOI-1: The project contractor shall implement the following measures during construction of the proposed project:

- <u>Construction equipment shall be well-maintained and used judiciously to be as quiet as practical.</u>

- Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.

- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.

- Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.

- Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all construction activities.

- Comply with Air Resource Board idling prohibitions of unnecessary idling of internal combustion engines.

- Construction excavation, 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 of the Fremont Municipal Code, which requires that all general construction related activities are restricted to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 6:00 p.m. on Saturdays and holidays. Construction activities shall be prohibited on Sundays. To conduct work outside of these hours, written permission from the City of Fremont City Manager demonstrating sufficient cause shall be required prior to commencement of night work.

- Designate a "disturbance coordinator" at the District who would be responsible for responding to any local complaints about construction noise. Place signs at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contract number for the disturbance coordinator. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler) and would determine and implement reasonable measures warranted to correct the problem.

Overall, the environmental impacts associated with this change in the project design would be the same as those analyzed in the IS/MND. The proposed inclusion of limited nighttime construction work would not cause new significant effects not identified in the IS/MND nor increase the level of environmental effect to substantial or significant, and, hence, no new mitigation measures would be

necessary to reduce significant effects. Consistent with 14 CCR Section 1507.3, the change to the proposed project does not constitute a “substantial revision” to the IS/MND; therefore, the IS/MND need not be re-circulated for public review.

Attachment: Letter from Bill Roth, Senior Planner, for the City of Fremont, dated July 9, 2020

July 9, 2020

Alameda County Water District
43885 South Grimmer Blvd.,
Fremont, CA 94538
Attn. Dorota Budzynska, Project Manager, dorota.budzynska@acwd.com

RE: Driscoll Road Main Renewal Project Initial Study/Mitigated Negative Declaration
ACWD Job No. 21212

Dear Ms. Budzynska:

Thank you for the opportunity to review the above-referenced environmental document. The City of Fremont Community Development Department is supportive of ACWD's ongoing efforts to maintain and improve water service infrastructure in the City of Fremont while ensuring minimal disturbance to Fremont residents.

We wish to provide comments on the Initial Study and Mitigated Negative Declaration. Following comments on the environmental document, we have provided separate comments related to the design and implementation of the proposed project.

Comments from Community Development Department Concerning Initial Study/Mitigated Negative Declaration.

Page 3-17: e. Would the project conflict with any local policies or ordinances…
Please correct the reference to Fremont Municipal Code (FMC) Section 18.215.050(c)(5). Additionally, the City of Fremont has Standard Development Requirements that pertain to resource protection, including biological resource protection. Please see FMC 18.218.050 Standard development requirements. The proposed mitigation measure, BIO-1, is consistent and would not conflict with Fremont's Standard Development Requirement 18.218.050(b)(2) Nesting Birds.

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The proposed mitigation measure, GEO-1, is consistent with Fremont's Standard Development Requirement 18.218.050(c)(2)(C) pertaining to accidental discovery of paleontological resources and requiring the provisions of CEQA Guidelines Sections 15064.5(e) and (f), and of subsection (c)(2)(D) of FMC18.218.050, requiring cessation of work, notification, and evaluation and, as such, would ensure potential impacts would be reduced to less than significant. Please inform the Fremont Planning Manager of any such discoveries.

Pages 3-37, 3-38: Mitigation Measure WQ-1
On page 3-37, the Initial Study states, "The project is subject to the requirements of the State Water Resources Control Board's Construction General Permit." On page 3-38, Mitigation Measure WQ-1 requires the District to obtain coverage under the Construction General Permit. If the project is already required to obtain coverage under the Construction General Permit, would that not be considered a standard project requirement (i.e., "part of the project") rather than mitigation?

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For areas where project construction is anticipated to include more intensive vibration-generating activities in close proximity to existing structures, consider development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Such a plan could protect ACWD and resident interests. Monitoring would ensure that, should vibration levels approach limits, construction could be suspended and contingencies to either lower vibration levels or secure the affected structures could be implemented to avoid damage. Where monitoring has indicated high levels of vibration or complaints of damage have been made, conduct post-survey on such structures and make appropriate repairs or compensation where damage has occurred as a result of construction activities.

Comments from the City of Fremont Community Services Department Concerning Design and Implementation.

The following comments are not specific to environmental impacts but are concerns that should be addressed during design and implementation.

1. Community Noticing. Noticing to inform property owners and renters within the area of effect is strongly encouraged. The noticing should describe the duration and potential effects of construction on residents, including potential noise and traffic concerns and how those concerns will be addressed. Additional noticing prior to anticipated temporary increases in instantaneous noise and vibration is also strongly encouraged for those residents in the immediate area of that work. A point of contact at ACWD should be listed and an opt-in email subscription service or project website should be made available, so that residents can receive updates throughout the construction timeline.
2. Construction Hours. As stated in the Initial Study, the proposed project would comply with the construction hours limitations required per Fremont Municipal Code (FMC) section 18.160.010.
3. Construction Staging. The lay down yards are near residences and there will be truck traffic to those areas and disruption to those neighbors whose fences back up to them. These neighbors should be notified of the potential disturbance and how it will be addressed.
    a. Workers should be instructed to park away from residences and to limit noise and light sources that could disturb residents. Workers should arrive and depart during the construction hours identified in FMC section 18.160.010.
    b. Truck idling should be kept at a minimum.
    c. Temporary trench plates in the roadway used during construction related work should be recessed to the same elevation of the surrounding paving and tack welded together, to reduce rattle and noise from passing vehicles. Please consult with City of Fremont Public Works staff for more information regarding the City of Fremont's Standard Construction Notes for Public Improvement Plans.
    d. Consider the installation of construction fencing, including temporary noise fencing, to buffer residents from construction noise and dust. Many people are working from home during the current shelter-in-place.
    e. Use of the property for lay downs should be coordinated in advance with appropriate party. If City land is involved, a lease from Public Works/Real Property may be necessary.

By addressing the above concerns, ACWD can ensure that the proposed work is done in a manner that is compatible with the residents and businesses near the project area. Please feel free to contact me at your convenience to discuss these comments.

Thank you for your consideration,
Bill Roth, Senior Planner
Community Development Department, City of Fremont