

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #:

Project Title: STACK SVY03A Data Center Campus

Lead Agency: California Energy Commission

Contact Name: Renee Longman

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Phone Number: (916) 937-3538

Project Location: Hayward

City

Alameda

County

Project Description (Proposed actions, location, and/or consequences).

STACK Infrastructure (STACK or applicant) is proposing to construct and operate the SVY03A Data Center Campus (SVY03A Campus) located in the city of Hayward. The SVY03A Campus would include a new three-story data center building (SVY03A); a security building (SVY03B); backup generators to support the SVY03A data center building (SVY03ABGF); an on-site project substation, a Pacific Gas and Electric Company (PG&E) switching station, and an on-site transmission line. The SVY03A Campus would also include new site and infrastructure improvements consisting of new access driveways located at Eden Landing Road and Production Avenue, internal circulation improvements, parking, a loading dock, stormwater basins, landscaping, utilities, water tank, and a perimeter security fence. The SVY03ABGF would be an emergency backup generating facility with a generation capacity of up to 67.2 megawatts (MW) to support the need for the SVY03A to provide uninterruptible power supply for tenant's servers. The backup generators would be run for short periods for testing and maintenance purposes and otherwise would not operate unless there is a disturbance or interruption of the utility supply.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

CEC staff has completed an independent review of the STACK SVY03A Data Center Campus project and concludes that the project, as mitigated, would not have a significant impact on the environment. Staff finds that compliance with the mitigation measures detailed in the Initial Study for air quality, biological resources, cultural and tribal cultural resources, geology and soils (paleontology), greenhouse gas emissions, hazards and hazardous materials, noise, and hydrology and water quality would be sufficient to ensure there would be no significant impacts from construction and operation of the proposed project. Please see attached Mitigation Monitoring and Reporting Program.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

No known areas of controversy.

Provide a list of the responsible or trustee agencies for the project.

City of Hayward, Bay Area Air Quality Management District, California Department of Fish and Wildlife, San Francisco Bay Regional Water Quality Control Board (R 2).

MITIGATION MONITORING AND REPORTING PROGRAM

**STACK SVY03A Data Center Campus
23-SPPE-01
March 2025**

PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

While the CEC is the lead agency in assessing the exemption application, the CEC is not the jurisdiction that will be approving the project for construction and operations. Such authority will be with the City of Hayward. Therefore, the MMRP will be implemented and enforced by the City upon its approval of the project.

The Draft Initial Study/Mitigated Negative Declaration prepared for the STACK SVY03A Data Center Campus concluded that the implementation of the project would not result in significant effects on the environment with the incorporation of mitigation measures. This MMRP addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study/Mitigated Negative Declaration concluded that the impacts from implementation of the project would be less than significant.

I, _____, the applicant, on the behalf of _____, hereby agree to fully implement the mitigation measures described below which have been developed in conjunction with the preparation of an Initial Study/Mitigated Negative Declaration for my proposed project. I understand that these mitigation measures or substantially similar measures will be adopted as conditions of approval with my development permit request to avoid or significantly reduce potential environmental impacts to a less than significant level.

Project Applicant's Signature _____

Date _____

MITIGATION	MONITORING AND REPORTING PROGRAM				
	Documentation of Compliance [Project Applicant/Proponent Responsibility]		Documentation of Compliance [Lead Agency Responsibility]		
	Method of Compliance Or Mitigation Action	Timing of Compliance	Oversight Responsibility	Actions/Reports	Monitoring Timing or Schedule
AIR QUALITY					
Impact 5.3-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?					
<p>AQ-1: To incorporate the Bay Area Air Quality Management District (BAAQMD) recommendations for Best Management Practices (BMPs) to control fugitive dust, the project owner shall implement a construction emissions control plan that has been reviewed and approved by the Director or Director’s designee of the City of Hayward Development Services Department prior to the issuance of any grading or building permits, whichever occurs earliest. The project owner shall implement the following measures during construction:</p> <ul style="list-style-type: none"> 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. 	<p>Implement the BAAQMD’s recommended BMPs to control fugitive dust and additional measures to control exhaust emissions.</p>	<p>During construction phase.</p>	<p>City of Hayward Director of Development Services Department or Director’s designee.</p>	<p>Receive, review, and approve the construction emissions control plan to be implemented during construction.</p>	<p>Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest).</p>

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AIR QUALITY					
<ul style="list-style-type: none"> All visible mud or dirt trackout 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 onsite unpaved roads shall be limited to 5 mph. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. All trucks and equipment, including their tires, shall be washed off prior to leaving the site. Unpaved roads providing access to sites located 100 feet or further 					

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AIR QUALITY					
<p>from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.</p> <ul style="list-style-type: none"> • Equipment idling times shall be minimized to 5 minutes per the Air Toxics Control Measure (ATCM). Idling time signage shall be provided for construction workers at all access points. • All off-road equipment greater than 25 horsepower (hp) shall have engines that meet or exceed Tier 4 final off-road emission standards. Use of zero-emission and hybrid-powered equipment is encouraged. • Properly tune and maintain construction equipment in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 					

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AIR QUALITY					
<ul style="list-style-type: none"> • Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. • Minimize the amount of excavated material or waste materials stored at the site. • Post a publicly visible sign with the telephone number and name of the person to contact regarding dust complaints and the BAAQMD telephone number. The contact person shall implement corrective measures, as needed, within 48 hours, and the BAAQMD shall be informed of any legitimate complaints received to verify compliance with applicable regulations. 					

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BIOLOGICAL RESOURCES					
Impact 5.4-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?					
BIO-1: Worker Environmental Awareness Program A qualified biologist shall be retained by the project owner/developer to conduct a Worker Environmental Awareness Program (WEAP) training focused on nesting bird protection for all construction personnel prior to the commencement of any ground-disturbing activities during the nesting season. The training shall include a description of nesting bird species that may be encountered, regulatory protections under the Migratory Bird Treaty Act and California Fish and Game Code and other state and federal laws protecting birds, survey and buffer requirements during the nesting season, and proper protocols for reporting and avoiding impacts to active nests.	Retain a qualified biologist to conduct WEAP training.	Prior to ground-disturbing activities during nesting season.	City of Hayward Director of Development Services Department or Director's designee.	Contract with biologist, training schedule.	Before start of construction.
	Conduct WEAP training for all construction personnel.	Prior to ground-disturbing activities during nesting season.	City of Hayward Director of Development Services Department or Director's designee.	Sign-in sheet, training materials.	Before start of construction.
	Ensure all workers complete training before site activities begin.	Before site disturbance.	City of Hayward Director of Development Services Department or Director's designee.	Worker training certificates, signed acknowledgment forms.	Before start of construction.
	Maintain a record of training	Ongoing.	City of Hayward Director of	Training logs, attendance sheets.	As requested by Director of

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BIOLOGICAL RESOURCES					
	materials and attendance.		Development Services Department or Director's designee.		Development Services.
<p>BIO-2: Nesting Bird Avoidance and Minimization Measures Project construction shall be conducted outside of the nesting bird season to the extent feasible (September 1 to January 31). If construction activities commence outside this period, from February 1 through August 31, or if tree removal and pruning occurs outside this period, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of demolition or construction activities or initiation of tree removal and pruning.</p> <p>During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees,</p>	If feasible, schedule construction outside of the nesting bird season (September 1 – January 31).	Non-nesting bird season (i.e., September through January).	City of Hayward Director of Development Services Department or Director's designee.	Confirm that construction activities are scheduled outside of the nesting season. If not outside nesting season, surveys are required.	Schedule construction activities for September through January.
	If construction occurs between February 1 – August 31, conduct preconstruction surveys for nesting birds within 7 days before work begins.	Within 7 days before the initiation of demolition, construction, or tree removal.	City of Hayward Director of Development Services Department or Director's designee.	Submit results of preconstruction surveys by a qualified biologist.	Submit results of preconstruction survey prior to tree removal and the issuance of a grading or demolition permit.
	Inspect all trees and nesting habitats within	During pre-construction survey.	City of Hayward Director of Development	Submit results of preconstruction	Prior to construction or tree removal.

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BIOLOGICAL RESOURCES					
shrubs, ruderal grasslands, buildings) in and up 500 feet from the impact areas for nests. If active nests of protected species are found within project impact areas or close enough to these areas to affect breeding success, the ornithologist shall establish a species-specific work exclusion zone around each nest that shall be followed by the contractor. If an active nest is found within a distance that could result in disturbance, the ornithologist shall establish a construction-free buffer zone—typically 300 feet for raptors and 100 feet for other bird species—to prevent nest disturbance. Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers, ambient sound levels, and other factors; an exclusion zone radius (typically 300 feet for raptors and 100	the project area and up to 500 feet from impact zones for active nests.		Services Department or Director’s designee.	surveys by a qualified biologist.	
	Establish species-specific exclusion zones (typically 300 feet for raptors, 100 feet for other species) if active nests are found.	Bi-weekly until nestlings have fledged or nests are no longer active.	City of Hayward Director of Development Services or Director’s designee.	Submit results of preconstruction surveys by a qualified biologist.	Monitoring shall begin immediately upon establishing an active nest.
	Maintain exclusion zones until young have fledged or the nest is inactive.	During pre-construction surveys or during project construction.	City of Hayward Director of Development Services or Director’s designee.	Submit results of preconstruction surveys by a qualified biologist.	Submit results of preconstruction survey prior to tree removal and the issuance of a grading or demolition permit and/or upon completion of nesting season.
	Reduce exclusion zone only if monitoring supports no impact to nests.	During pre-construction surveys or during project construction.	City of Hayward Director of Planning Division or Director’s designee.	Submit results of preconstruction surveys by a qualified biologist.	Submit results of preconstruction survey prior to tree removal and the issuance of a

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BIOLOGICAL RESOURCES					
<p>feet for other species). The exclusion zone size may be reduced from established levels if supported with nest monitoring by a qualified ornithologist indicating that work activities outside the reduced radius would not impact the nest.</p> <p>The project buffer shall be monitored periodically by the project ornithologist to verify compliance. After nesting is complete and all young have fledged, as determined by the ornithologist, the buffer would no longer be required, and tree removal may occur. If an active bird nest is discovered during demolition or construction, then a buffer zone shall be established under the guidelines specified above.</p> <p>A report detailing the survey findings and any required buffer zones shall be submitted to the Director of Development Services prior to tree removal and the issuance of a grading or demolition permit. The report shall contain maps showing the location of all nests, species nesting, status of the nest (e.g., incubation of eggs, feeding</p>					grading or demolition permit and/or upon completion of nesting season.
	Monitor project buffer zones periodically to ensure compliance.	During pre-construction surveys or during project construction.	City of Hayward Director of Planning Division or Director's designee.	Submit results of preconstruction surveys by a qualified biologist.	Submit results of preconstruction survey prior to tree removal and the issuance of a grading or demolition permit and/or upon completion of nesting season.
	Submit a report to the Director of Development Services detailing survey findings, buffer zones, and nest status.	Within 10 days of completing a pre-construction nest survey.	City of Hayward Director of Development Services or Director's designee.	Survey report with maps and nest details.	Submit results of preconstruction survey prior to tree removal and the issuance of a grading or demolition permit.

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of young, near fledging), and the buffer size around each nest (including reasoning behind any alterations to the initial buffer size). The report shall be provided within 10 days of completing a pre-construction nest survey.					

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
Impact 5.5-a Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Code of Regulations, title 14, §15064.5?					
<p>CUL-1: Prior to the commencement of construction, the applicant will secure the services of qualified archaeological specialists and Native American monitors. These specialists and monitors will prepare a Worker Environmental Awareness Program (WEAP) to instruct construction workers of the obligation to protect and preserve valuable archaeological and Native American resources. This program will be provided to all construction workers via a recorded presentation and will include a discussion of applicable laws and penalties under the laws; samples or visual aids of resources that could be encountered in the project vicinity; instructions regarding the need to halt work in the vicinity of any potential archaeological and Native American resources encountered; and measures to notify their supervisor, the applicant, and the specialists.</p>	<p>Submit the qualifications of archaeological specialists and Native American monitors to the Director or Director's designee of the City of Hayward Planning Division for review and approval.</p>	<p>Prior to issuance of any tree removal, grading, demolition, or building permits, whichever occurs first.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>Review and approve the qualifications of archaeological specialists and Native American monitors.</p>	<p>Prior to issuance of any tree removal, grading, demolition, or building permits, whichever occurs first.</p>
	<p>The qualified archaeological specialists and Native American monitors shall prepare a WEAP and submit an electronic copy to the City of Hayward Director of Planning Division or Director's designee for review and approval.</p>	<p>Prior to issuance of any tree removal, grading, demolition, or building permits, whichever occurs first.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>Review and approve the WEAP.</p>	<p>Prior to issuance of any tree removal, grading, demolition, or building permits, whichever occurs first.</p>

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
<p>The applicant will secure the services of Native American and archaeological monitors to observe excavations of native soil that underlie disturbed and fill dirt at the project site. Preference in selecting Native American monitors shall be given to members of the Confederated Villages of Lisjan Nation with:</p> <ul style="list-style-type: none"> • Traditional ties to the area being monitored. • Knowledge of local Native American village sites. • Knowledge and understanding of Health and Safety Code, section 7050.5, and Public Resources Code, section 5097.9 et seq. • Ability to effectively communicate the requirements of Health and Safety Code, section 7050.5, and Public Resources Code, section 5097.9 et seq. • Ability to work with law enforcement officials and the Native American Heritage 					

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
<p>Commission to ensure the return of all associated grave goods taken from a Native American grave during excavation.</p> <ul style="list-style-type: none"> • Ability to travel to project sites within traditional tribal territory. • Knowledge and understanding of Title 14, California Code of Regulations, section 15064.5. • Ability to advocate for the preservation in place of Native American cultural features through knowledge and understanding of CEQA mitigation provisions. • Ability to read a topographical map and be able to locate site and reburial locations for future inclusions in the Native American Heritage Commission’s Sacred Lands Inventory. • Knowledge and understanding of archaeological practices, including the phases of archaeological investigation. 					

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
If members of the Confederated Villages of Lisjan Nation are unavailable for monitoring, the applicant may retain one or more monitors from another affiliated Ohlone tribe, if the monitor(s) meet the qualifications specified above.					
CUL-2: The project will be required to complete subsurface testing to determine the extent of possible resources onsite. Subsurface testing will include borehole testing or a combination of borehole testing and shovel test pits, and testing shall focus on the locations of the structural support piles or piers. Subsurface testing shall be completed by a qualified archaeologist and Native American monitors. Based on the findings of the subsurface testing, an archaeological resources treatment plan shall be prepared by a qualified archaeologist in consultation with Native American monitors.	The archaeological resources treatment plan shall be submitted to Director or Director's designee of the of the City of Hayward Planning Division for approval prior to the issuance of grading permits, if warranted.	After the existing buildings are demolished but before the issuance of grading permits.	City of Hayward Director of Planning Division or Director's designee.	Review and approve the archaeological resources treatment plan.	After the existing buildings are demolished but before the issuance of grading permits.

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
<p>CUL-3: If archaeological resources are encountered during excavation or grading of the site, all activity within a 100-foot radius of the find shall be stopped, the Director or Director's designee of the City of Hayward Planning Division shall be notified, and a qualified archaeologist will examine the find. The archaeological and Native American monitors will evaluate the find to determine if they meet the definition of a historical, unique archaeological, or tribal cultural resource and make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits for any construction occurring within the above-referenced 100-foot radius. If the finds do not meet the definition of a historical, unique archaeological, or tribal cultural resource, no further study or protection is necessary prior to project implementation. If the find</p>	<p>All activity within a 100-foot radius of the find shall be stopped, the Director or Director's designee of the City of Hayward Planning Division shall be notified, and a qualified archaeologist will examine the find.</p>	<p>During construction, upon inadvertent discovery of any archaeological resource.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>Review and approve the recommendation(s) of the qualified archaeologist.</p>	<p>During the construction phase.</p>
		<p>During the construction phase.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>Authorize construction to resume in the vicinity of the find if the find does not meet the definition of a historical, unique archaeological, or tribal cultural resources.</p>	<p>During the construction phase.</p>

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
<p>does meet the definition of a historical, unique archaeological, or tribal cultural resource, then it will be avoided by project activities. If avoidance is not feasible, adverse effects to such resources will be mitigated in accordance with the recommendations of the archaeological and Native American monitors. Recommendations may include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to the Director or Director's designee of the City of Hayward Planning Division, Native American Heritage Commission (tribal cultural resources), and the Northwest Information Center.</p> <p>The project applicant will ensure that construction personnel do not collect or move any cultural material and will ensure that any fill soils that may be used for construction purposes do not contain any archaeological materials.</p>	<p>If the archaeological specialist and Native American monitors conclude the find meets the definition of a historical, unique archaeological, or tribal cultural resource and it cannot be avoided, they will prepare a treatment/mitigation plan for the resource.</p>	<p>During the construction phase.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>If the find meets the definition of a historical, unique archaeological, or tribal cultural resource and cannot be avoided, review and authorize implementation of a treatment/mitigation plan and authorize construction to resume in the vicinity of the find.</p>	<p>During the construction phase.</p>
	<p>The archaeological specialist and Native American monitors implement mitigation/treatment measures.</p>	<p>During the construction phase.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>The archaeological specialist and Native American monitors submit a report of findings to the Director or Director's designee, Native American Heritage Commission (for tribal cultural resources), and the</p>	<p>During the construction phase.</p>

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
				Northwest Information Center.	
	Keep construction and personnel at least 100 feet away from discovery site and leave any soil with archaeological materials in place.	During construction phase.	Project applicant and monitors.	Document in construction monitoring reports.	During construction phase.
CUL-4: If human remains are discovered during excavation or grading of the site, all activity within a 100-foot radius of the find will be stopped. The Alameda County Coroner shall be notified immediately and will determine whether the remains are of Native American origin or an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of the identification. Once the NAHC identifies the most likely descendant(s) (MLD), the descendant(s) will make	Immediately stop all construction within 100 feet of the discovery of human remains. Notify the Alameda County Coroner and Director or Director's designee of the of the City of Hayward Planning Division.	During the construction phase.	City of Hayward Director of Planning Division or Director's designee.	Authorize implementation of the treatment plan based on the recommendations of the MLD, if the remains are determined to be of Native American origin. Authorize construction to resume in the vicinity of the find.	During the construction phase.

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
recommendations regarding proper burial (including the treatment of grave goods), which will be implemented in accordance with section 15064.5(e) of the California Code of Regulations, Title 14. The archaeologist will recover scientifically valuable information, as appropriate and in accordance with the recommendations of the MLD. A report of findings documenting any data recovery shall be submitted to the Director or Director's designee of the City of Hayward Planning Division, the Northwest Information Center, and the MLD.					
Impact 5.5-b Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to California Code of Regulations, title 14, §15064.5?					
CUL-1 through CUL-4 (See impact 5.5-a for mitigation)					
Impact 5.5-c Would the project disturb any human remains, including those interred outside of formal cemeteries?					
CUL-1 through CUL-4 (See impact 5.5-a for mitigation)					
Impact 5.5-e Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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					

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CULTURAL AND TRIBAL CULTURAL RESOURCES					
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?					
CUL-1 through CUL-4 (See impact 5.5-a for mitigation)					

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GEOLOGY AND SOILS (PALEONTOLOGY)					
Impact 5.7-f Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					
<p>GEO-1: Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP 2010), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and shall follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers are halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who shall evaluate its significance.</p> <p>Prior to the start of construction, the applicant shall secure the services of a qualified paleontologist specialist, as defined by the Society of Vertebrate Paleontology. The specialist shall</p>	<p>Secure services of an on-call qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology have been secured.</p> <p>If suspected fossils are encountered during construction, the construction workers shall halt construction within 50 feet of any potential fossil find and notify the qualified professional paleontologist,</p>	<p>Prior to the start of construction, the applicant shall secure the services of a qualified paleontologist specialist.</p> <p>As soon as suspected fossils are encountered and determined to be significant and avoidance is not feasible, the paleontologist shall develop and implement an excavation and salvage plan.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>Review and approve the paleontological resource monitoring report and confirm disposition of significant fossil finds.</p>	<p>Prior to completion of construction.</p>

MITIGATION	MONITORING AND REPORTING PROGRAM				
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GEOLOGY AND SOILS (PALEONTOLOGY)					
<p>prepare a Worker Environmental Awareness Program to instruct site workers of the obligation to protect and preserve valuable paleontological resources for review by the city's Planning Manager. This program shall be provided to all construction workers via a recorded presentation and shall include a discussion of applicable laws and penalties under the laws; samples or visual aids of resources that could be encountered in the project vicinity; instructions regarding the need to halt work in the vicinity of any potential paleontological resources encountered; and measures to notify their supervisor, the applicant, and the qualified paleontologist specialist.</p> <p>If a fossil is encountered and determined to be significant and avoidance is not feasible, the paleontologist shall develop and implement an excavation and salvage plan in accordance with Society of Vertebrate Paleontology standards. Construction work in the immediate area shall be halted or diverted to</p>	<p>who will evaluate its significance. The qualified paleontological specialist shall develop and implement an excavation and salvage plan. Afterward, the paleontologist shall prepare a paleontological resource monitoring report.</p>	<p>After salvage is complete, the paleontologist shall prepare a paleontological resource monitoring report.</p>			
	<p>The qualified paleontological specialist will prepare a Worker Environmental Awareness Program.</p>	<p>Prior to the commencement of construction.</p>	<p>City of Hayward Director of Planning Division or Director's designee.</p>	<p>Review and approve the Worker Environmental Awareness Program.</p>	<p>Prior to the commencement of construction.</p>

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GEOLOGY AND SOILS (PALEONTOLOGY)					
<p>allow recovery of fossil remains in a timely manner. Fossil remains collected shall be cleaned, repaired, sorted, and cataloged, along with copies of all pertinent field notes, photos, and maps.</p> <p>The paleontologist shall prepare a paleontological resource monitoring report that outlines the results of the monitoring program and any encountered fossils. The report shall be submitted to the city's Planning Division Manager or their or designee for review and approval. The report and any fossil remains collected shall be submitted to a scientific institution with paleontological collections.</p>					

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GREENHOUSE GAS EMISSIONS					
Impact 5.8-a Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					
Impact 5.8-b Would the project conflict with an applicable plan, policy or regulation adopted for the purpose or reducing the emissions of greenhouse gasses?					
<p>GHG-1: The project owner shall participate in PG&E’s Regional Renewable Choice Program or Ava Community Energy’s Renewable 100 program (100 percent carbon-free electricity) or other clean energy program that accomplishes the same goal of 100 percent carbon-free electricity.</p> <p>During Operation, the project owner shall provide documentation to the director, or director’s designee, of the City of Hayward Development Services Department of initial enrollment and shall submit annual reporting to the director, or director’s designee, of the City of Hayward Development Services Department documenting either continued participation in PG&E’s Regional Renewable Choice Program or Ava Community Energy’s Renewable 100 program, or documentation that alternative measures continue to</p>	<p>Provide documentation to the City of Hayward Director of Development Services Department or Director’s designee of enrollment and annual reporting of continued participation in PG&E’s Regional Renewable Choice Program, or Ava Community Energy’s Renewable 100 program, or documentation showing that alternative measures</p>	<p>During operation.</p>	<p>City of Hayward Director of Development Services Department or Director’s designee.</p>	<p>Review documentation and verify that the project is enrolled and continues to participate in PG&E’s Regional Renewable Choice Program or Ava Community Energy’s Renewable 100 program to use 100 percent carbon free electricity, or alternative measure continue to provide 100 percent carbon-free electricity.</p>	<p>Upon commencing project operation and annually for the life of the project.</p>

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GREENHOUSE GAS EMISSIONS					
provide 100 percent carbon-free electricity as verified by an independent third-party auditor specializing in greenhouse gas emissions.	continue to provide 100 percent carbon-free electricity, as verified by an independent third-party auditor specializing in greenhouse gas emissions.				
GHG-2: The project owner shall use renewable diesel for 100 percent of total energy use by the gensets to the extent feasible, and only use ultra-low sulfur diesel (ULSD) as a secondary fuel in the event of supply challenges or disruption in obtaining renewable diesel. The project owner shall provide documentation of renewable diesel supply challenges or disruptions to the director, or director’s designee, of the City of Hayward Development Services Department within 10 calendar days of occurrence and demonstrate a good faith effort to comply with the requirement and that compliance is not	Provide documentation to the City of Hayward Director of Development Services Department or Director’s designee to verify that renewable diesel is used for 100 percent of total energy use by the generators or demonstrate a good faith effort	Following commencement of project operation then annually for the life of the project.	City of Hayward Director of Development Services Department or Director’s designee.	Review documentation and verify the project is using renewable diesel.	Following commencement of project operation then annually for the life of the project.

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GREENHOUSE GAS EMISSIONS					
practicable. The project owner shall provide an annual report of the status of procuring and using renewable diesel to the director, or director's designee, of the City of Hayward Development Services Department demonstrating compliance with the mitigation measure.	to comply with the requirement and that compliance is not practical.				
GHG-3: Prior to the issuance of any grading or building permits, whichever occurs earliest, the project owner shall submit final design to the director, or director's designee, of the City of Hayward Development Services Department for approval, demonstrating compliance with the CALGreen Tier 2 off-street electric vehicle requirements and City of Hayward EV Charging Reach Code (Hayward Municipal Code Section 10-2.800). Upon completion of construction, the project owner shall provide documentation to the director, or director's designee, of the City of Hayward Development Services Department, confirming compliance with these requirements.	Provide final design and documentation to the City of Hayward Director of Development Services Department or Director's designee to demonstrate compliance with EV requirements.	During construction and upon completion of construction.	City of Hayward Director of Development Services Department or Director's designee.	Review final design and documentation and verify the project complies with EV requirements.	Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest) and upon completion of construction.

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HAZARDS AND HAZARDOUS MATERIALS					
Impact 5.9-a Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					
HAZ-1: Prior to issuance of demolition permits, a lead-based paint (LBP) visual inspection and pre-demolition survey, including sampling and testing of suspect materials, shall be conducted of on-site buildings to determine the presence of LBP. The survey shall be conducted by a contractor with a Lead Related Construction certification issued by the California Department of Public Health. The findings of the LBP survey shall be submitted to the Hayward Fire Department for review.	Conduct an LBP visual inspection and a pre-demolition LBP survey of the on-site buildings. Prepare a report of LBP survey findings and submit it to the Hayward Fire Department for review.	Prior to issuance of demolition permits, and prior to start of Project construction.	Hayward Fire Department.	Review submitted documentation/report to verify presence of LBP onsite after pre-demolition survey.	After LBP pre-demolition survey and prior to issuance of demolition permits. Prior to start of Project construction.
Impact 5.9-d Would the project be located on a site that 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?					
HAZ-2: Prior to issuance of demolition or grading permits, the project applicant shall prepare a Site Management Plan (SMP) to guide activities during demolition, excavation, and initial construction to ensure that potentially contaminated	Prepare and implement a SMP. Submit the SMP for review and approval to the Hayward Fire	Prior to issuance of demolition or grading permits, prior to soil and groundwater	If no soil or groundwater contaminants exceeding applicable ESLs are identified, Hayward Fire	Review and approve submitted SMP. Review submitted documentation/report of results of soil and groundwater site	Prior to issuance of any grading, demolition, or building permits, prior to and during handling and removal of

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HAZARDS AND HAZARDOUS MATERIALS					
<p>soils and groundwater are identified, characterized, removed, and disposed of properly. The purpose of the SMP is to establish appropriate management practices for handling impacted soil or other materials that may be encountered during construction activities. The SMP shall be reviewed and approved by the Hayward Fire Department and the Alameda County Department of Environmental Health prior to any work on the site, including prior to soil and groundwater sampling.</p> <p>The SMP shall be implemented during project demolition and construction and shall include but shall not be limited to, the following components:</p> <ul style="list-style-type: none"> • A detailed discussion of the site background, current conditions of on-site soil, groundwater and soil gas; • Description of soil and groundwater testing to verify the presence or absence of remnant or unknown soil or groundwater 	<p>Department and the Alameda County Department of Environmental Health.</p> <p>If no soil or groundwater contaminants exceeding applicable ESLs are identified, submit the SMP for review and approval to the Hayward Fire Department and the Alameda County Department of Environmental Health.</p> <p>If soil or groundwater contaminants exceeding</p>	<p>sampling, and prior to the start of and during construction.</p>	<p>Department and the Alameda County of Environmental Health.</p> <p>If soil or groundwater contaminants exceeding applicable ESLs are identified, Hayward Fire Department, California Department of Toxic Substances Control under a Site Cleanup Program, State Water Resources Control Board (SWRCB), or the Alameda County of Environmental Health.</p>	<p>characterization to verify presence or absence and levels of contamination.</p> <p>Provide regulatory oversight for site characterization and remediation in the event of identification of contaminated soil or groundwater.</p> <p>Provide verification of regulatory compliance to Hayward Fire Department and the Alameda County of Environmental Health.</p>	<p>any identified contaminated soil or groundwater, and prior to the start of and during construction.</p>

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HAZARDS AND HAZARDOUS MATERIALS					
<p>contamination. The testing shall include (but not be limited to) the collection and analyses of soil samples for agricultural chemicals, including organochlorine pesticides, and collection and analysis of groundwater samples for volatile organic compounds (VOCs) and any other contaminants identified in previous environmental studies in the vicinity of the project. This soil and groundwater characterization shall be performed via testing prior to initiation of project demolition or construction.</p> <ul style="list-style-type: none"> • Protocols for sampling of soil and groundwater to facilitate the profiling of the soil and groundwater for appropriate off-site disposal or reuse, and for construction worker safety, dust mitigation during demolition and construction and potential exposure of contaminated soil or groundwater to future users of 	<p>applicable ESLs are identified, obtain regulatory oversight from the agency with jurisdictional authority for characterization and remediation oversight. Submit the SMP and planned remedial measures for review and approval to the oversight agency. Submit a copy of the SMP to the Hayward Fire Department and the Alameda County Department of Environmental Health.</p>				

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HAZARDS AND HAZARDOUS MATERIALS					
<p>the site prior to project construction.</p> <p>Procedures to be undertaken in the event that contamination is identified applicable screening levels or previously unknown contamination is discovered prior to or during project demolition or construction.</p> <ul style="list-style-type: none"> • Notification procedures if previously undiscovered significantly impacted soil or groundwater is encountered during construction; • Onsite soil reuse guidelines based on the California Regional Water Quality Control Board (RWQCB), San Francisco Bay Region's reuse policy; • Sampling and laboratory analyses from a certified environmental laboratory of excess soil requiring disposal at an appropriate off-site waste disposal facility; 					

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HAZARDS AND HAZARDOUS MATERIALS					
<ul style="list-style-type: none"> Procedures and protocols for the safe storage, stockpiling, and disposal of contaminated soils; and Protocols to manage groundwater, including segregation or treatment of contaminated groundwater, if necessary, that may be encountered during trenching or subsurface excavation activities. <p>If there are no contaminants identified on the project site that exceed applicable screening levels for construction workers and residential users published by the Regional Water Quality Control Board (RWQCB), California Department of Toxic Substances Control (DTSC), or Cal EPA, the SMP and testing results do not need to be submitted to an oversight agency and instead only need to be submitted to the Alameda County Department of Environmental Health (ACDEH), and the Hayward Fire Department (HFD) for approval</p>					

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HAZARDS AND HAZARDOUS MATERIALS					
<p>prior to issuance of a grading permit and prior to conducting any demolition activities.</p> <p>If contaminants are identified at concentrations exceeding applicable screening levels, the project applicant shall obtain regulatory oversight from appropriate regulatory agency (HFD, DTSC, ACDEH or SWRCB). The SMP and planned remedial measures shall be reviewed and approved by the ACDEH, HFD, DTSC, and/or SWRCB, as appropriate to the contaminated media. A copy of the SMP shall be submitted to the Director or Director's designee with the ACDEH and the Hayward Fire Department. Copies of the approved SMP shall be kept at the project site.</p> <p>Any contaminated soils and/or groundwater identified by testing conducted in compliance with the SMP and found in concentrations above established thresholds shall be removed and disposed of according to HWCL under the oversight of</p>					

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HAZARDS AND HAZARDOUS MATERIALS					
applicable regulatory agency. Contaminated soil excavated and contaminated groundwater extracted from the site shall be transported off-site and disposed of at a permitted disposal facility.					
<p>HAZ-3: All contractors and subcontractors at the project site shall develop a Health and Safety Plan (HSP) specific to their scope of work and based upon the known environmental conditions for the site prior to project construction. The HSP shall be prepared by an industrial hygienist. The HSP shall be approved by the Director of the Department of Development Services or the Director's designee and implemented under the direction of a Site Safety and Health Officer. The HSP shall include, but shall not be limited to, the following elements, as applicable:</p> <ul style="list-style-type: none"> A description of potential health and safety hazards; 	<p>Prepare and implement HSPs.</p> <p>Submit the HSPs for review and approval to the Hayward Fire Department and the Alameda County Department of Environmental Health.</p>	<p>Prior to the start of construction.</p>	<p>Hayward Fire Department and the Alameda County Department of Environmental Health.</p>	<p>Review and approve submitted HSPs.</p>	<p>Prior to the start of construction.</p>

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HAZARDS AND HAZARDOUS MATERIALS					
<ul style="list-style-type: none"> • A description of applicable regulations and standards to be implemented for the project site; • Provisions for personal protection and monitoring exposure to construction workers; • Education for workers in the proper use of personnel protection; • Provisions for Hazard Communication Standard (HAZCOM) worker training and education including information about HAZCOM labeling, copies of • Safety Data Sheets for any hazardous materials that may be used onsite; • Identification of workers, supervisor, and employer health and safety responsibilities; and • A description of emergency procedures and identification of responsible personnel to contact in event of an emergency. Include contact information for 					

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HAZARDS AND HAZARDOUS MATERIALS					
responsible personnel and other emergency contact numbers. Copies of the approved HSPs shall be kept at the project site.					

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NOISE					
Impact 5.13-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?					
<p>NOI-1: The project shall implement the following mitigation measures related to construction noise:</p> <ul style="list-style-type: none"> All project construction activities shall occur between 7:00 A.M. and 7:00 P.M. Monday through Friday pursuant to the hours and days specified in the Hayward General Plan Policy HAZ-8.21. All noise-producing project equipment and vehicles using internal combustion engines shall be equipped with manufacturers' recommended mufflers and be maintained in good working condition. All mobile or fixed noise-producing equipment used during project construction that are regulated for noise output by a federal, state, or local agency shall comply with such regulations. 		During the entire project construction phase.	City of Hayward Development Services Department.	Receive the notification that all adjacent businesses and other noise-sensitive land uses have been notified of construction schedule.	Prior to the start of construction.
	Notify all adjacent business and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of "noisy" construction activities to the adjacent land uses. Then, notify the city that this	Prior to the start of construction	City of Hayward Development Services Department.	Receive disturbance coordinator contact information.	Prior to the start of construction.

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NOISE					
<ul style="list-style-type: none"> Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive uses. Project construction speed limits shall be established and enforced during the entire construction period. 	<p>action has been taken. Appoint a noise control disturbance coordinator and notify the city of the coordinator's contact information.</p>				

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HYDROLOGY AND WATER QUALITY					
Impact 5.10 a , Would the project violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?					
Impact 5.10 b, iii . 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: Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					
HYD-1: Construction Best Management Practices The project would be required to implement the following construction BMPs as part of the Storm Water Pollution Prevention Plan (SWPPP) prepared for the project to ensure construction-related water quality impacts are less than significant. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and	Apply with the local RWQCB for coverage under the NPDES General Construction Permit. Prepare required SWPPP. Implement appropriate BMPs during project construction.	Apply for General Construction NPDES Permit prior to project construction.	City of Hayward Public Works.	Submit periodic stormwater monitoring reports to RWQCB.	Monitoring timing determined by General Construction NPDES Permit and submitted SWPPP.

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HYDROLOGY AND WATER QUALITY					
<p>prevent street flooding. Dispose of filter particles in the trash.</p> <p>Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill.</p> <p>Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "Building Maintenance/Remodeling" flyer for more information.</p> <p>Ensure that concrete/gunite supply trucks or concrete/plaster finishing operations do not discharge wash water into street gutters or drains.</p> <p>The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County</p>					

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HYDROLOGY AND WATER QUALITY					
Department of Health and the Regional Water Quality Control Board. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place. Non-storm water discharges to the City storm sewer system are prohibited. Prohibited discharges include but are not limited to the following: polluted cooling water, chlorinated or chloraminated swimming pool water, hazardous or toxic chemicals, grease, animal wastes, detergents, solvents, pesticides, herbicides, fertilizers, and dirt. All discharges of material other than storm water must comply with a National Pollutant Discharge Elimination System (NPDES) Permit issued for the discharge other than NPDES Permit No. CAS612008.					

Source: California Energy Commission. Initial Study for the STACK SVY03A Data Center Campus. March 2025.