

**CONDITIONS OF APPROVAL
SITE PLAN REVIEW APPLICATION NO. 201901039
ALLOWING DEVELOPMENT OF AN APPROXIMATELY 116,844
SQUARE FOOT INDUSTRIAL BUILDING, ISSUANCE OF A HISTORICAL RESOURCE
DEMOLITION PERMIT AND CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT
WITH STATEMENT OF OVERRIDING CONSIDERATIONS
FOR U-HAUL AT 4150 PT EDEN WAY, HAYWARD**

GENERAL

PLANNING

1. The developer shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. Site Plan Review Application No. 201901039 is approved subject to the Architectural, Civil and Landscape plans received by the City on May 4, 2021 (plans dated April 24, 2020), and the revised Site Plan received by the City on May 12, 2021 (plans dated January 18, 2021), respectively, except as modified by the conditions listed below. Any proposal for alterations to the conditionally approved site plan or building design that does not require a variance to any zoning ordinance standard shall be subject to review and approval by the Development Services Director or her designee prior to implementation. Alterations requiring a variance shall be subject to review and approval by the Planning Commission, if applicable.
3. The proposed site plan and development is subject to a land swap and relocation of the Bay Trail requiring approval of the East Bay Regional Park District (EBRPD). The applicant shall provide evidence of the land swap approval prior to the issuance of grading permits for the proposed project. If the EBRPD does not approve the land swap and relocation of the Bay Trail, the applicant shall submit a revised Development Permit Application to the Planning Division for consistency review with applicable zoning regulations and the environmental analysis prepared for the project. The Planning Director may review and approve the alteration upon determination that the site plan and development is substantially the same. Alternatively, the Planning Director may refer the revised site plan to the Planning Commission for determination.
4. The Bay Trail shall be designed in accordance with EBRPD trail standards. The Bay Trail design shall be included on improvement and landscape plans and shall be reviewed and approved by the City of Hayward and the EBRPD prior to issuance of grading permits.

5. The realigned Bay Trail shall be constructed and operable prior to the issuance of a Certificate of Occupancy for the development project.
6. The building colors and materials shown on the building permit plans shall match those shown on the architectural plans, color/material exhibit and renderings received by the City on May 4, 2021 (dated April 24, 2020), including sculptural pieces and art. Any revision to the approved colors and materials shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
7. The permittee, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
8. Lights inside and affixed to the building shall be turned off at night to eliminate light pollution impacts to the adjacent baylands. All lighting fixtures on the site and in the parking lot shall incorporate a shield to allow for downward illumination. No spillover lighting to adjacent properties is permitted and all exterior lighting on walls, patios or balconies shall be recessed/shielded to minimize visual impacts.
9. The proposed 32-acre preserve (western component) shall be preserved and maintained in perpetuity with a deed restriction or other appropriate legal mechanism. The mechanism for preservation and maintenance shall be recorded and provided to the Planning Division prior to the issuance of a Certificate of Occupancy for the development project.
10. All vents, gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of the adjacent material unless specifically designed as an architectural element.
11. All exterior and rooftop mechanical equipment shall be screened or located away from public view. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and swimming pool equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit. All screening shall be compatible with respect to forms and materials used on the building.
12. All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs or an architectural screen from all perspectives. All equipment shall be designed to be compatible with respect to location, form, design, exterior materials, and noise generation. The

applicant shall identify all screens on the building permit and landscape plans prior to the issuance of improvement plans and building permits.

13. No signs are approved with this project. All signage, including the signage required in Condition No. 22 below and placed on-site or off-site shall be reviewed and approved by the Planning Division and a Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.
14. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City' s requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were filed to construct the project.
15. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions or issuance of a building permit.
16. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
17. A copy of these conditions of approval shall be scanned and included on a separate, full-sized sheet(s) in the building permit plan check set.
18. The Planning Director or designee may revoke this permit for failure to comply with, or complete all, conditions of approval or improvements indicated on the approved plans.
19. The owner shall maintain in good repair all building exteriors, walls, lighting, drainage facilities, landscaping, driveways, and parking areas. The premises shall be kept clean and weed-free.

20. The applicant shall be responsible for graffiti-free maintenance of the property and shall remove any graffiti within 48 hours of occurrence or City notification.
21. The applicant shall apply for and obtain all necessary permits from the City and/or outside agencies prior to any site work.
22. Within 60 days of following the issuance of a building permit and prior to construction, the applicant shall install one non-illuminated “Coming Soon” sign on the project site that includes a project rendering, a project summary, and developer contact information. The sign shall be constructed of wood or recyclable composite material, be placed in a location at least ten (10) feet back from the property line, and shall not impede pedestrian, bicycle, and vehicular visibility or circulation. The sign shall be maintained in accordance with Section 10-7-709 of the Hayward Municipal Code and may be up to thirty-two (32) square feet of sign area and shall not exceed ten (10) feet in height. Sign design, size and location shall be reviewed and approved by the Planning Division prior to placement.
23. Impact Fees. This development is subject to the requirements of the Property Developers – Obligations for Parks and Recreation set forth in HMC Chapter 10, Article 16. Per HMC Section 10-16.10, the applicant shall pay the impact fee rate that is in effect at the time of building permit issuance.
24. In accordance with Hayward Municipal Code (HMC) Section 10- 1. 3055, approval of this Site Plan Review is void 36 months after the effective date of approval unless:
 - a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or his/ her designee. If a building permit is issued for construction of improvements authorized by this approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on this approval; or
 - b. A time extension of the approval has been granted by the Development Services Director or his/her designee, which requires that a request for an extension of this approval must be submitted in writing to the Planning Division at least 15 days prior to the expiration date of this approval.

MITIGATION MEASURES

25. **BIO-1a: SWHM and SMWS Habitat Fencing.** Prior to ground disturbing activities adjacent to potential SMHM and SMWS habitat, temporary exclusion barriers and/or fencing shall be installed to exclude individuals of these species from areas of active construction. The design of the exclusion barriers and fencing shall be

approved by a qualified biologist and shall be installed in the presence of a qualified biological monitor. The fence will be made of a material that does not allow SMHM or SMWS to pass through, and the bottom shall be buried to a depth of a minimum of four inches so that these species cannot crawl under the fence. All support for the exclusion fencing shall be placed on the inside of the project footprint. Additionally, removal of marsh or associated ruderal vegetation shall be completed using only hand tools and in the presence of a biological monitor. The barriers and/or fencing shall remain in place for the duration of construction of the project.

26. **BIO-1b: Qualified Biological Monitor.** A qualified biological monitor shall be present during wildlife exclusion fence installation and removal, and during all vegetation clearing and initial ground disturbance which take place in marsh habitats of the former salt ponds and the vegetation adjacent to marsh habitats. The monitor will have demonstrated experience in biological construction monitoring and knowledge of the biology of the special-status species that may be found in the project site, including SMHM and SMWS. The monitor(s) shall have the authority to halt construction, if necessary, if noncompliance actions occur. If a federal or State listed species is observed at any time during construction, work shall not be initiated or shall be stopped immediately until the animal leaves the vicinity of the work area of its own volition. If the animal in question does not leave the work area, work shall not be reinitiated until the qualified biological monitor has contacted the appropriate agency to discuss on how to proceed with work activities. The biological monitor shall direct the contractor on how to proceed accordingly.

The biological monitor(s) shall be the contact person for any employee or contractor who might inadvertently kill or injure a special-status species or anyone who finds dead, injured, or entrapped special-status species. Following fence installation, vegetation removal in potential habitat areas, and initial ground disturbance in potential habitat areas, the biologist shall train an onsite monitor to continue to document compliance. The biologist shall conduct weekly site checks to provide guidance for fence maintenance, provide environmental sensitivity training, and document compliance with permit conditions.

27. **BIO-1c: Worker Environmental Awareness Program Training.** The biological monitor shall provide an endangered species training program to all personnel involved in project construction. At a minimum, the employee education program shall consist of a brief presentation by persons knowledgeable about the biology of sensitive species with potential to occur in the project footprint, and about their legislative protection to explain concerns to contractors and their employees involved with implementation of the project. The program shall include a description of the species and their habitat needs, any reports of occurrences in the area; an explanation of the status of these species and their protection under State

- and federal legislation; and a list of measures being taken to reduce impacts to these species during construction.
28. **BIO-1d: Burrowing Owl Pre-Construction Surveys and Avoidance.** A qualified biologist shall conduct pre-construction clearance surveys prior to ground disturbance activities within suitable natural habitats and ruderal areas throughout the eastern component of the project site to confirm the presence/absence of active burrowing owl burrows. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 30 days prior to construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required. If burrowing owls are detected during the pre-construction clearance surveys, the following measures shall apply:
- a. Avoidance buffers during the breeding and non-breeding season shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures.
 - b. If avoidance of burrowing owls is not feasible, then additional measures such as a passive relocation during the nonbreeding season and construction buffers of 200 feet during the breeding season shall be implemented, in consultation with CDFW. In addition, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993).
29. **BIO-1e: Nesting Bird Avoidance and Pre-Construction Surveys.** Project activities, such as vegetation removal, grading, or initial ground-disturbance, shall be conducted between September 1 and January 31 to the greatest extent feasible. If project activities must be conducted during the nesting season (February 1 to August 31), a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than 14 days prior to vegetation removal or initial ground disturbance. Additional nesting surveys shall be conducted if project construction activities cease for more than 14 days during this period. The survey shall include the project site plus a 200-foot buffer around the eastern component of the project site if feasible, and a 500-foot buffer for California least tern, western snowy plover, and black skimmer, if feasible, to identify the location and status of any nests that could potentially be affected either directly or indirectly by project activities. A survey of the western component of the project site shall be optional and not required because no ground disturbance or construction activities are proposed in the western component of the project site. If active nests are identified during the nesting bird survey, an appropriate avoidance buffer shall be established within which no work activity will be allowed which would impact these nests. The avoidance buffer would be established by the qualified biologist on a case-by-case basis based on the species and site conditions. In no cases shall the buffer be smaller than 50 feet for passerine bird species and 250 feet for raptor species. The buffer for

California least tern, western snowy plover, and black skimmer shall be at least 600 feet or otherwise determined by CDFW and USFWS. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. Buffers shall be delineated by orange construction fencing that defines the buffer where it intersects the project site. If a California least tern, western snowy plover, or black skimmer nest is found within 500 feet of the project site, USFWS and CDFW will be immediately notified. USFWS and CDFW shall be consulted on appropriate avoidance and minimization methods, which would likely include work restrictions within 500 feet of the nest, biological monitoring for activity within the nest' line-of-sight, etc. The buffer area(s) shall be closed to all construction personnel and equipment until juveniles have fledged and the nest is inactive. The qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the nest prior to removal of the buffer.

30. **BIO-1f: Special-Status Bat Avoidance and Pre-Construction Surveys.** To avoid impacts to roosting special-status bats, focused surveys to determine the presence/absence of roosting bats shall be conducted prior to the initiation of demolition of buildings and removal of mature trees large enough to contain crevices and hollows that could support bat roosting. If active maternity roosts are identified, a qualified biologist shall establish avoidance buffers applicable to the species, the roost location and exposure, and the proposed construction activity in the area. If active non-maternity day or night roosts are found on the project site, measures shall be implemented to passively relocate bats from the roosts prior to the onset of construction activities. Such measures may include removal of roosting site during the time of day the roost is unoccupied or the installation of one-way doors, allowing the bats to leave the roost but not to re-enter. These measures shall be presented in a Bat Passive Relocation Plan that shall be submitted to, and approved by, CDFW.
31. **BIO-1g: Trash Removal.** During construction of the project, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in solid, closed containers (trash cans) and removed at the end of each workday from the project site to eliminate an attraction to predators of special-status species.
32. **BIO-1h: Public Access Exclusion Fencing.** Access by all project construction personnel into the Eden Landing Ecological Reserve shall be prohibited. Upon completion of the development project a permanent fence shall be installed on the eastern component of the project site to prevent access from the San Francisco Bay Trail relocated segment and the new industrial development into the adjacent salt ponds and associated marsh habitats to the west. In addition, signs shall be posted stating that public access into the salt ponds and associated marsh habitat is strictly

prohibited owing to the sensitivity of the habitat and to ensure the continued use of this habitat by special-status species.

33. **BIO-3: Protected Wetlands Mitigation Credits.** To compensate for impacts to approximately 0.97 acre of waters of the U.S., the project applicant shall purchase wetland mitigation credits at a minimum of 1:1 mitigation ratio from an approved mitigation bank with a Service Area that covers the project site. The San Francisco Bay Wetland Mitigation Bank currently has "Tidal Wetland and Other Waters Creation" credits available for purchase. Either the U.S. Army Corps of Engineers or the CDFW may adjust the mitigation ratio and the applicant shall comply, but in no case shall the mitigation ratio be less than 1:1.
34. **CUL-1a: Building Recordation.** Archival documentation of as-built and as-found condition shall be prepared for the Oliver Brothers Salt Company prior to demolition. Prior to issuance of demolition permits, the City of Hayward shall ensure that documentation of the buildings and structures proposed for demolition is completed that follows the general guidelines of Historic American Building Survey (HABS)-level III documentation. The documentation shall include high resolution digital photographic recordation, a historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified professional who meets the standards for history, architectural history, or architecture as set forth by the Secretary of the Interior's Professional Qualification Standards (36 CFR, Part 61). The original archival-quality documentation shall be offered as donated material to the Hayward Library and/or Hayward Area Historical Society to make it available for current and future generations. Archival copies of the documentation shall be submitted to the City of Hayward where it shall be available to local researchers.
35. **CUL-1b: Interpretive Display.** An interpretive display shall be developed and installed on site to commemorate the history of the Oliver Brothers Salt Company. The display may include historic photographs, drawings, and text to convey the history of the site and the significance of salt processing in Alameda County. The display shall be reviewed and approved by the City prior to installation at a site to be chosen by the City. The installation shall occur prior to issuance of a Certificate of Occupancy.
36. **CUL-2: Unanticipated Discovery of Archeological Resources.** In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work in the immediate area shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the find is prehistoric, then a Native American representative should also be

contacted to participate in the evaluation of the find. If necessary, as determined by the archaeologist in consultation with the City, the evaluation may require preparation of a treatment plan and archaeological testing for California Register of Historical Resources (CRHR) eligibility. If the discovery proves to be eligible for the CRHR and cannot be avoided by the modified project, additional work, such as data recovery excavation, may be warranted to mitigate impacts to archaeological resources.

37. **GEO-1: Geotechnical Considerations.** The project applicant shall implement all measures and recommendations set forth in the Geotechnical Engineering Services Report prepared by Professional Services Industries, Inc., an Intertek company, in January 2018 (included as Appendix D and on file with the City of Hayward) or other updated study reviewed and approved by the Hayward Public Works - Engineering Division. This measure shall be implemented for development on the eastern component of the project site. Recommendations include but are not limited to the following topic areas, or others as determined by an updated study:
- a. Engineered fill material required at this site shall not contain rocks greater than 3-inches in diameter or greater than 30 percent retained on the $\frac{3}{4}$ -inch sieve and shall not contain more than 3 percent (by weight) of organic matter or other unsuitable material. The expansion index for the material shall not exceed 50.
 - b. Engineered fill shall be compacted to at least 90 percent of the maximum dry density as determined by the modified Proctor (ASTM D1557). The moisture content of engineered fill shall be maintained at approximately 2 percent above or below the material's optimum moisture content as determined by the same index during compaction.
 - c. Engineered fill shall be placed in maximum lifts of 8-inches of loose material. Each lift of engineered fill shall be tested by a PSI soils technician, working under the direction of a licensed geotechnical engineer, prior to placement of subsequent lifts.
 - d. Properly compacted engineered fill shall extend horizontally outward beyond the exterior perimeter of the foundations a distance equal to the height of fill or 5 feet, whichever is greater, prior to substantial sloping.
 - e. Permanent cut or fill slopes shall not exceed 2 Horizontal to 1 Vertical (2H:1V). Excavations extending below a 1H:1V plane extending down from any adjacent footings shall be shored for safety.
 - f. Utilities trenches within the building, pavement, and sidewalk areas shall be backfilled with granular engineered fill such as sand, sand and gravel, fragmental rock, or recycled concrete of up to 2 inches maximum size with less than 5 percent passing the No. 200 sieve (washed analysis). Granular backfill shall be placed in lifts and compacted to 95 percent of the maximum

dry density as determined by ASTM D 1557. Compaction by jetting or flooding shall not be permitted.

- g. To ensure precipitation is conveyed away from structural foundation, continuous roof gutters shall be installed on the proposed industrial building. The roof drains shall be connected to a tight-line pipe leading to storm drain facilities. Pavement surfaces and open space areas shall be sloped such that surface water runoff is collected and routed to suitable discharge points. Ground surfaces adjacent the building shall be sloped to facilitate positive drainage away from the building. Landscaped or planted areas shall not be placed within 10 feet of the footings of the proposed building.

38. **HAZ-1: Project Demolition Activities.** In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site building(s) to determine the presence of asbestos-containing materials (ACMs) and/or lead-based paint (LBP). Documentation of the survey shall be provided to the City prior to commencement of demolition activities. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Title 8, California Code of Regulations (CCR), Section 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of lead being disposed. All potentially friable asbestos containing materials (ACMs) shall be removed in accordance with National Emission Standards for Air Pollution (NESHAP) guidelines prior to demolition or renovation activities that may disturb ACMs. All demolition activities shall be undertaken in accordance with Cal/OSHA standards contained in Title 8, CCR, Section 1529, to protect workers from asbestos exposure. A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above in this mitigation measure. Materials containing more than one-percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements and notifications. Based on Cal/OSHA rules and regulations, the following conditions shall be implemented to limit impacts to construction workers:
- a. Prior to commencement of demolition activities, a building survey, including sampling and testing, shall be completed to identify and quantify building materials containing lead-based paint.
 - b. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR, Section 1532.1, including employee training, employee air monitoring and dust control.

- c. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the type of waste being disposed.
39. **HAZ-2a: Implementation of the RMP.** The project shall implement the appropriate handling procedures and worker health and safety measures during excavating or dewatering activities, as well as the use of an engineered vapor barrier as described in the site-specific RMP developed for the project in 2014. The RMP is an appendix to the Phase I ESA. The Phase I ESA is included as Appendix D to this EIR. Measures included in the RMP to control potential hazardous contamination and exposure include, but are not limited to the following:
- a. Construction contractors shall implement dust control mitigation measures during construction activities at the project site to minimize the generation of dust. Examples of dust control measures that shall be implemented include limiting construction vehicles speeds to 5 miles per hour when on-site; routinely applying water to exposed soils while performing excavation activities; and, covering soil stockpiles with plastic sheets at the end of each workday. Additional dust control measures shall be implemented by the selected contractor, as necessary, especially if windy conditions persist during site grading and excavation. These measures may include moisture, conditioning the soil, using dust suppressants, or covering the exposed soil and stockpiles with weighted plastic sheeting to prevent exposure of the soil.
 - b. To prevent or minimize construction equipment from tracking polluted spoils off the site onto roadways, construction equipment that contacts soils deeper than 5-feet below ground surface shall be decontaminated prior to leaving the site. Decontamination methods shall include brushing and/or vacuuming to remove loose dirt on vehicle exteriors and wheels. In the event that these dry decontamination methods are inadequate, methods such as steam cleaning, high pressure washing, and cleaning solutions shall be used, as necessary, to thoroughly remove accumulated dirt and other materials. Decontamination activities shall be performed in an on-site decontamination facility established by the contractor.
 - c. All project construction workers performing construction activities at depths below 5-feet below ground surface in the restricted areas shall adhere to decontamination procedures when exiting the area. Decontamination measures shall include: (a) vacuuming the surface of coveralls, head covers, and footwear to remove accumulated soil particles and changing into other clean clothes if practical; (b) vacuuming or washing small tools, hand tools, or personal equipment to remove accumulated soil particles; and, (c) placing work clothes and personal equipment in sealed plastic bags or other suitable containers for transportation or on-site storage.

- d. In the event that disturbed soil appears to contain contaminants of potential concern (COPCs), such as odors, staining, and/or discoloration, work should halt in that area and an environmental professional (EP), such as a geologist, engineer, industrial hygienist, or environmental health specialist with expertise in these matters, shall be called to the site to oversee the work and determine safe construction and soil handling procedures. Additionally, if contaminated soil is encountered, the project applicant shall coordinate with the San Francisco Bay Regional Water Quality Control Board and the Alameda County Water District to determine adequate and proper remediation and handling actions.
- e. The EP shall be present on-site during excavations greater than 5-feet below ground surface in the restricted areas to observe field conditions and measure hydrocarbon vapors using a hand held photoionization detector (PID). If PID readings are measured in a specific area showing concentrations in excess of construction worker screening levels published by the Regional Water Quality Control Board (RWQCB), construction activities in that area shall halt until appropriate risk mitigation measures are implemented. If necessary, HAZWOPER trained personnel shall be called to the site to complete the construction activities in that area.
- f. Soil excavated from deeper than 5-feet below ground surface in the restricted area shall only be reused on-site as backfill after sampling and analysis soil proves the soil is acceptable to remain on site. Commercial ESLs or concentration limits established in the San Francisco Bay Regional Water Quality Control Board document titled *Characterization and Reuse of Petroleum Hydrocarbon Impacted Soil and Inert Waste* (2006), whichever is lowest shall be used as the threshold to determine if soils may remain on site or require off-site disposal. All appropriate regulatory sampling methods, holding times, and detection limits shall be followed.
- g. A health and safety plan shall be developed and implemented for project construction that incorporates measures and procedures to minimize direct contact by construction workers with site groundwater, particularly in the restricted areas. The health and safety plan shall be approved by either the City or the RWQCB, or both as applicable, prior to excavation activities.
- h. If groundwater is encountered within the former remediation area during construction of the project, as shown on Figure 4 of the RMP, an EP shall be called to the site to determine safe handling procedures. The groundwater shall be pumped into appropriate containers and samples shall be obtained for chemical analysis of the COPCs in accordance with a site sampling plan and the requirements of the waste disposal facility to which the material is sent. The project applicant shall coordinate with the Regional Water Quality Control Board and the Alameda County Water District if possible contaminated groundwater is encountered. If water sample analytical results

indicate the water is free of all detectable concentrations of COPCs, such water can be re-used at the site if deemed appropriate by Alameda County and the RWQCB. If water sample analytical results indicate the water contains concentrations of COPCs above appropriate RWQCB screening levels, such water shall not be re-used at the site. The contractor and the EP shall elect to: (a) treat the groundwater on-site to render it free of detectable concentrations of COPCs (e.g. by activated carbon filtration); or, (b) transport the groundwater to a local treatment or disposal facility for appropriate handling.

- i. The proposed industrial building shall be constructed on top of a minimum of a 5-foot bioattenuation zone within the restricted areas. This bioattenuation zone shall consist of a minimum of 5-feet of soil above the anticipated shallowest groundwater elevation, and the soil shall not contain total petroleum hydrocarbons greater than 100 parts per million.
 - j. An engineered vapor barrier shall be employed to further protect against possible vapor intrusion of COPCs into the proposed industrial building. The vapor barrier shall be designed to meet the needs of building. Vapor barriers are generally constructed using membranes constructed with high-density polyethylene (HDPE) or other polyolefin-based resins. The vapor barrier shall be resistant to VOCs. The vapor barrier shall meet the American Society for Testing and Materials (ASTM) guideline for a vapor barrier and have a permeance rating of 0.1 perms or less. The thickness and strength of the vapor barrier shall be based on the needs for the building, but the architect and contractor shall use a material strong enough to easily withstand the building construction and other building considerations. The selected vapor barrier shall be approved by the RWQCB prior to installation.
40. **HAZ-2b: Bioretention Design Coordination.** The project applicant shall consult with the City on location and/or design of the onsite bioretention basins to ensure protection of the groundwater basin, which may include, but is not limited to, locating the basins outside of the restricted areas or use of a liner in the detention basin. The final design and location of the on-site bioretention basins shall demonstrate that groundwater would be protected from contamination.
41. **HAZ-2c: Displacement Pier Design and Construction.** The project applicant shall retain a geotechnical engineer to design the displacement piers for support of the building foundation. The displacement piers shall be designed in a way to prevent creating a preferential pathway between shallow groundwater at approximately 5 feet below ground surface and deeper groundwater. The displace pier design developed by the geotechnical engineer shall be incorporated into project plans prior to commencement of construction. This mitigation measure shall apply to all displacement piers within the restricted areas or the larger area where benzene

concentrations exceed ESLs, as shown in Figure 4.3-2 of the EIR. Additionally, airjetting shall not be used to create the holes for the displacement piers within the restricted areas to avoid bringing subsurface soils to the ground surface.

42. **TR-1: Travel Demand Management.** The project applicant shall implement at least one of the measures described below:
 - a. **Voluntary Employer Commute Program:** The project applicant shall encourage alternative modes of transportation through a program that may include elements such as: a carpool or vanpool program, subsidized or discounted transit passes, bike amenities, commute trip-reduction marketing, and preferential parking permit program.
 - b. **Employer Carpool Program:** The project applicant shall encourage carpooling by providing ride matching assistance to employees, providing priority parking for carshare vehicles, and providing incentives for carpooling. The applicant shall provide to the City documentation that at least one of the above measures is implemented. Documentation shall be provided annually.

43. **TCR-1: Unanticipated Discovery of Tribal Cultural Resources.** In the event that cultural resources of Native American origin are identified during construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.

ENGINEERING

44. **San Francisco Bay Trail:** Applicant shall submit written documents confirming East Bay Regional Park District consent for relocation of the San Francisco Bay Trail to the west of the proposed development and the required property exchange. The written documents shall include the proposed trail improvement details.

45. **Site Grading and Improvement Plans:** Permits for the site grading and improvements and the trail improvements shall be secured before issuance of a building permit. Such permits will require plans and design documents prepared by the state licensed and qualified professions and approved by the City Engineer. Portions of the project site is within the Federal Emergency Management Agency (FEMA) designated Flood Zone AE and hence subject to the following conditions:

- a. The lowest floor elevation of the proposed buildings shall be elevated to at least one foot above the base flood elevation (BFE).
 - b. Building support utility systems within the flood zone such as 1-IVAC, electrical, plumbing, air conditioning equipment, including ductwork, and other service facilities must be elevated above the BFE or protected from flood damage.
 - c. An Elevation Certificate (FEMA Form 086-0-33) for the proposed structures within the flood zone, based on construction drawings, is required prior to issuance of a building permit. Consequently, an Elevation Certificate based on finished construction is required for the built structure prior to issuance of any certificates of occupancy.
46. **Stormwater Pollution Prevention:** Stormwater Treatment Basins shall be located on property owned by the Applicant. The applicant must acquire the Bay Trail property if a stormwater treatment basin is located thereon. Stormwater pollution prevention measures shall comply with the Alameda County Clean Water Program (ACCWP) C.3 Technical Guidance Manual.
47. Drainage plans should include all proposed underground pipes, building drains, area drains and inlets. All building sites shall be graded to slope away from the building foundations per California Building Code, Chapter 18, Section 1804.3 Site Grading or as required by the Soils Engineer. On-site collector storm drains shall be sized to minimize potential for blockages. Storm drains shall be designed to prevent standing water.
48. The on-site storm conveyance and treatment systems shall be owned and maintained by the property owner.
49. The project's Stormwater Control Plan and updated Stormwater Requirements Checklist shall be submitted and shall show, at a minimum, drainage management areas, location and details of all treatment control measures and site design measures, and numeric sizing calculations in conformance with Alameda County Clean Water Program C3 design guidelines.
50. This project involves a land disturbance of one or more acres, the developer is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Engineer prior to issuance of a grading permit. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for

Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances and other generally accepted engineering practices for erosion control.

51. Construction Stormwater Management: Developer shall be responsible for the preventing the discharge of pollutants and sediments into the street and/or the public storm drain system from the project site during construction in accordance with the Hayward Municipal Code. Projects proposed for construction between October 1st and April 30th, must have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of any land disturbing activity. Trash and debris must be adequately contained at all times. Such measures shall be maintained during the project's construction period. Violations or other noncompliance with stormwater management measures may result in the project being shut down, including any building permit activity, until full compliance with stormwater management requirements is achieved.
52. Construction Damage: The Developer shall remove and replace curb, gutter, sidewalks, driveways, signs, pavement, pavement markings, etc. damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer. Damaged pavement surfaces shall be repaired or resurfaced as required by the City Engineer. Unused driveways or unused portions thereof shall be removed and replaced with curb, gutter and sidewalk per City standards.
53. Effective measures for adjacent property protection, storm water pollution prevention, noise and dust control must be in-place before starting any construction activity.
54. Stormwater pollution prevention measures shall be maintained and kept effective until disturbed ground is protected with ground cover.
55. Damaged street curb, gutter, sidewalk and driveway fronting the property shall be replaced with the City standard improvements. Driveway shall comply with ADA standards.
56. All utility services to the property shall be installed underground.
57. Multiple trenches less than 20-feet apart in a street pavement shall be repaired with a single patch.

TRANSPORTATION

58. Applicant shall implement a Transportation Demand Management (TDM) Program as a mitigation measure for Transportation-related significant impacts as identified

in the Project's Traffic Impact Analysis (Kittelson, Feb 2021). Applicant shall select and implement one of the following programs to satisfy the mitigation requirement:

- a. 1A, Voluntary Employer Commuter Program
 - b. 1B, Mandatory Employer Commute Program
 - c. 1C, Employer Carpool Program
 - d. 1D, Employer Transit Pass Subsidy
 - e. 1E, Employer Vanpool Program
 - f. 1F, Employer Telework Program
59. Applicant shall submit to the City of Hayward Planning Division a TDM Statement of Intent stating which TDM Program Applicant intends to implement for this Project. Statement of Intent shall be reviewed and approved by the Transportation Division prior to issuance of Building Permits.
60. Applicant shall submit the following items as part of Improvement Plans to Public Works-Transportation for review prior to issuance of Building Permits:
- a. An on-site and off-site (fronting City right-of-way) Signing and Striping Plan in accordance with Caltrans' latest Standard Plans (refer to Caltrans Standard Plans Sheet A90A for more information on marking complaint disabled stalls).
 - b. A Photometric Plan, refer to Hayward's Standard Plans Sheet SD-120 for roadway lighting criteria, link: <https://www.hayward-ca.gov/documents/hayward-standard-detail>
 - c. Turning Analysis using the largest vehicle expected on-site (typically a delivery vehicle) using AutoTurn software. Turning Analysis shall not depict vehicles backing into public streets/right-of-way.
61. Upon review of Improvement Plan(s) and required item(s) listed above by Public Works-Transportation, Applicant shall modify Improvement Plan(s) to address any deficiency(ies) or item(s) identified by Public Works-Transportation staff, to the satisfaction of Public Works-Transportation staff or the City Engineer, prior to issuance of Building Permit(s).

SOLID WASTE

62. The owner or property manager shall be responsible for litter-free maintenance of the property and shall remove any litter on or within 50 feet of the property daily to ensure that the property and its street frontage remain clear of any abandoned debris or trash per Municipal Code Section 11-5.22.

LANDSCAPING

63. Prior to issuance of building permits, detailed landscape and irrigation improvement plans prepared by a licensed landscape architect on an accurately surveyed base plan shall be submitted to, reviewed and approved by the City's Landscape Architect. The plans shall comply with the City's Bay-Friendly Water Efficient Landscape Ordinance (California Building Code Title 23) and all relevant Municipal Codes. Once approved, a digital file of the approved and the project landscape architect signed improvement plans shall be submitted to the City for the City's approval signatures. Copies of the signed improvement plans shall be submitted as a part of the building permit submittal.
64. The landscape plans shall be prepared on an accurately surveyed topographic plan that matches the architectural, site or civil plan. Base information shall include all existing trees shown on the survey plan, and designation of existing trees whether to be preserved or removed as well as all known existing and proposed above and underground utilities.
65. If any existing trees meet the definition of "Protected Tree" in accordance with the City's Tree Preservation Ordinance, an arborist report by a certified arborist shall be submitted for approval.
66. Notes shall be provided on the planting plan that all proposed plant material has been evaluated by an environmental biologist or arborist to be suitable for planting near Bayland with potential high groundwater table and salinity. Height of proposed trees also shall be evaluated for proving nesting and harboring birds that may endanger wildlife in the Bayland.
67. Pursuant to HMC Section 10-12.07 (2)(C): Plant spacing shall not be closer the minimum spread provided in the reference books in the ordinance to allow mature plant growth without subjecting plants to routine cutbacks and shearing. Reference plant books in the landscape ordinance and additional reference books of "Landscape Plants for California Gardens" by Robert Perry and "California Native Plants for the Garden" by Carol Bornstein, David Fross and Bart O'Brien shall be used, and the list of reference book shall be provided in the plant legend.
68. All above ground utilities shall be screened with a minimum five-gallon evergreen shrub to provide continuous screening.
69. All plants in bioretention basin shall conform to the plant list in the latest C.3 Stormwater Technical Guidance Appendix B.

70. Tree shall be located a minimum of five-feet from lateral service lines and driveways, a minimum of 15 feet from a light pole, and a minimum of 30 feet from the face of a traffic signal, or as otherwise specified by the City.
71. A note shall be provided that all final tree locations shall be field verified by the project landscape architect prior to planting.
72. In accordance with City Street Tree Detail SD-122, trees at minimum 15-gallon and 24-inch-box size or equal shall be planted in conjunction with the proposed development. Tree sizes shall be indicated on the landscape plans and reviewed and approved by the City's Landscape Architect. A separate tree planting detail for larger size trees shall be provided.
73. Root barriers shall be installed linearly against the paving edge in all instances where a tree is planted within seven feet of pavement or buildings, and as recommended by the manufacturer.
74. Minimum three inches deep organic recycled chipped wood mulch in dark brown color shall be provided in all planting areas including biotreatment area. The size of the mulch shall not exceed one and one-half-inch in diameter.
75. Commercial and industrial development with equal or greater than 1,000 square feet of irrigated landscape area shall require a dedicated irrigation water meter. The meter shall be clearly located and sized in the irrigation plan.
76. Pursuant to HMC Section 10-12.07 (b), an irrigation Hydrozone map shall be provided prior to issuance of permits.
77. The City requires the backflow prevention device to be located after water meter. Backflow prevention device shall conform to the City Standard Detail SD-202 and the detail shall be incorporated into irrigation detail plan.
78. Pursuant to HMC Section 10-12 Appendix B Water Efficient Landscape Worksheet for water budget calculation for Maximum Applied Water Allowance and Estimated Total Water Allowance shall be provided on the plan. The water budget calculation shall use Eto of 44.2 for City of Hayward, and the calculation shall provide the calculation methodology used. For commercial and industrial developments, ET adjustment factor of 0.45 shall be used.
79. Bio-treatment area, when wider than ten feet, shall be irrigated with matched precipitation rotator type, or as efficient overhead spray irrigation system that allows "cycle and soaking" program function. When the treatment area width is less

than ten feet, efficient irrigation system that meets the current ordinance requirements shall be provided. The irrigation for bio-retention area shall be provided on a separate valve.

80. A tree removal permit shall be obtained prior to the removal of any tree in conjunction with grading and/or demolition permits.
81. Prior to the issuance of Certificate of Occupancy, all landscape and irrigation shall be completed in accordance to the approved plan and accepted by the City Landscape Architect. Before requesting an inspection from the City Landscape Architect, the project landscape architect shall inspect and accept landscape improvements and shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of Completion Part 1 through Part 7 or applicable parts shall be e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.
82. Landscape Maintenance:
 - a. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall maintain irrigation system to function as designed to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which contribute pollution to the Bay.
 - b. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection.
 - c. Three inches deep mulch should be maintained in all planting areas. Mulch shall be organic recycled chipped wood in the shades of Dark Brown Color and the size shall not exceed 1-1/2-inch diameter. The depth shall be maintained at three inches deep.
 - d. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole.
 - e. All trees planted as a part of the development as shown on the approved landscape plans shall be "Protected" and shall be subjected to Tree Preservation Ordinance. Tree removal and pruning shall require a tree pruning or removal permit prior to removal by City Landscape Architect.
 - f. Any damaged or removed trees without a permit shall be replaced in accordance with Tree Preservation Ordinance or as determined by City Landscape Architect within the timeframe established by the City and pursuant to the Municipal Code.
 - g. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation

system should be shut-off during winter season; and the whole irrigation system should be flushed and cleaned when the system gets turn on in the spring.

FIRE PREVENTION

83. The new building shall comply with all requirements of the 2019 California Building, California Fire Code(s) and local Ordinances respectfully.
84. Any portion of the building or facility shall be within 400 feet of a fire hydrant. Fire hydrants shall be placed at least 50 feet from the building to be protected. Where it is not feasible to place them at that distance, they may be in closer proximity in approved locations. A separate fire permit is required for hydrant installation.
85. Blue reflective pavement markers shall be installed at fire hydrant locations. If fire hydrants are located to be subjected to vehicle impacts as determined by the Hayward Fire Department, crash posts shall be installed around the fire hydrant(s).
86. When buildings exceed 30 feet in height, fire apparatus access roads shall have an unobstructed width of not less than 26 feet an unobstructed vertical clearance of not less than 13 feet-six inches. Fire apparatus access roads shall be designed and maintained to support the imposed load of fire apparatus 75,000 lbs. and shall be surfaced to provide all-weather driving capability.
87. Portable fire extinguishers shall be installed throughout the storage area at every 75 feet of travel or in areas required by the Fire Department. Portable fire extinguishers shall have a minimum rating of 2A:10BC, of which the maximum protection area is 3,000 square feet. Signage shall be provided for each portable fire extinguisher and shall be acceptable to the Fire Department.
88. The new building is not currently approved for high piled storage. A building permit is required for the installation of storage (pallet) racks greater than six feet in height. A Fire Department Annual Operational Permit is required for any combustible storage (floor and/or rack) which exceeds 12 feet in height (Class I-IV type commodities), AND/OR any high hazard storage which includes commodities such as hazardous materials, flammable liquids, plastics, foam and rubber products, or any other classified commodity as dictated by the California Fire Code and NFPA 13 Standards, which exceeds 6 feet in height. (Deferred submittal, if applicable)
89. At least one interior audible alarm device shall be installed within each tenant space within the building and shall be placed in a location to be heard throughout the constantly attended areas in accordance with NFPA 72. The device shall activate upon any fire sprinkler system water flow activity. (If applicable)

90. Minimum building address shall be 12-inches high with one and one-half inch stroke. When building is located greater than 50 feet from street frontage, address shall be minimum 16-inches high with one and one-half inch stroke. If applicable, tenant space numbers shall be six inches high with 0.75" stroke on a contrasting background to be visible from the street.
91. An Automatic Fire Sprinkler System is required and shall be installed in accordance with NFPA 13 and all local Ordinances. Be advised that per HFD Ordinance 10-14: When an automatic sprinkler system is required in a building of undetermined used, it shall be designed and installed to have a sprinkler density of 0.33/3750 with a maximum coverage of 100 square feet per head. (Deferred Submittal)
92. Maximum 80 PSI water pressure should be used when water data indicates a higher static pressure. Residual pressure should be adjusted accordingly.
93. A Fire Alarm System shall be installed in accordance with the California Fire Code (CFC) and all NFPA 72 Standards. Fire alarm system will be determined based on the occupancy and demand of the proposed building. Sprinkler system monitoring is required when there are 20 sprinklers or more than in accordance with the 2019 California Fire Code.
94. Underground fire service line serving the NFPA 13 sprinkler system and new fire hydrants shall be installed in accordance with NFPA 24 and the Hayward Public Work Department SD-204. Water meter shall be minimum or four-inch for a (NFPA 13) commercial grade system.
95. Per the 2019 California Fire Code (CFC) table BB105.1, a minimum fire flow of 7,250 for 4 hours is required for this site. A reduction of 50% is allowed if the building is protected with an automatic fire sprinkler system in accordance with NFPA 13.

HAZARDOUS MATERIALS DIVISION

96. **Environmental and Health Based Site Clearance** – A “Phase I Environmental Site Assessment Update, 4150 Point Eden Way, Hayward, California” prepared by Cornerstone Earth Group, dated March 10, 2017, was submitted to the Hayward Fire Department. Based on the review of information in that document, historic Hayward Fire Department records and records found in the State Water Resources Control Board’s Geotracker website, residual contamination exists on the project site from the former Oliver Salt operations, including from two underground storage tanks that held diesel and gasoline and were removed in 1998.

The San Francisco Bay Regional Water Quality Control Board (RWQCB) has been and continues to be the oversight agency for this contamination case. Extensive remedial activities have occurred since 1998. A deed restriction was signed on December 19, 2014, which addresses actions/mitigations required, which includes property development and the involvement of the RWQCB. The deed restriction also references a Risk Management Plan (RMP) approved by the RWQCB associated with the residual contamination on the site. The applicant shall continue to work with the RWQCB on this case and associated clearance.

Proof shall be provided to the Hazardous Division that the site meets development investigation and cleanup standards for this industrial property, along with any stipulations of any clearances such as a deed restriction, the need for any groundwater/soil management plan and other mitigations such as vapor barriers/soil vapor mitigations. A clearance document shall be submitted to the Hayward Fire Department's Hazardous Material Office, Planning Division and Public Works Division prior to issuance of any grading or building permits. Allowance may be granted if acceptable to the RWQCB and the Hazardous Materials Office of the Hayward Fire Department.

An initial coordination meeting prior to the start of grading activities on site shall be conducted with the developer, the developers' environmental consultant, RWQCB, the Hayward Fire Department Hazardous Materials Office and other City Agencies to ensure consistency/coordination between agencies and the developer.

97. **Electronic Submittal of Environmental Documentation** – Environmental Documentation associated with the evaluation, investigation and/or clearance of this site shall be provided in an electronic format to the City of Hayward Fire Department and Planning Division prior to the issuance of the Building or Grading Permit
98. **Proposed Uses of Hazardous Materials** – The project proposed office and material storage. There will be no storage/use of hazardous materials associated in the material storage rental used by the general public or with any other area associated with the expansion of the project. A final letter shall be submitted with the building permit that confirms this.
99. **Grading and Demolition** – A condition of approval, prior to grading: If structures and their contents are present, then they shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by appropriate professional(s) to ensure hazards posed to development construction workers, the environment, future uses, and other persons are mitigated.

100. **Wells, Septic Tank Systems or Subsurface Structures** – Any wells, septic tank systems and others subsurface structures shall be removed properly in order not to pose a threat to the development construction workers, future residents, or the environment. These structures shall be documented and removed under permit from appropriate regulatory agency when required.
101. **Hazardous Materials/Waste and their Vessels discovered during Grading/Construction** – If hazardous materials/waste or their containers are discovered during grading/construction the Hayward Fire Department shall be immediately notified at (510) 583-4910.
102. **Underground Storage Tanks, Oil Water Separators, Hydraulics Lifts** – If found on the property, the underground vessels/structures shall be removed under a plan filed with Hayward Fire Department and appropriate samples shall be taken under the direction of a qualified consultant to ensure that contamination has not occurred to the soil or groundwater. A follow up report shall be required to be submitted that documents the activities and any conclusions. Below are specific requirements on each:
- a. Underground storage tank and associate piping (plan, sampling and Hayward Fire Department permit and follow up report is required)
 - b. Oil Water Separators (plan, sampling required and follow up report is required)
 - c. Hydraulic Lifts (plan, sampling and follow up report is required).
103. **Hazardous Materials/Waste During Construction** - During grading and construction hazardous materials and hazardous waste shall be properly stored, managed, and disposed.

UTILITIES

Water Services:

104. All connections to existing water mains shall be performed by City Water Distribution personnel at the Applicant/Developer's expense.
105. Any modifications to existing water services such as but not limited to upsizing, downsizing, relocating, and abandoning shall be performed by City Water Distribution personnel at the Applicant/Developer's expense.
106. Only City of Hayward Water Distribution personnel shall perform operation of valves on the City of Hayward Water System.
107. This parcel does not have existing water services. The Applicant/Developer is responsible for applicable water connection and facilities fees, at the rates in effect

at the time of application for water service, prior to water connection. Payment shall be made at issuance of building permit.

108. If applicable, each commercial tenant space shall be served by separate water meters.
109. The development requires a separate irrigation water service for the property's landscaping. The Applicant or Developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each irrigation water meter, per City of Hayward Standard Detail 202 (SD-202). Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.
110. A separate fire permit is required for the fire sprinkler system installation. The fire service size will be determined by the Fire Department's requirements. All fire services must have an above-ground double check valve assembly (DCVA), per City Standard Detail 204 (SD-204) and 201 (SD-201). New fire services must be installed by the City's Water Distribution personnel at the Applicant's or Developer's expense.
111. Water meters and services are to be located a minimum of two feet from top of driveway flare as per City Standard Detail 213 (SD-213) through 218 (SD-218). Water meters shall not be located in the driveway.

Sewer Services:

112. The property has an existing industrial sewer connection with a "grandfathered" sewer capacity of 1,015 gallons per day of domestic strength discharge. Additional sewer capacity to accommodate additional wastewater discharge over the "grandfathered" sewer capacity may need to be purchased. Payment shall be made at issuance of building permit.
113. All sewer mains and appurtenances shall be constructed in accordance with the City's "Specifications for the Construction of Sewer Mains and Appurtenances," latest revision at the time of permit approval. Available on the City's website: <https://www.hayward-ca.gov/your-government/departments/engineering-division>
114. Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline. Where sanitary sewer lines and/or laterals are the same size as the sanitary sewer line, the connection must be made with a manhole.

115. Industrial waste monitoring structures shall be installed on sewer connections per City Standard Detail SD-309.

DUE PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY

116. Construction of Improvements: All public and private improvements, including punch list items, must be complete prior to the issuance of a certificate of occupancy.
117. "As-Built" Records: Provide "as-built" record plans in electronic formats to the City Engineer. Electronic plans shall be in "AutoCAD" and PDF formats acceptable to the City Engineer.
118. Stormwater Treatment Measures Maintenance: The property owner(s) shall enter into an "Stormwater Treatment Measures Maintenance Agreement" with the city. The executed Agreement shall be recorded with the Alameda County Recorder's Office.
119. An Elevation Certificate (FEMA Form 086-0-33) based on finished construction is required for the built structure prior to issuance of any certificates of occupancy.
120. SWPPP Final Report: The project QSP shall prepare and file a Final SWPPP Report with the City and Water Board.
121. Final Engineer's Report: Prior to the issuance of any Certificate of Occupancy, The Engineer of Record shall submit a confirming letter that all grading, drainage, and engineering components of the project have been performed in conformance with the approved plans and specifications.