

MITIGATION, MONITORING AND REPORTING PROGRAM

A Mitigation, Monitoring, and Reporting Program (MMRP) is required for the proposed project because the Draft Initial Study/Mitigated Negative Declaration (IS/MND) identified potentially significant impacts and measures were identified to mitigate those impacts.

MMRP has been prepared pursuant to the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft IS/MND.

The City of Hayward will be the primary agency, but not the only agency, responsible for implementing the mitigation measures. The City of Hayward will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Draft IS/MND, in the same order that they appear in the Draft IS/MND. No revisions were necessary to the mitigation measures included in the Draft IS/MND.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the party that is responsible for mitigation monitoring.
- **Compliance Verification Responsibility:** Identifies the party that is responsible for verifying compliance with the mitigation. In some cases, verification will include contact with responsible state and federal agencies.

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Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing/Implementation	Verification (Date and Initials)
III. Air Quality				
MM III-1	<p>In accordance with BAAQMD CEQA Guidelines (BAAQMD 1999), the following mitigation measures shall be implemented to reduce construction generated emissions to a less than significant level.</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites. • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.). • Limit traffic speeds on unpaved roads to 15 mph. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replant vegetation in disturbed areas as quickly as possible. • Install wheel washers for all exiting trucks, or wash off the tire or tracks of all trucks and equipment before leaving the site. • Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. • Limit the area subject to excavation, grading, and other construction activity at any one time. • Minimize idling time. • Maintain properly tuned equipment. • Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use. 	<p><i>City of Hayward Public Works and Development Services Departments</i></p>	<p><i>Prior to/during construction.</i></p>	

<p>MM III-2</p>	<p>Reduce Vehicle Miles Traveled (VMT) by encouraging residents to use alternative modes of transit, by improving the effectiveness of the transportation circulation system, and through land-use and zoning mechanisms.</p> <ul style="list-style-type: none"> • Assist businesses in developing and implementing commuter benefits programs. A commuter benefits program might consist of an offer to provide discounted or subsidized transit passes, emergency ride home programs, participation in commuter rideshare programs, parking cash-out or parking pricing programs, or tax credits for bike commuters. • Assist businesses in developing and implementing car sharing programs, such as Zip Car® or City Car Share, and encourage large employers such as the colleges and Hayward Unified School District (HUSD) to implement such programs. • Modify City parking ordinances to incentivize walking, biking, and public transit by employing parking strategies that include adding bicycle parking, increasing the number of parking spots with time limits, adjusting parking time limits to correspond with adjacent building uses, increasing the number of paid parking spaces, and making space location and fees consistent with demand targets. • Collaborate with BART and AC Transit to explore short- and long-term opportunities to expand services (for example, to extend rapid bus service from Bay Fair to the South Hayward BART Station and pursue a hydrogen fueling station for both buses and personal vehicle use, and improve transit stations by expanding amenities at stations. • Continue to implement and expand the City-wide bicycle master plan through aggressive pursuit of grants and other sources of funding which could be used to expand bike lanes and bike parking facilities. Assist businesses in creating or expanding bike-to-work incentive programs, including bike sharing, adequate secure bike parking, bike maps of the City, bike safety classes, and other incentives that reward bikers. • Develop and implement a City-wide pedestrian master plan that improves the convenience, safety, and attractiveness of and access to pedestrian ways. Update the plan on a regular basis to ensure that walkability improves over time. • Update the City’s Circulation Element of the General Plan to locate, evaluate appropriate transit modes such as street car, bus rapid transit, or other modes that eventually decrease the need for personal vehicles for travel within the City. The Plan should integrate pedestrian, bicycles, and transit modes with motor and other vehicles. When proposing changes to the transportation system, the City should consider the climate impacts and give preference to solutions that reduce auto dependency and minimize GHG emissions. • Improve traffic flow and reduce vehicle idling by means of synchronized signals, transit and emergency signal priority, and other traffic flow management techniques. When developing the program, Hayward should work with the Metropolitan Transportation Commission and the Alameda County Congestion Management Agency to expand roadway and intersection performance metrics to include pedestrian, bicycle, and level of service criteria to measure quantitative and qualitative metrics such as accessibility, intersection crossing times, and other relevant data. It is recommended that Hayward use evaluation criteria that consider costs and GHG reduction benefits of biking, walking, carpooling, and public transit. 	<p><i>City of Hayward.</i></p>	<p><i>Ongoing.</i></p>	
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	<ul style="list-style-type: none"> • In order to encourage non-automotive modes of travel, continue to implement and update the General Plan Circulation and Land Use Elements pertaining to smart growth principles that support higher-density, mixed-use, and well-designed development in areas within ½ mile of transit stations and ¼ mile of major bus routes. Amend the Municipal Code Zoning, Subdivision, and Off-Street Parking Standards to incorporate smart growth principles, policies, and development standards consistent with recommendations provided in the Appendix H and I of the CAP. • Explore the development of zoning and development standards that consider both the land uses and the urban design and form of buildings and public space, where the new standards will result in reduced GHG emissions. • Explore potential strategies related to the creation of additional affordable housing to sell to buyers employed in Hayward but who currently reside in other areas and commute to work in Hayward. For example, consider implementing a community land trust to purchase and resell foreclosed properties. The program could potentially be coordinated with local businesses. • Develop an incentive plan to maximize the number of residents that work within the City, and encourage filling local jobs first with local residents, to eliminate commutes. 			
MM III-3	<p>Minimize greenhouse gas emissions associated with energy consumed in new buildings by setting minimum energy and environmental performance standards for all newly constructed buildings.</p> <ul style="list-style-type: none"> • Continue to implement the Private Development Green Building Ordinance for residential buildings. Evaluate the program on a regular basis to ensure new buildings are getting more efficient over time. • Continue to implement the Private Development Green Building Ordinance for commercial and industrial buildings. Evaluate the program on a regular basis to ensure new buildings are getting more efficient over time. • Continue to implement the Municipal Green Building Ordinance. Evaluate the program every 5 years to ensure buildings are becoming more efficient over time. 	<i>City of Hayward.</i>	<i>Ongoing.</i>	
MM III-4	<p>Reduce GHG emissions associated with the disposal of solid waste.</p> <ul style="list-style-type: none"> • Increase participation in existing commercial recycling services by hiring a consultant to contact businesses to offer assistance in implementing waste reduction and recycling programs or expanding current programs. • Continue to implement and promote food scraps collection for single-family homes. Over time, expand food-scrap collection programs with the goal of minimizing organic waste in the landfill. • Improve the City’s construction and demolition debris recycling ordinance by evaluating other jurisdictions’ provisions, as well as the processing capabilities of the various transfer stations and facilities in Alameda County and adjacent counties. • Evaluate the viability of implementing a ban on certain materials from landfill, e.g., yard trimmings, untreated wood, cardboard, plastic bags, or polystyrene. • Evaluate the viability of requiring that residents and/or businesses participate in the recycling programs offered through the City’s franchisee. 	<i>City of Hayward.</i>	<i>Ongoing.</i>	

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	<ul style="list-style-type: none"> • Develop program that encourages overall reduction of waste in residential and commercial sectors. This would include increasing participation in recycling services at multi-family properties and to eventually make recycling by commercial businesses mandatory. • Advocate for waste management strategies that aim to maximize the useful value of solid waste by, for example, utilizing landfill gas to create electricity. 			
IV. Biological Resources				
MM IV.1	<p>If proposed construction activities are planned to occur during the nesting season for avian species (typically <u>March 1st through August 31st</u>), the City or developer shall retain a qualified biologist to conduct a focused survey for nesting raptors and migratory birds within 100 feet of the construction area no more than 30 days prior to ground disturbance or tree removal. If active nests are located during preconstruction surveys, USFWS and/or CDFG shall be notified regarding the status of the nests. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a biologist deems disturbance potential to be minimal (in consultation with USFWS and/or CDFG). Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius around the nest of 100 feet for raptors and 50 feet for migratory birds. No action is necessary if construction will occur during the non-breeding season (generally September 1st through February 28th). Reference to this requirement, the MBTA, and Section 3503.5 of the California Fish and Game Code shall be included in the construction specifications.</p>	<p><i>City of Hayward Development Services Department.</i></p>	<p><i>Prior to any site disturbance.</i></p>	
MM IV.2	<p>To ensure that there will be no adverse impacts to roosting special-status bat species, a survey shall be conducted between March 1 and July 31 by a qualified biologist immediately prior to the removal of any trees or vacant and unoccupied buildings.</p> <p>If no bat roosts are detected, then no further action is required if the trees or buildings are removed prior to the next breeding season. If removal is delayed, then an additional pre-construction survey shall be conducted no more than 30 days prior to removal of any trees or buildings to ensure that a new colony has not established itself. If bats are found roosting within the PSA, then the following mitigation will be implemented to reduce the potential disturbance:</p> <p>While unlikely, if a female or maternity colony of bats is found within the PSA, and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in a large tree not planned for removal), a qualified biologist shall determine what physical and time-limited buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roosting season (after July 31 and before March 1).</p> <p>If an active nursery roost is known to occur within the PSA and the project cannot be conducted outside of the maternity roosting season, consultation shall be initiated with CDFG to determine appropriate exclusionary or removal methods. The bats shall be excluded from the roosting site after July 31 and before March 1 to prevent the formation of maternity colonies. Non-breeding bats shall be safely evicted, under the direction of a qualified biologist.</p>	<p><i>City of Hayward Development Services Department.</i></p>	<p><i>Prior to any site disturbance.</i></p>	

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<p>MM IV.3a</p>	<p>Prior to any ground-disturbing activities, in street right-of-ways or on private properties where, protected trees exist, an Arborist Report shall be prepared by a certified arborist and submitted to the City of Hayward Development Services Department for review. The report shall identify all trees four (4) inches diameter-at-breast-height (dbh) or larger that could be affected by the project. The report shall include the following minimum components:</p> <ul style="list-style-type: none"> • Tree species; • Tree dbh (diameter at breast height); • Tree dripline radius (measured from the trunk to the tip of the longest limb); • Overall health and condition of each tree; • Appraised value of each tree; • A map of the project site showing the location of each tree; and • Recommendations. <p>Based on this report, the City of Hayward Development Services Department will determine which trees would be suitable candidates for protection, and which trees will need to be mitigated if removed. Trees that would be removed or otherwise harmed by the project shall be mitigated for pursuant to the City’s Tree Protection Ordinance. All protected trees shall be included on all future project plans.</p>	<p><i>City of Hayward Development Services Department.</i></p>	<p><i>Prior to approval of plans.</i></p>	
<p>MM IV.3b</p>	<p>In accordance with Hayward’s Tree Preservation Ordinance, any “protected” trees as defined by the City’s Tree Preservation Ordinance that are to be removed as a result of the project shall be replaced with likesize, like-kind trees or trees equal in value to them, as determined by the City’s Landscape Architect. Prior to any groundbreaking activity, a Replacement Tree Planting Plan shall be prepared by a certified arborist or landscape architect and shall be submitted to the City of Hayward Development Services Department for review and approval. The Replacement Tree Planting Plan(s) shall include the following minimum elements:</p> <ol style="list-style-type: none"> a) Species, size, and locations of all replacement plantings; b) Method of irrigation; c) A tree planting detail; d) Planting, irrigation, and maintenance schedules; and e) Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 5-year establishment period and to replace any of the replacement trees which do not survive during that period. <p>Mitigation trees planted as replacements for those removed during the street widening and installation of curbs and sidewalks may be planted on private properties (with owner permission/cooperation) and/or within street right-of-ways where possible).</p>	<p><i>City of Hayward Development Services Department.</i></p>	<p><i>Prior to any site disturbance.</i></p>	

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	<p>If tree(s) cannot be preserved or replaced onsite, off-site mitigation shall be provided in accordance with the provisions of the City Tree Preservation Ordinance.</p>			
<p>MM IV.3c</p>	<p>For trees that will be protected onsite, the following protective measures are recommended to avoid damage during construction to trees proposed for preservation:</p> <ol style="list-style-type: none"> 1) Unless otherwise specifically stated by a certified arborist in a report prepared for the project, a circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area. <ol style="list-style-type: none"> a) Protective fencing shall be installed at the driplines of the protected trees prior to the start of any construction work (including grading or placement of vehicles on site), in order to avoid damage to the trees and their root systems. This fencing may be installed around the outermost dripline of clusters of trees proposed for protection, rather than individual trees. Fencing shall be shown all project plans. b) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees. A laminated sign indicating such shall be attached to fencing surrounding trees on-site. c) No grading (grade cuts or fills) shall be allowed within the driplines of protected trees. d) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree. e) No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist. f) The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system shall be installed under the supervision of a certified arborist. Wherever possible, pervious concrete shall be used as an alternative to traditional concrete, when it is required under tree driplines. g) No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of protected trees. An above ground drip irrigation system is recommended. h) Landscaping beneath protected trees may include non-plant materials such as bark mulch or wood chips. The only plant species that shall be planted within the driplines of protected trees are those that are tolerant of the natural environs of the trees. Limited drip irrigation approximately twice per summer is recommended for the understory plants. 2) Any protected trees on the site, which require pruning, shall be pruned by an arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning 	<p><i>City of Hayward Development Services Department.</i></p>	<p><i>Prior to and during any site disturbance.</i></p>	

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	Guidelines.” 3) No signs, ropes, cables (except those which may be installed by an arborist to provide limb support) or any other items shall be attached to the protected trees.			
V. Cultural Resources				
MM V.1a	Appropriate research (e.g. archival search and architectural inventories as appropriate) shall be conducted to identify the potential for historical resources to be present on a project site within the annexation area, as part of CEQA documents required for development projects that may be processed after the implementation of the proposed project. This research shall be conducted by an archaeologist and/or architectural historian that meets the Secretary of the Interior’s Standards and Guidelines for Professional Qualifications in archaeology, architectural history, and/or history, as appropriate. The eligibility of the resource for designation shall be conducted following guidance at §15064.5. This is consistent with the Mt. Eden Neighborhood Plan (1990). Individual projects that may be implemented in the annexation area may require compliance with CEQA and mitigation measures shall be implemented for potential impacts to historical resources identified in future CEQA documents.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM V.1b	The City of Hayward shall pursue funding and other mechanisms (e.g., the update of the City’s Historic Preservation Ordinance and may pursue implementing the Mills Act and other tax credit programs, applying for designation as a Certified Local Government, and identification of incentives for property owners to preserve potentially significant historic buildings such as waivers of permit application fees) to foster the preservation and rehabilitation of potentially significant historic buildings/structures. This is consistent with the Mt. Eden Neighborhood Plan (1990).	<i>City of Hayward Development Services Department.</i>	<i>Ongoing.</i>	
MM V.2a	Appropriate research (e.g. archival search and archeological survey as appropriate) shall be conducted to identify the potential for archaeological sites to be present on a project site within the annexation area, as part of CEQA documents required for development projects that may be processed after the implementation of the proposed project.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM V.2b	If cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are inadvertently discovered during any ground disturbing activity associated with any projects within the project area shall be halted immediately within 50 feet of the discovery, the City of Hayward Development Services Department shall be notified, and a professional archaeologist that meets the Secretary of the Interior’s Standards and Guidelines for Professional Qualifications in archaeology and/or history shall be retained to determine the significance of the discovery.	<i>City of Hayward Development Services Department.</i>	<i>During project construction.</i>	
MM V.3a	Appropriate research (e.g. archival search) shall be conducted to identify the potential for paleontological resources to be present on a project site, as part of CEQA documents required for development projects that may be processed after the implementation of the proposed project.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	

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MM V.3b	If paleontological resources (i.e., fossils) are inadvertently discovered during any ground disturbing activity associated with any projects within the project area shall be halted immediately within 50 feet of the discovery, the City of Hayward Development Services Department shall be notified, and a professional paleontologist shall be retained to determine the significance of the discovery.	<i>City of Hayward Development Services Department.</i>	<i>During project construction.</i>	
MM V.4a	If human remains are inadvertently discovered during any ground disturbing activity associated with any projects that may be implemented as a result of approval of the Mt. Eden Annexation work shall be halted immediately within 50 feet of the discovery, the City of Hayward Development Services Department shall be notified, and the County Coroner must be notified according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.	<i>City of Hayward Development Services Department.</i>	<i>During project construction.</i>	
VI. Geology and Soils				
MM VI.1	Site specific geotechnical reports shall be required for each building or group of buildings (such as in a subdivision) constructed in the annexation area. Investigations shall be completed by a geotechnical engineer registered in California. Design and construction of structures shall be in accordance with the recommendations contained in the reports. Generally, such recommendations will address compaction of foundation soils, construction types of foundations and similar items. Implementation of these evaluations shall be required to ensure consistency with the California Building Code and all other applicable seismic safety requirements.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM VI.2	Site-specific geotechnical reports required as part of MM VI-1 shall also address the potential for ground failure and liquefaction and include specific design and construction recommendations to reduce liquefaction and other seismic ground failure hazards to less-than- significant levels.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM VI.3	Site-specific geotechnical reports required as part of MM VI-1 shall also address the potential for expansive soil and other soil structural issues and include specific design and construction recommendations to reduce these issues to less-than- significant levels.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
VII. Hazards and Hazardous Materials				
MM VII.1	As part of environmental review for development projects, project applicants shall submit a Phase I Environmental Site Analysis to the City of Hayward. If warranted by the Phase I report, a Phase II report shall be completed and all recommendations included in the Phase II report shall be included in the development Plan. If remediation is required, a hazardous materials work program shall be submitted to the appropriate regulatory agency with a copy submitted to the Hayward Fire and Economic and Community Development Departments. Necessary permit(s) shall be obtained from the appropriate regulatory agency. Remediation workers safety plans shall be included within each work plan.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	

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MM VII.2	Prior to commencement of demolition activities within the annexation area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, California Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire Department, for required site clearances, necessary permits and facility closure with regard to demolition and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with State and Federal OSHA standards. Worker safety plans shall be included for all demolition plans.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM VII.3	Prior to commencement of grading activities within the annexation area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared and implemented to remediate any hazards to acceptable levels, including methods for removal and disposal of hazardous material. Worker safety plans shall be prepared and necessary approvals and clearances shall be secured from appropriate regulatory agencies, including but not limited to the Hayward Fire Department, California Department of Toxic Substances Control and the Bay Area Air Quality Management District.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
<i>VIII. Hydrology and Water Quality</i>				
MM VIII.1	Individual development projects and public improvements within the annexation area that disturb 10,000 square feet or more of land area shall prepare a sedimentation control plan for implementation throughout project construction. For construction during the winter months, an erosion control plan is required. The plans must be prepared in accordance with the most current City of Hayward and Regional Water Quality Control Board design standards and provisions of the applicable National Pollutant Discharge Elimination System (NPDES) permit (e.g. C.3).	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM VIII.2	Any new development or redevelopment projects in the annexation area shall implement construction methods that comply with performance standards of Section C.3 of the new NPDES Permit. In addition, for development or redevelopment projects that disturb more than one acre of land, a Notice of Intent is required to be filed with the State of California Water Resources Control Board (SWRCB). For disturbance of areas over one acre, a Stormwater Pollution Prevention Plan (SWPPP) is also required to be submitted to the SWRCB demonstrating use of specific best management practices during both construction and operational phases of such projects.	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	
MM VIII.3	All new major development applications (involving 10,000 square feet of land area) within the annexation area shall be accompanied by a drainage and hydrology report prepared by a California-registered civil engineer. Each report shall document existing stormwater flow rates, quantities, and direction. Each report shall estimate increases in stormwater runoff from the proposed development project, identify existing and proposed downstream drainage facilities, identify the capacity of such systems to accept additional runoff, and the proposed development project's contribution to increasing the capacity of such systems, if needed. New development projects will be required to provide on-site detention, retention facilities, and/or other improvements required by such studies to ensure that no net increase in downstream rate of stormwater flows occurs. Reports shall be approved by the City of Hayward City Engineer and, if necessary, the Alameda County Flood Control and Water Conservation District staff prior commencement of construction.	<i>City of Hayward Development Services Department.</i>	<i>Prior to construction.</i>	

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<i>XI. Noise</i>				
MM XI-1	<p>Prior to or during construction, the following mitigation measures shall be implemented:</p> <ul style="list-style-type: none"> • Noise-generating construction activities shall be limited to between the hours of 7 a.m. to 7 p.m., Monday through Saturday, and between the hours of 10:00 a.m. to 6 p.m. on Sundays and holidays, excluding activities that would pose a safety hazard to construction employees or the public. Noise-generating construction activities shall comply with City of Hayward Noise Ordinance requirements. • Construction equipment and equipment staging areas shall be located at the furthest distance possible from adjacent land uses. • Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • When not in use, motorized construction equipment shall not be left idling. 	<i>City of Hayward Development Services Department.</i>	<i>Prior to/during construction.</i>	
MM XI-2	<p>A site-specific acoustical assessment shall be prepared by a qualified acoustical consultant for future residential dwellings located within the annexation area. The acoustical assessment shall address potential transportation and non-transportation noise impacts. Mitigation measures shall be incorporated sufficient to achieve the City of Hayward noise standards. Such measures may include, but are not limited to, the incorporation of setbacks, sound barriers, berms, and/or increased building noise-reduction measures.</p>	<i>City of Hayward Development Services Department.</i>	<i>Prior to tentative map approval.</i>	
<i>XIII. Public Services</i>				
MM XIII.1	<p>Prior to approvals of land use entitlements for individual development projects within the Project area by the City of Hayward, each project proponent shall pay school impact mitigation fees in effect at the time building permits are granted, or provide other mitigation as found acceptable by the Hayward Unified School District.</p>	<i>City of Hayward Development Services Department.</i>	<i>Prior to any site disturbance.</i>	
MM XIII-2	<p>Payment of park in-lieu fees or dedication of parkland and or recreation facilities, as approved by HARD, at the time future development is permitted will mitigate the demand for future parks. Possibilities for enhanced park and recreation facilities in and adjacent to the Project area may include the expansion of Greenwood Park, and/or the expansion of joint use facilities at Chabot College and Ochoa Middle School/Rancho Arroyo Park, and a 3.55-acre area just west of the Waterford apartment complex along Depot Road within City limits, which is identified as a potential park site in the Mt. Eden Neighborhood Plan.</p>	<i>City of Hayward Development Services Department.</i>	<i>Prior to project approval.</i>	