

## 2.0 EXECUTIVE SUMMARY

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### 2.1 INTRODUCTION

This Draft Subsequent Environmental Impact Report (SEIR) is an informational document intended to disclose to the public and decision-makers the environmental effects of the Point Molate Mixed-Use Development Project (Modified Project). The Modified Project makes certain changes in land use and intensities to the project and alternatives analyzed in the Final Environmental Impact Report for the Point Molate Mixed-Use Tribal Destination Resort and Casino Project (2011 FEIR) that was certified by the City of Richmond (City) in 2011. As provided by California Environmental Quality Act (CEQA) Guidelines (CEQA Guidelines) § 15123, this section provides a brief summary of the Modified Project and its consequences, alternatives to the Modified Project analyzed within the SEIR, the areas of controversy known to the Lead Agency (City), and the remaining issues to be resolved.

### 2.2 PROJECT LOCATION

The Point Molate Site (Project Site) is owned by the City and is located on the San Pablo Peninsula within the City limits in Contra Costa County. The Project Site is bounded by the San Francisco Bay (Bay) to the west, open space parcels to the north and south, and the Chevron®-Richmond Refinery to the east, with the 480-foot hillsides of Potrero Ridge separating the refinery from the Project Site. Approximately 136 acres of the approximately 412-acre Project Site are submerged in the Bay, leaving approximately 276 acres above water. The Project Site is approximately 1.5 miles north of Interstate 580 and the Richmond-San Rafael Bridge, and has direct freeway access via Stenmark Drive, a City-owned roadway. The Assessor's Parcel Number of the Project Site is 561-100-008.

### 2.3 PROJECT OBJECTIVES

The project objectives for purposes of CEQA requirements are to:

- provide a project that is consistent with the BRAC approval and related conditions, as well as with the Navy Record of Decision for the transfer;
- provide a project that supports the vision of the 1997 Point Molate Base Reuse Plan;
- provide a variety of residential unit types to create a new residential neighborhood that serves a diverse population and helps to address the state and City's housing crisis;
- provide a mix of residential, retail, and restaurant uses that support each other and decrease trips compared to single-use developments;
- have a positive contribution to the local economy through new capital investment, the creation of new jobs, and the expansion of the tax base;
- balance economic development with retention and preservation of open space and the rehabilitation of historic buildings;
- provide open space that preserves sensitive habitat, minimize ridgeline disturbance, and provide opportunities for passive recreation;
- implement the portion of the San Francisco Bay Trail project along the frontage of the Project Site to increase shoreline recreational opportunities in the City;

- provide a mix of uses at a density sufficient to fund hazardous material remediation, substantial amounts of open space, and historic rehabilitation and adaptive reuse of the historic buildings in the Historic District;
- facilitate the early environmental cleanup and redevelopment and reuse of now vacant and underutilized land in an urban area;
- provide high-quality architecture that complements existing, historic structures and incorporates sustainable design practices into new buildings and landscaping; and
- provide high-quality, efficient infrastructure to serve the Modified Project.

## **2.4 PROJECT UNDER REVIEW**

The Modified Project identifies eight Planning Areas within the Project Site, designated as Planning Areas A through H. Potential developable areas within the Planning Areas (referred to herein as Development Areas) would be limited to no more than 30 percent of the total above-water Project Site area (approximately 82.74 acres) by the Modified Project's entitlements. Planning Areas A through E are outside of the Historic District; Planning Areas F, G, and H are within the Historic District. Development within the Historic District would include rehabilitation and reuse of the existing historic buildings. The Modified Project proposes to rehabilitate all of the contributor buildings to the Historic District per the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Any structures located onsite that are not considered contributing elements of the Historic District would be demolished.

The Planning Areas within the Project Site would be assigned land use designations that exist in the current City General Plan 2030 (General Plan), consisting of Medium Intensity Mixed-Use (MI-MU) and Low-Density Residential, and rezoned pursuant to a Planned Area Development Plan. The Modified Project would amend the MI-MU designation to (1) increase the maximum permitted floor area ratio from 2 to 2.5 in the Winehaven District, (2) to permit greater heights and residential or commercial uses only with approval of a Planned Area District (PAD), and (3) permit low-rise development with approval of a PAD. The Modified Project also proposes to modify the text describing Change Area 13 to make it consistent with the Modified Project. The Modified Project's zoning would further refine the development regulations proposed by its proposed General Plan land use designations. The hillside open space will be assigned a General Plan land use designation of Open Space (OS) and the shoreline open space would be designated as Parks and Recreation (PR).

The Modified Project proposes a mixed-use community that includes two options: Option 1 (Residential-Heavy Option) and Option 2 (Commercial-Heavy Option). Both of these options would include the following components:

- Approximately 1,260 newly constructed residential units, comprised of the following unit types:
  - 274 Single Family Homes
  - 636 Low-Rise Apartments and Townhomes
  - 350 Mid-Rise Apartments and Condominiums

- Approximately 374,572 square feet (sq. ft.) of rehabilitated existing, historic structures<sup>1</sup> and 250,000 sq. ft. of new construction Approximately 10,000 sq. ft. would be allotted for an on-site joint fire and police substation and/or other community service uses.
- The remainder of the Project Site would remain as open space (approximately 193.06 acres), including recreational areas, parks, trails (including an approximately 1.5-mile portion of the San Francisco Bay Trail along the shoreline), vista overlooks, and other similar spaces that are open to the public.
- A terminal on the existing pier that may be accessible to water transit options, such as ferries, water shuttles, and/or water taxis.

Under Option 1, the approximately 374,572 square feet of rehabilitated historic buildings would contain 20,000 square feet of retail/restaurant uses and 473 residential units. The approximately 250,000 square feet of new construction would contain 20,000 square feet of restaurant/retail uses and 307 residential units.

Under Option 2, the approximately 374,572 square feet of rehabilitated historic buildings would contain 20,000 square feet of retail/restaurant uses and 354,572 square feet of other commercial uses. The approximately 250,000 square feet of new construction would contain 20,000 square feet of restaurant/retail uses and 230,000 square feet of other commercial uses.

The Modified Project would be developed in accordance with a Disposition and Development Agreement that will, subject to completion of CEQA compliance, authorize the sale of the developable portions of the Project Site to Winehaven Legacy LLC (the Applicant) and include other terms regarding the sale, transfer, and development of the site. The remaining areas of the Project Site would either continue to be owned and maintained by the City or the City could enter into an agreement for all or part of the open space to be owned and/or maintained by another party (i.e., East Bay Regional Parks District or a public land trust).

## 2.5 MODIFIED PROJECT'S IMPACTS

As provided by the CEQA Guidelines § 15123(b)(1), an Environmental Impact Report (EIR) must provide a summary of the impacts, mitigation measures, and significant impacts after mitigation for a proposed project. This information is presented in **Section 4**, Environmental Analysis, of this Draft SEIR, and summarized in **Table 2-1**. Impacts from the Modified Project on Aesthetics; Biological Resources; Cultural Resources and Tribal Cultural Resources; Energy, Geology, Soils, and Mineral Resources; Hazards, Hazardous Materials, and Wildfire; Hydrology and Water Quality; Land Use and Planning; Noise; Population and Housing; Public Services and Recreation; and Utilities and Service Systems would be mitigated, when appropriate, to less-than-significant levels. However, the Modified Project would result in significant and unavoidable impacts to Air Quality and Greenhouse Gas Emissions and Transportation.

**Table 2-1** presents a summary of the Modified Project's impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance of each environmental impact is indicated both before and after the application of the identified mitigation measure(s). In

<sup>1</sup> Square footage of the existing historic buildings is approximate and derived from prior documentation and plans. Surveys will be conducted to verify existing square footage.

addition, a summary statement of how the impact compares with the findings of the 2011 FEIR is also provided. For detailed discussions of all Modified Project impacts and mitigation measures, refer to the environmental analysis discussions in **Section 4.0**.

Acronyms used within **Table 2-1** to describe levels of significance are explained below.

- BI – Beneficial impact
- LTS – Less than significant
- NI – No impact
- PS – Potentially significant
- S – Significant
- SU – Significant and unavoidable

## **2.6 ALTERNATIVES TO THE MODIFIED PROJECT**

**Section 6.0** presents a detailed analysis of a range of reasonable alternatives to the Modified Project. The alternatives that are analyzed in detail are listed below:

Modified Project Alternatives:

- Alternative A – No Action Alternative
- Alternative B – Reduced Intensity Mixed-Use Development (Alternative D of the 2011 FEIR)
- Alternative C – Base Reuse Plan Alternative
- Alternative D – Community Plan Alternative
- Alternative E – Affordable Housing Reduced Density Alternative

**Environmentally Superior Alternative:** Alternative C (Base Reuse Plan Alternative) is identified as the CEQA-required environmentally superior alternative to the Modified Project, after considering and rejecting Alternative A (No Action Alternative), as CEQA requires.

## **2.7 AREAS OF CONTROVERSY AND SCOPING COMMENTS**

As required by the state CEQA Guidelines, the scope of this EIR includes all environmental issues to be resolved and all areas of controversy known to the City as the Lead Agency, including those issues and concerns identified as possibly significant by the City in its preliminary environmental review of the Modified Project, and by other agencies, organizations, and individuals in response to the City's Notice of Preparation (NOP; dated July 12, 2019). Areas of potential controversy raised by agencies or the public include:

- CEQA Process
- Baseline
- Aesthetics
- Air Quality and Greenhouse Gas Emissions
- Biological Resources

- Cultural Resources and Tribal Cultural Resources
- Geology, Soils, and Mineral Resources
- Hazards, Hazardous Materials, and Wildfire
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Utilities and Service Systems
- Alternatives
- Other Issues Raised During Scoping

See **Section 1.4.3** of this SEIR for a comprehensive summary of public comments on the NOP, and **Appendix B** for the original correspondence received in response to the NOP.

## 2.8 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR present the issues to be resolved, including the identification of an environmentally superior alternative and a discussion of whether or how to mitigate a project's significant effects. The major issues to be resolved for the Modified Project include decisions by the City, as the Lead Agency, as to whether:

- Mitigation measures identified in this SEIR should be adopted or modified;
- Additional mitigation measures need to be applied to the Modified Project;
- Feasible alternatives exist that would achieve the objectives of the Modified Project and reduce significant environmental impacts; and
- The Modified Project should or should not be approved.

TABLE 2-1. SUMMARY OF IMPACTS AND MITIGATION MEASURES

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measure	Level of Significance After Mitigation	Comparison to 2011 FEIR Findings
<b>4.1 Aesthetics</b>				
<b>4.1.1:</b> Implementation of the Modified Project would have a substantial adverse effect on a scenic vista.	S	4.1-2: The booster pump station shall be housed in a structure that is consistent in design with the design guidelines for the Modified Project. The structure shall be designed to appear similar to other nearby structures, including non-residential or residential structures, whichever is located nearest to the booster pump station.	LTS	No New or Substantially More Significant Impact
<b>4.1.2:</b> Implementation of the Modified Project would conflict with applicable zoning and other regulations governing scenic quality	S	Implement <b>Mitigation Measure 4.1-2</b>  4.1-1: All wastewater infrastructure shall be screened using vegetation, such as trees and shrubs, and fencing. Vegetation must be selected so that screening is achieved at least 12 inches above infrastructure at full growth and fully cover fencing. Facilities and fencing shall be painted on all sides to blend into vegetation. Example colors include EBMUD's standard green color, Federal Color Number FS-14159.	LTS	No New or Substantially More Significant Impact
<b>4.1.3:</b> Implementation of the Modified Project will create a new source of light or glare.	LTS	No mitigation is required.	LTS	No New or Substantially More Significant Impact
<b>4.1.4:</b> Implementation of the Modified Project may create significant cumulative aesthetic impacts.	LTS	No mitigation is required.	LTS	No New or Substantially More Significant Impact
<b>4.2 Air Quality and Global Climate Change</b>				
<b>4.2.1:</b> Implementation of the Modified Project may significantly conflict with or obstruct implementation of applicable air quality plan.	PS	<b>4.2-1:</b> Prior to issuance of occupancy permits, the Modified Project would reduce emissions of CAPs and GHGs during operation through the following actions:  <b>4.2-1 (a)</b> All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.  <b>4.2-1 (b)</b> All haul trucks transporting soil, sand, or other loose material offsite shall be covered.  <b>4.2-1 (c)</b> All visible mud or dirt track-out onto adjacent	SU	New Significant Impact

public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

- 4.2-1 (d) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- 4.2-1 (e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 4.2-1 (f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, § 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- 4.2-1 (g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 4.2-1 (h) A publicly visible sign shall be posted with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The applicable air district's phone number shall also be visible to ensure compliance with applicable regulations.

Additionally, the following measures would be implemented by the Modified Project to reduce emissions of CAPs, GHG, and DPM from construction.

- 4.2-1 (i) The Modified Project shall use Tier 4 Final off-road equipment for construction equipment 50 horsepower or greater, except for paving equipment.
- 4.2-1 (j) The Modified Project shall use electric construction equipment for equipment that is less than 50 horsepower

4.2-2: Prior to issuance of occupancy permits, the

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Modified Project would reduce emissions of CAPs and GHGs during operation through the following actions:

- 4.2-2 (a)** Indoor painting shall utilize "super-compliant" VOC architectural coating for residential and non-residential interior areas. The VOC emission factors meet the more stringent limits in South Coast Air Quality Management District Rule 1113.
- 4.2-2 (b)** Exterior painting shall utilize "super-compliant" VOC architectural coating for residential and non-residential exterior areas. The VOC emission factors meet the more stringent limits in South Coast Air Quality Management District Rule 1113.
- 4.2-2 (c)** The Modified Project shall require energy-star rated appliances.
- 4.2-2 (d)** The Modified Project shall install electric water heaters and heaters in all residential and commercial development.
- 4.2-2 (e)** The Modified Project shall implement the Transportation Demand Management program described in Section 4.13. bathroom faucets, low-flow kitchen faucets, low-flow toilets, and low-flow showers.
- 4.2-2 (f)** The Modified Project will comply with the City's Zero Waste Ordinance resulting in a 50 percent diversion of solid waste from landfills.
- 4.2-2 (g)** The Modified Project shall install low-flow bathroom faucets, low-flow kitchen faucets, low flow toilets, and low-flow showers, consistent with CALGreen requirements.
- 4.2-2 (h)** The Modified Project shall commit to exclusive use of small-sized (149-passenger, 2,900 horsepower) ferries or water taxis equipped with Tier 4 engines.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**AQ-1:** Consistent with the Basic Construction Mitigation Measures identified by the BAAQMD, the following actions shall be incorporated into construction contracts and specifications for the Modified Project.



- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day with reclaimed water, if available.
- All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day with reclaimed water, if available.
- All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

4.2.2: Implementation of the Modified Project is not likely to generate construction related emissions resulting in a cumulatively considerable net increase of any criteria air pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.	LTS	Implement <b>Mitigation Measure 4.2-1</b> and <b>AQ-1</b> .	LTS	No New or Substantially More Significant Impact
4.2.3: Implementation of the Modified Project may potentially generate operational related emissions in a cumulatively considerable net increase of any criteria air pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standards.	S	Implement <b>Mitigation Measure 4.2-2</b> .	SU	New Significant Impact
4.2.4: Implementation of the Modified Project will not significantly expose sensitive receptors to substantial pollutant concentrations from construction.	PS	4.2-6: The Modified Project would implement the SGWMP, described in Section 4.7, to reduce the potential for accidental release VOCs in the soil at the Project Site that may be disturbed by construction activities.	LTS	No New or Substantially More Significant Impact
4.2.5: Implementation of the Modified Project may significantly expose sensitive receptors to substantial pollutant concentrations from operation.	PS	4.2-7: The Modified Project shall comply with BAAQMD regulations 2-1 and 2-5 with implementation of new emergency generators and installation and operation of the WWTP. New sources of emissions must implement T-	LTS	No New or Substantially More Significant

		BACT if individual source risks exceed 1.0 in a million for cancer and/or the chronic HI is greater than 0.20. Additionally, a permit would be denied if Modified Project cancer risk exceeds 10.0 in a million or if chronic or if the acute HI exceeds 1.0.		Impact
<b>4.2.6:</b> Implementation of the Modified Project may create significant impacts and result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	PS	<b>4.2-8:</b> The following mitigation measures are proposed to reduce odor impacts from operation of the wastewater treatment plant for the Modified Project. The following odor mitigation measures to wastewater treatment plants are recommend by Bay Area Air Quality Management District: <ol style="list-style-type: none"> <li>1. Activated Carbon Filter/Carbon adsorption</li> <li>2. Biofiltration/Bio Trickling Filters</li> <li>3. Fine Bubble Aerator</li> <li>4. Hooded Enclosures</li> <li>5. Wet and Dry Scrubbers</li> <li>6. Caustic and Hypochlorite Chemical Scrubbers</li> <li>7. Ammonia Scrubber</li> <li>8. Energy Efficient Blower System</li> <li>9. Thermal Oxidizer</li> <li>10. Capping/Covering Storage Basins and Anaerobic Ponds</li> <li>11. Mixed Flow Exhaust</li> <li>12. Wastewater Circulation Technology</li> <li>13. Exhaust Stack and Vent Location with Respect to Receptors</li> </ol>	LTS	No New or Substantially More Significant Impact
<b>4.2.7:</b> Implementation of the Modified Project is not likely to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	PS	Implement <b>Mitigation Measure 4.2-1</b> and <b>4.2-2</b> .  <b>4.2-5:</b> Prior to issuance of occupancy permits, the Modified Project will reduce emissions of GHGs through implementation of a GHG Reduction Plan, which may include the following. <ol style="list-style-type: none"> <li>1. Purchase GHG emissions reduction credits from sources within the SFBAAB.</li> <li>2. Increase on-site solar energy production beyond that required by the 2019 Title 24 Building Code.</li> <li>3. Require commercial tenants to opt into a 100 percent carbon free electricity provider option, such as the Deep Green option provided by MCE.</li> <li>4. Require use of electrically powered landscape equipment in the Modified Project.</li> <li>5. Install electric vehicle chargers at multi-family residential buildings.</li> <li>6. Install additional electric vehicle chargers in</li> </ol>	SU	No New or Substantially More Significant Impact

		<p>single-family residences.</p> <ol style="list-style-type: none"> <li>7. Install additional electric vehicle chargers in commercial parking lots.</li> <li>8. Provide additional residential and commercial bike parking (beyond City code requirements).</li> <li>9. Provide bike sharing facilities for commercial and residential users.</li> <li>10. Plant additional trees throughout the Project Site.</li> <li>11. Install LED streetlights.</li> <li>12. Reduce the Modified Project's use of natural gas.</li> <li>13. Purchase carbon offsets from a CARB-approved registry.</li> </ol>		
<p><b>4.2.8:</b> Implementation of the Modified Project may conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.</p>	PS	<p>Implement <b>Mitigation Measures 4.2-2, 4.2-3, and 4.2-5.</b></p> <p><b>4.4-2:</b> Prior to the issuance of commercial building permits, the Applicant or its designee shall submit building design plans to the City that demonstrate that the parking areas for commercial buildings in the Plan Area would be equipped with EV charging stations that provide charging opportunities to at least the number of parking spaces required by CalGreen Tier 1 standards. "Commercial buildings" include retail, restaurant, light industrial, office, and mixed-use buildings.</p> <p>The EV charging stations shall achieve a similar or better functionality as a Level 2 charging station. In the event that the installed charging stations use functionality/technology other than Level 2 charging stations, the parameters of the mitigation obligation (i.e., the number of parking spaces served by EV charging stations) shall reflect the comparative equivalency of Level 2 charging stations to the installed charging stations on the basis of average charge rate per hour. For purposes of this equivalency demonstration, Level 2 charging stations shall be assumed to provide charging capabilities of 25 range miles per hour.</p>	LTS	No New or Substantially More Significant Impact
<b>4.3 Biology</b>				
<p><b>4.3.1:</b> Implementation of the Modified Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.</p>	PS	<p><b>4.3-1:</b> The Suisun marsh aster shall be avoided to the maximum extent practicable. After pre-construction surveys required by Mitigation Measure 4.3-2, setbacks of 50 feet, or the maximum buffer possible where a full 50 feet is not possible, shall be established around the total area where the population occurs via high visibility fencing prior to grading or construction. A qualified plant biologist</p>	LTS	No New or Substantially More Significant Impact

shall be present during any and all grading or other construction activities that occur within 50 feet of the Suisun marsh aster setback. The qualified biologist shall act as a construction monitor to ensure the fencing remains intact and that construction activities do not penetrate this setback.

If complete avoidance of the Suisun marsh aster population cannot be reasonably achieved, and impacts to this species are unavoidable, consultation shall be initiated with the CDFW to ensure that avoidance and minimization measures are employed, and to require compensatory mitigation for any remaining impacts. Upon CDFW approval, the impacted individual plants shall be transplanted out of their existing locations and into an equivalent and suitable habitat that occurs within an established on-site open space preserve and monitored for survival for a total of five years. A qualified plant biologist shall determine the exact transplanting locations and shall supervise or perform all of the transplanting activities. Transplanting activities shall occur during the fall months as possible, prior to the onset of heavy rains and inundation of seasonal wetland features to minimize transplant stress to the plants and ensure transplant success. Transplanting activities shall not occur in the spring, summer, or winter months, unless prior approval is obtained from CDFW. If CDFW requires additional on-site plantings to fully offset any impacts, then Winehaven Legacy LLC (Applicant) shall comply with that requirement.

**4.3-2:** A botanical survey of the development footprint shall be conducted prior to construction to confirm that establishment of those special-status plants with the potential to occur onsite has not occurred within the development footprint. Surveys shall occur within the appropriate identification period for those special-status plants with the potential to occur within the development footprint to be surveyed. Should a special-status plant be identified on or within 50 feet of ground disturbance, a 25-foot high-visibility no disturbance buffer shall be established by the qualified biologist, except if a larger buffer is required by a different project mitigation measure, such as Mitigation Measure 4.3-1 for the Suisun Marsh Aster, or determined necessary by the qualified biologist. Results of this pre construction survey shall be

documented in a memo to the City.

Should a special-status plant not previously identified on the Project Site be observed within the development footprint, the CDFW and/or USFWS shall be consulted as appropriate in order to determine suitable mitigation actions. For CNPS rank 1 and rank 2 plants, consultation with the City shall occur to determine an appropriate course of action consistent with the City's goals and policies related to conservation of biological resources. This mitigation shall be completed via transplanting or compensatory planting at a minimum ratio of 2:1. Should take of a State or federally listed plant species be unavoidable, an incidental take permit from CDFW and/or USFWS, may be required pursuant to applicable laws and regulations.

**4.3-3** An Environmental Awareness Training shall occur for all construction personnel working on the Project Site prior to any construction personnel being allowed to perform outdoor construction activities for the Project and its off-site improvements. A qualified biologist shall prepare instructional materials for the City's review and approval and shall train designated personnel to perform Environmental Awareness Training for construction staff. This training shall include the following.

- A discussion on the importance of disease control and invasive species management in protecting sensitive biological resources
- A discussion on those special-status wildlife with the potential to occur within the impact area
- A discussion on special-status plants observed on the Project Site
- Relevant biological information on those special-status species
- What to do in the event of an occurrence of a special-status species on the Project Site

Record of this training shall be maintained on the Project Site and shall be made available to agencies upon request.

**4.3-4:** The eelgrass bed habitat onsite shall be completely avoided during construction and operation of the Modified Project. Specifically, water vessels (e.g., ferries, barges,

water taxis/shuttles) servicing the retrofitted pier shall not come within 1,000 feet of the eelgrass bed habitat as identified in the pre-construction and annual surveys. The existing pier shall be utilized and the total surface area of the pier shall not be increased. Improvement of the existing pier shall be implemented as necessary, but no new piers and/or structures shall be built within or in the vicinity of any eelgrass bed habitat. Activities associated with the pier reuse shall be subject to the acquisition of necessary permits. These may include, but are not limited to, necessary BCDC permits.

The Applicant shall employ dust control measures to ensure excavated soil transferred from the Project Site to barges docked at the end of the pier using a conveyor belt system does not result in debris in the Bay. Such dust control measures shall include, but not be limited to, the following.

- The conveyor belt system shall be completely enclosed to prevent any loose aggregate, soils, or dust from entering the Bay during these transport operations.
- Sediment shall be watered as needed to prevent dust from becoming airborne.
- Vehicles transporting soils shall utilize designated routes. Should these routes include dirt roads, these roads shall be watered as needed to prevent excessive production of dust.
- Vehicles transporting soils across dirt roads shall not exceed a speed of 15 miles per hour.
- Soils shall be covered when transported from the location of excavation to the removal offsite.

All water vessel routes shall be limited to the deep-water shipping channel when not moored at the pier, and velocities shall be lowered as water vessels approach the pier to reduce waking. Water vessel speeds shall be limited to 10 knots or less within 750 feet of the pier. In addition, water vessel traffic shall not route from the terminal landward towards the shoreline. Mooring of private boats is not to be allowed on the pier. An appropriate signage and/or a buoy system shall be implemented to properly inform marine traffic of the sensitive eelgrass habitats and to help keep any vessels away from these habitats.

Prior to construction, the Applicant shall prepare an eelgrass monitoring plan consistent with the California Eelgrass Mitigation Policy and Implementing Guidelines, to be submitted to the NMFS for review and approval. The Plan shall require eelgrass surveys be conducted immediately prior to construction, annually throughout construction, and three years following the initial use of the pier to ensure ship travel routes do not impact eelgrass. Surveys shall be conducted pursuant to protocols outlined in the California Eelgrass Mitigation Policy and Implementing Guidelines, and shall document eelgrass distribution and density on both the Project Site and at a suitable control site during the eelgrass growing season. Results of surveys shall be provided to the NMFS Santa Rosa office staff within 60 days of completion. If NMFS determines the Modified Project actions have adversely impacted eelgrass in or adjacent to the Project Site based on pre- and post- work distribution and density surveys, an eelgrass mitigation plan shall be provided to NMFS for review and approval within 60 days of the determination of adverse impacts. The mitigation plan shall provide for no net loss of habitat function, and shall include criteria consistent with the California Eelgrass Mitigation Policy and Implementing Guidelines as well as one or more of the following.

- In-kind creation, restoration, or enhancement of habitat with a success ratio following three years of monitoring at or exceeding 1.2:1
- Purchase of mitigation credits from an established and NMFS-approved eelgrass mitigation bank at a ratio of 1:1 for banks established over three years
- Purchase of mitigation credits from a NMFS-approved eelgrass mitigation bank at a NMFS-approved ratio exceeding 1:1 for banks that have been established less than three years
- Out-of-kind mitigation only in the circumstance that in-kind mitigation is not feasible, and out-of-kind mitigation provides for sufficient ecological benefits approved by NMFS and other trustee agencies such as CDFW

**4.3-5:** Should work occur during the general nesting season (February 15 to September 15), a pre-construction

nesting bird survey shall be conducted by a qualified biologist no more than five days prior to the start of ground-disturbing activities as possible. The survey shall cover all areas within 500 feet of planned construction activities. Should an active nest be identified, a high visibility "disturbance-free" buffer shall be established by the qualified biologist based on the species identified. The buffer distance shall be based upon the potential for construction noise, visual disturbance, and other disruptive metrics with the potential to affect nesting, the species of bird with the nest, and shall be at least 500 feet, unless a smaller buffer is warranted based on the recommendation of the qualified biologist and available CDFW and/or USFWS guidelines for the protection of nests and breeding a particular species. Should the nest of a special-status bird be identified, the qualified biologist along with CDFW and/or USFWS shall be consulted based on the regulatory jurisdiction of the species and nest to determine suitable buffer size and any other screening measures to help minimize or avoid the impact. Alternatively, should the qualified biologist be approved by CDFW for the purpose of performing nesting bird surveys prior to these surveys, the qualified biologist may set the appropriate construction buffer for a special-status bird nest without additional consultation.

This buffer shall be maintained until it can be verified by a qualified biologist that the nestlings have fledged or the nest has failed. Should construction activities cease for five consecutive days or more, an additional nesting bird survey shall be required should construction resume during the general nesting season. Survey results shall be documented in a memorandum.

Should take of a special-status bird species be unavoidable, an incidental take permit from CDFW and/or USFWS, as appropriate, shall be required.

**4.3-6:** A nighttime lighting plan shall be developed by the project sponsor and approved by the City prior to groundbreaking that avoids and/or minimizes impacts to shorebirds and migratory birds as well as sensitive eelgrass habitat from nighttime lighting. The nighttime lighting plan shall consider Dark Sky Initiative measures in reducing the impacts of nighttime lighting. The lighting plan shall include, but not be limited to the following



provisions:

- Outdoor lighting known to attract shorebirds and migratory birds (e.g., searchlight advertising lighting, uplighting on signs, spotlights, floodlights, etc.) shall be prohibited.
- No up-lighting shall be allowed.
- Nighttime lighting or spillage of light onto beach strand and Bay waters shall be prohibited.
- All lighting fixtures associated with the development of the Modified Project shall be shielded, provide maximum efficiency, and reduce spill over through cut-off mechanisms (i.e., light that spills beyond the intended areas to be lit, but that is not projected directly upward).
- Lighting shall be deliberately directed downward and away from marshes and beaches, and optimize daylight by turning off when daylight provides sufficient illumination for vision and safety.
- Motion-sensitive lighting, lower intensity lights, and appropriately programmed timed lights shall be used to the maximum extent feasible.
- All outdoor lights other than those required for safety or security shall be off from the hours of 11 p.m. to 7 a.m. Lighting required for safety and security, such as pathway illumination and parking lot lighting, shall be designed to reduce light spillage and shall be of the minimum intensity to serve the purpose of illumination.
- Nighttime security lights shall be full cut off lights. Illumination shall be kept as low as possible while still providing the required security and safety illumination.
- All lighting shall comply with the RMC Article 15.04.604 as applicable.

**4.3-7:** Contract and Home Owners Association (HOA) provisions shall require contractors and occupants of the Project Site to implement measures to deter and/or minimize disturbance by common scavenging mammals (e.g., raccoons, opossums, feral cats, and skunks) which could potentially agitate, disrupt, or otherwise frighten bird species that may be present within the Project Site. Such measures shall include, but are not limited, to regular collection and removal of trash generated by the facility,

the use of sealed and secure trash dumpsters and bins throughout the facility, and fencing around trash collection areas. HOA provisions shall include the following:

- Open trash receptacles accessible to wildlife shall be prohibited.
- Curbside pickup for bulky waste and other events requiring placement of waste in areas of wildlife access shall occur as close to the scheduled pick-up event as possible.
- With the exception of bird feeders and similar items, placement of food outside shall be minimized. Pet food should be kept indoors as possible, especially during nighttime hours.

**4.3-8:** A qualified bat biologist shall conduct pre-construction bat surveys within seven days of ground disturbance of all potentially suitable bat habitats in the vicinity of any construction activities, including buildings scheduled to be modified or demolished and the pier that have the potential to support special-status bat roosts and trees with sloughing bark and basal hollows. If no bats and/or evidence of bats (e.g., guano) are detected during the pre-construction surveys, no additional surveys are required. Pre-construction surveys shall include, at a minimum, evening fly-out surveys accompanied by acoustic monitoring. If no evidence of bats occurs, then no further mitigation is necessary. Should construction halt for seven days or more, additional pre-construction surveys shall occur in areas with potential bat roost habitat.

If bats or evidence of bats are detected during the pre-construction surveys, a qualified bat biologist shall facilitate bat evacuation from structures, or removal of bat habitat trees. Bat habitat trees scheduled for removal shall be demarcated using high-visibility markers. Removal of potential bat roost habitat, such as trees with sloughing bark, shall occur over two days, with initial partial removal occurring the first evening and full removal occurring the following day. Evacuation may include the installation of exclusionary (e.g., mist) nets around occupied habitats while bats are away from their roosts. The netted habitats shall be monitored frequently at appropriate times and intervals to assure that all bats have left the roosts and that no bats re-enter during the duration of construction

activities impacting the bat habitat structure. The qualified bat biologist shall determine the specific protocol regarding bat removal within the larger historic buildings on-site. An exclusionary plan, should the qualified biologist determine that special-status bat exclusion from existing structures is necessary, shall be provided to the USFWS or CDFW as appropriate. Once construction activities are complete, the exclusionary nets shall be removed. Should construction halt for a period of more than seven days, an additional pre-construction survey shall occur for suitable bat roost habitat for which exclusion has not occurred.

Should take of a special-status bat species be unavoidable, an incidental take permit from the CDFW and/or USFWS, as appropriate, shall be required.

**4.3-9:** Signage at all public access locations in proximity to beach strand habitat and tidal marsh habitat shall be posted that describes the sensitive nature of these habitat types and their importance within the Bay ecosystem. Signage shall also be posted at the major trailheads within the open space informing visitors of the presence and importance of sensitive coastal scrub, coastal terrace prairie, and riparian habitat. Signage shall also include action items for visiting public to encourage protection of these valuable resources. Action items may include, but are not limited to:

- Proper collection and disposal of trash;
- Leashing of pets to prevent harassment of wildlife;
- Passive activities to enjoy wildlife without disturbing natural behavior;
- Proper maintenance of recreational equipment to prevent the spread of invasive species;
- Discouraging removal of plants or other biological resources; and
- Restrictions on allowable transportation (vehicles, bicycles, horses, etc.) on trails near sensitive habitat.

Park infrastructure installed on the Project Site such as benches and trail access shall be located at least 100 feet away from tidal marsh habitat on the Project Site, and signage restricting public access from tidal marsh habitat

shall be posted. Park infrastructure shall also include waste receptacles sufficient in number and size to service public use of the parks and open space with regular service to prevent over spilling. Removal of litter on beach strand or tidal marsh habitat shall occur as a component of servicing of waste receptacles.

**4.3-10:** Invasive plant species removal shall occur within parks or green space during the construction phase designed to incorporate the natural landscape. Invasive scrub and non-native annual grasses shall be removed and replaced with native coastal scrub and native coastal grassland species. Additionally, all vehicles and construction equipment shall be kept clean and free of debris that could track invasive species or pathogens onto the Project Site through routine exterior washing and removal of interior debris. A log of vehicle conditions shall be kept for all vehicles frequently entering and exiting the Project Site, and maintenance activities related to vehicle cleanliness shall occur following the evaluation that a vehicle is no longer in a clean condition.

**4.8-1:** The following BMPs shall be included in the SWPPP or SWPPPs prepared for the Modified Project construction in accordance with the Construction General Permit.

1. The construction contractor shall minimize the production of debris when cutting or demolishing portions of the over-water pier components or constructing new over-water components, and shall utilize netting, containment vessels, work platforms, or the equivalent to catch any falling debris.
2. The construction contractor shall install a containment boom around the work area to contain floating debris, and shall provide a vessel to retrieve debris from the containment area at the end of each work day.
3. Straw bales, wattles, fiber rolls, gravel bags, or equivalent devices shall be installed around the perimeter of the pier and stockpiled materials that are exposed to the environment to prevent debris from being transported to the Bay via runoff.
4. The use of hazardous materials during construction shall be minimized to the extent

practical, and the amount of hazardous materials stored on the pier or adjacent to the waterfront shall be limited to what is needed to immediately support construction activities. The quantities shall not exceed 55 gallons for a specific material. All hazardous materials shall be stored safely and securely in approved containers, under cover or in an approved storage shed or cabinet, and with adequate secondary containment. Fueling of generators and other equipment shall be conducted away from the pier edge and other locations where a spill could easily enter the Bay, and adequate spill cleanup materials shall be provided during all fueling operations.

5. Well-maintained equipment shall be used to perform the construction work, and, except in the case of a failure or breakdown, equipment maintenance shall be performed offsite. Equipment shall be inspected daily by the operator for leaks or spills. If leaks or spills are encountered, the source of the leak shall be identified, leaked material cleaned up, and the cleaning materials shall be collected and properly disposed of.
6. Inactive material stock piles must be covered and bermed at all times.
7. During the wet season, construction materials, including topsoil, chemicals, and quarried materials transported by barge (regardless of the season) shall be stored, covered, and isolated to prevent runoff losses and contamination of surface and groundwater.
8. Active debris boxes shall be covered during rain events to prevent contact with rainwater.
9. Sanitary facilities shall be provided for construction workers.
10. No concrete shall be stored onsite. After trucks are finished placing concrete, they shall be washed out in a designated area, and the wash water shall be contained within large plastic containers. Once dried, the residual concrete shall be appropriately disposed of offsite.
11. At the end of each work day (at a minimum), the part of the pier deck upon which construction activities have taken place that day shall be cleaned of particulates, sediment, and debris, by

- manual or mechanical means such as vacuuming or sweeping. Power washing is not an acceptable method for cleaning.
12. Non-stormwater discharges to the Bay shall be prohibited unless specified in the SWPPP and approved by the City and RWQCB.
  13. During construction, any barges performing work shall be moored in a position to capture and contain the debris generated during any substructure or in-water work. In the event that debris does reach the Bay, personnel in workboats within the work area shall immediately retrieve the debris for proper handling and disposal. All debris shall be disposed of at an authorized upland disposal site.
  14. Construction waste shall be collected and transported to an authorized upland disposal area, per federal, state, and local laws and regulations.
  15. All construction material, wastes, debris, sediment, rubbish, trash, fencing, etc., shall be removed from the Project Site once the Modified Project is completed and transported to an authorized disposal area, in compliance with applicable federal, state, and local laws and regulations.
  16. Encountered groundwater shall be removed from trenches and excavations in such a manner as to reduce potential contact with construction materials, construction personnel, and surface waters and shall be disposed of at an appropriately permitted facility such as a WWTP in accordance with the requirements of the NPDES permit.
  17. Existing vegetation shall be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction and remediation.
  18. Temporary erosion control measures (such as silt fences, fiber rolls, vegetated swales, a velocity dissipation structure, staked straw bales, temporary revegetation, rock bag dams, erosion control blankets, and sediment traps) shall be employed for disturbed areas during the wet season.
  19. No disturbed surfaces shall be left without erosion

- control measures in place during the wet season.
20. Construction area entrances and exits shall be stabilized with crushed aggregate.
  21. Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.
  22. A spill prevention and countermeasure plan shall be developed, which identifies proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite.
  23. Petroleum products shall be stored, handled, used, and disposed of properly in accordance with provisions of the CWA (33 USC § 1251 to 1387).
  24. Fuel and vehicle maintenance areas shall be established away from all drainage courses and designed to control runoff. When feasible fueling and vehicle maintenance shall be conducted offsite.
  25. Disposal facilities shall be provided for soil wastes, including excess asphalt during construction and demolition.
  26. The Applicant shall require all workers be trained in the proper handling, use, cleanup, and disposal of all chemical materials used during construction activities and provide appropriate facilities to store and isolate contaminants.
  27. The Applicant shall require all contractors involved in the Modified Project be trained on the potential environmental damages resulting from soil erosion prior to development by conducting a pre-construction conference. Copies of the project Erosion Control Plan (ECP) shall be distributed at this time. All construction bid packages, contracts, plans, and specifications shall contain language that requires adherence to the ECP.
  28. Construction activities shall be scheduled to minimize land disturbance during peak runoff periods. Soil conservation practices shall be implemented during the fall or late winter to reduce erosion during spring runoff.
  29. Creating construction zones and grading only the minimum required areas at a time shall minimize exposed areas. If possible during the wet season, grading on a particular zone shall be delayed until

- protective cover is restored on the previously graded zone.
30. Utility installations and decommissioning shall be coordinated to limit the number of excavations.
  31. Preserving as much natural cover, topography, and drainage as possible, protect disturbed soils from rainfall during construction. Trees and shrubs shall not be removed unnecessarily.
  32. Disturbed areas shall be stabilized as promptly as possible, especially on long or steep slopes. Recommended plant materials and mulches shall be used to establish protective ground cover. Vegetation such as fast-growing annual and perennial grasses shall be used to shield and bind the soil. Mulches and artificial binders shall be used until vegetation is established. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment. The Modified Project shall use a preponderance of drought resistant species native to the Richmond area in the selection of vegetation, plants, mulches, or other plant material used in re-vegetation or soil stabilization.
  33. Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, use of permeable paving surfaces or similar measures shall be used to reduce runoff velocity and erosion.
  34. Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out.
  35. Topsoil removed during construction shall be carefully stored and treated as an important resource. Visqueen plastic and fiber rolls shall be deployed to cover and berm topsoil stockpiles to prevent runoff during storm events.

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**4.8-2: If the Pier renovation requires the removal or**



disturbance of the petroleum conveyance pipeline, then the Applicant shall develop and submit to the City for approval a Demolition and Containment Plan that would minimize the potential for contamination of the Bay from the disturbance or removal of the petroleum conveyance pipeline during pier renovation. The Plan must be submitted and approved before any work on the pier begins. The Plan shall include provisions for control of potential releases of piping materials and other materials into the Bay. The Demolition and Containment Plan shall include capture and associated disposal provisions of any residual petroleum products or any other substances that may be released from the pipeline during construction activities. Conditions of the Demolition and Containment Plan shall include the implementation of floating booms, debris nets, and other measures as necessary to provide containment of possible contaminants. A trained construction site monitor shall provide daily oversight of the pier renovation operation. Furthermore, this Plan will delineate containment protocols of hazardous materials and allowable quantities including materials stored on pier for cleaning. If hazardous materials are stored, appropriate documentation of each shall be kept onsite as safety data sheets. The City shall ensure that the Demolition and Containment Plan includes procedures for notification of and reporting of contaminant releases to the RWQCB.

**4.10-1:** In order to satisfy applicable City noise level limits at existing sensitive receptors, the following construction-related noise mitigation measures shall be implemented.

- All mobile or fixed noise-producing equipment used that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity.
- Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible.
- Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.
- Project work area speed limits shall not exceed 15 mph during the construction period.

- Nearby sensitive receptors shall be notified of construction schedules so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.
- Any engine-powered construction equipment located adjacent to residential uses for more than five days shall be shielded from those uses by temporary noise-reducing barriers.
- Comply with City ordinance requirements, including:
  - Use of pile drivers, sources of impulsive sound and jack hammers shall be prohibited on Sundays and holidays, except for emergencies or as approved in advance by the Building Official. General construction noise shall be limited to weekdays from 7:00 a.m. to 6:00 p.m. Pile driving and similar loud activities shall be limited to weekdays from 8:00 a.m. to 5:00 p.m. General construction noise on projects repairing, renovating, or adding to residential structures with one to five dwelling units shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, Sundays, and federal holidays. Pre-construction activities, including loading and unloading, cleaning of mechanical toilets, deliveries, truck idling, backup beeps, yelling, and radios also are limited to these construction noise hours.
  - No construction shall be permitted outside of these hours that creates construction noise, except in emergencies, including maintenance work on the City rights-of-way that might be required.
  - All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
  - Unnecessary idling of internal combustion engines is prohibited.
  - All stationary noise-generating construction equipment such as tree grinders and air compressors are to be located as far as is practical from existing residences.

Quiet construction equipment, particularly air compressors, are to be selected whenever possible.

**4.10-5:** If the Modified Project includes the installation of an on-site sanitary sewer treatment facility, once the installment of this facility has been confirmed, and building plans are filed, prepare a site-specific noise impact study analyzing the facility operational equipment noise level to be conducted and noise generated by this facility. If the noise study determines that noise levels from operation of the on-site sanitary sewer treatment facility exceed acceptable levels for sensitive receptors established by the City, the following mitigation measures shall be implemented.

- Ensure that noise exposure associated with the selected facility equipment satisfies the applicable City noise level limits at proposed sensitive receptors.
- Construct solid noise barriers around the perimeter of the facility equipment area that effectively attenuate equipment noise exposure to a state of compliance with the applicable City noise limits at proposed sensitive receptors.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**BIO-1:** Prior to construction, EBRPD or a qualified botanist shall pin flag or mark locations of special-status plant species along the alignment. The Project shall avoid impacts to special-status plant species where possible, however, where impacts cannot be avoided, plants shall be translocated or replanted in the project vicinity or nearest suitable habitat. Prior to the initiation of construction, a qualified botanist shall conduct a focused survey for marsh gumplant and Suisun marsh aster within the construction footprint during the appropriate blooming period (April through November). The survey will be conducted in accordance with the CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009).

**BIO-2:** If any construction activities (e.g., grubbing, grading, removal of one tree) are scheduled during the bird nesting season (typically defined by CDFW as

February 1 to September 1), a qualified biologist shall conduct a preconstruction survey for nesting birds no more than 5 days prior to the start of work, or as otherwise specified by permit conditions. If the project is suspended and delayed for 10 or more days another nesting survey shall be conducted 2 days prior to resuming work. If the survey indicates the presence of nesting birds, a qualified biologist shall delineate a buffer zone where no construction will occur until the biologist has determined that all young have successfully fledged, or until otherwise approved by CDFW. The size of the buffer(s) shall be determined by the project biologist in consultation with CDFW and be based on the nesting species and its sensitivity to disturbance.

**BIO-3:** Prior to ground-disturbing activities, a biologist shall conduct visual pre-construction surveys for California Ridgway's (formerly Clapper) rail, and California black rail within suitable habitat and surrounding areas. Suitable habitat on site is limited to marsh and mud flat areas near Castro Point. If the rails or other sensitive species are observed on or near the site, the biologist will establish buffers around which no disturbance can occur until the biologist determines a work can proceed within the area or the species do not occur within the area.

**BIO-4:** Measures shall be taken to avoid impacts to monarch butterflies if present on site. If eucalyptus trees at the northern end of the trail are proposed for removal, a biologist shall conduct a survey for monarch butterflies during the winter roosting season when monarch butterfly roosting colonies would be expected to occur (typically October to February). If present, an avoidance plan will be developed by a biologist for implementation during construction. If monarch butterflies are present, grading, excavation, and eucalyptus tree removal shall be restricted from August 1 through March 31.

<p><b>4.3.2:</b> Implementation of the Modified Project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the CDFW or USFWS.</p>	S	<p>Implement <b>Mitigation Measures 4.3-4, 4.3-6, 4.3-9, 4.8-1 and 4.8-2.</b></p> <p><b>4.3-11:</b> Impacts to coastal scrub shall be mitigated at a 1.5:1 acre ratio, such that for each acre impacted, no less than 1.5 acres of in-kind habitat shall be created, restored, or preserved. The following activities shall occur related to coastal scrub mitigation:</p>	LTS	No New or Substantially More Significant Impact
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- Those 12.7 acres of invasive scrub habitat within the Open Space and not impacted by grading shall be removed and replaced with coastal scrub habitat similar to native coastal scrub habitat present on the project site. These acres shall be managed and monitored annually for a minimum of five years. A qualified biologist shall prepare an annual report on the status of habitat restoration activities with recommendations on adaptive management measures as necessary. Mitigation shall be deemed complete when, after five years of management and monitoring, the qualified biologist determines that the mitigation has achieved a 75 percent native plant cover within the coastal scrub areas. Additional years of management and reporting shall occur should mitigation fail to meet success criteria. These reports shall be maintained by the project Applicant and available to agencies upon request. Specific management and maintenance procedures shall be included within the Open Space Plan.
- Those 32.6 acres of coastal scrub habitat within the Open Space and not impacted by grading shall be preserved.
- Of those acres defined in (2), habitat restoration and enhancement activities shall occur such that overall mitigation of (1) and (2) above and the replanting of graded areas result in mitigation at a ratio of not less than 1.5 acres restored and preserved per 1 acre of impact. Coastal scrub mitigation areas shall be managed and monitored for a total of five years to remove and prevent the further encroachment of invasive scrub. A qualified biologist shall prepare an annual report on the status of preserved habitat with recommendations on adaptive management for invasive species as necessary. These reports shall be maintained by the project Applicant and available to agencies upon request. Specific management and maintenance procedures shall be included within the Open Space Plan required by **Mitigation Measure 4.3-12**.
- Grading areas that remove coastal scrub or invasive scrub habitat shall be replanted with

coastal scrub habitat as possible in concurrence with or following stabilization of the grading area. Those acreages necessary to reach the mitigation goal of 1.5:1, should additional acreage be necessary beyond (1) and (3) above, shall be subject to the same monitoring, management, and reporting requirements as detailed in (1) above.

Restoration and management efforts shall include an emphasis on creating and maintaining a native coastal grass understory as appropriate. Identification of coastal scrub preservation, restoration, and/or creation areas shall be reviewed and approved by the City through the Open Space Plan.

**4.3-12:** An Open Space Plan shall be established by the Applicant for the proposed open space and shoreline park that would be held in ownership by the City. The Open Space Plan shall act as a guide in implementing mitigation related to sensitive habitat preservation, creation, and restoration. The Open Space Plan shall additionally act as a binding agreement between the project Applicant and the City to identify final project impacts following lot development, to locate mitigation areas, and to assure completion of mitigation by the Applicant. The Open Space Plan shall include, at a minimum, the following:

- Approved activities within Open Space. These activities shall be predominantly passive and include activities such as maintenance, monitoring, and public access along dedicated trails.
- Maintenance activities of trails such that trails are clearly defined and are not overgrown with foliage. These activities shall be designed to promote visitors to stay on pathways and to reduce the likelihood of disturbing sensitive habitat.
- Compliance with the tree removal permits and Urban Greening Master Plan requirements on City land.
- A description of any habitat preservation, creation, or restoration completed within Open Space for coastal scrub, coastal terrace prairie, mixed riparian, seasonal wetland, or ephemeral

drainage habitats. This shall include a final statement of project impact acreages by habitat type, and a map clearly defining where preservation and mitigation areas are located.

- To the degree feasible, the Open Space Plan shall emphasize the removal of invasive plants, and their replacement with native plant species. Replacement plant species shall emphasize the use of locally rare, culturally significant, or ecologically important species.

A qualified biologist shall prepare the Open Space Plan, and a qualified biologist shall perform any recommended monitoring, reporting, and adaptive management recommendations to reach performance criteria as they relate to the Open Space Plan and sensitive habitat mitigation required for the Modified Project. The City shall review and approve the Open Space Plan. The City may choose to consult with the CDFW, USFWS, and other agencies as appropriate. The Applicant shall be responsible for ensuring that the Open Space Plan is completed prior to ground disturbance and that all mitigation and monitoring occurs as detailed in the approved Open Space Plan.

**4.3-13:** Vegetation management shall be included as a component of the Covenants, Conditions, and Restrictions of the Home Owner's Association (HOA). The HOA shall be responsible for ensuring that the following are achieved related to vegetation management:

- Landscaping established and maintained by the Home Owner's Association shall be consistent with the aesthetics and functionality of the landscape with an emphasis on the use of native plants within landscaping designs. Trees planted in these areas shall consist of those species native to the Project Site.
- Native vegetation shall be sourced locally as feasible.
- Landscaping and removal of vegetation shall not occur within the designated Open Space except as provided within the Open Space Plan or for the purpose of safety.

Additionally, the HOA shall ensure that residences

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minimize overall impacts to sensitive habitats through the following measures:

- The HOA shall provide new residents with information on native species and encourage their use on private landowner parcels.
- The HOA shall provide new residents with information on the sensitive habitats present on the Project Site and the importance of these habitats.
- The HOA shall prohibit the planting of non-native tree species.

**4.3-14:** Mixed riparian habitat shall be avoided as practical through project design. Setbacks at a minimum of 50 feet, or the largest buffer possible when 50 feet is not feasible, shall be established with high-visibility fencing by a qualified biologist around all areas of avoided mixed riparian habitat. The biologist may require a larger setback after consideration of the soil types, slope between the buffer and construction, hydrology, vegetation, and runoff potential. Un-impacted mixed riparian habitat adjacent to impacted mixed riparian habitat shall also be demarcated with high visibility markers. A qualified biologist shall be present during development activities that ensue within 50 feet of the fenced riparian setbacks. The qualified biologist shall act as a construction monitor to ensure the fencing remains intact and that construction activities do not occur within these avoidance buffers. No staging of equipment or other construction-related activities shall occur within non-impacted mixed riparian habitat or buffers established by the qualified biologist.

Additionally, the project Applicant shall provide CDFW with the proper notification of impacts to ephemeral drainages and associated riparian habitat for those impacted drainages supporting mixed riparian habitat. All compensatory action required through the appropriate LSAA permit for impacts to riparian habitat shall be adhered to. This shall include, but is not limited to, habitat preservation and/or habitat restoration of in-kind habitat exceeding 1:1, or creation of habitat at a minimum of 1:1.

Mitigation for direct impacts to mixed riparian habitat not covered under an LSAA shall occur through a combination of habitat preservation and/or restoration and



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shall, at a minimum, include the following:

- Should mitigation occur through preservation, preservation shall occur at a minimum ratio of 2:1. Areas designated for preservation shall be maximized within designated open space, and shall not occur within residential lots. Those areas selected for preservation shall be approved by the City and shall be subject to the compensatory actions set forth in this mitigation. Preservation areas shall be identified within the Open Space Plan.
- When mitigation occurs through the enhancement or restoration of habitat, mitigation shall occur at a minimum ratio of 2:1. Restoration and/or enhancement of habitat shall occur within designated open space as possible. Monitoring of mitigation activities shall be performed by a qualified biologist for a minimum of three years. The qualified biologist shall prepare an annual report on the progress of mitigation with recommended management actions. These reports shall be submitted to the City and available to agencies upon request. Mitigation shall be deemed complete once the qualified biologist has determined that the success or establishment of restoration or enhancement activities meets or exceeds 80 percent. The qualified biologist may utilize bank stabilization, percent native ground cover, relative ratios of the herbaceous, shrub, and tree layers, as well as other habitat quality indicators in order to determine the level of success. At a minimum, ground cover shall meet or exceed 80 percent, with a native plant cover percent meeting or exceeding that of impacted mixed riparian habitat. Additional years of management and reporting shall occur should mitigation fail to meet success criteria. Specific management and maintenance procedures shall be included within the Open Space Plan.

**4.3-15:** The beach strand habitat onsite shall be completely avoided. Replacement/restoration is not appropriate for this habitat type due to its inherent intrinsic value, role as habitat for plant and wildlife species

(including special-status species), increasing threats by development, and its currently limited distribution within the region. The Modified Project shall be designed to avoid beach strand habitat. To assure prevention of direct impacts and avoid indirect impacts to the beach strand habitat onsite during operation, the existing roads and pathways within and adjacent to beach strand habitat shall be used, and no new roadways in beach strand habitat shall be constructed. Improvement of the existing roadways that do not convert beach strand habitat may be implemented as necessary, but no new roadways shall be within beach strand habitat.

To avoid impacts during construction, setbacks shall be established (i.e., staked) around all areas of beach strand habitat within 100 feet of project development. Setbacks at a minimum of 50 feet, or the largest buffer possible when 50 feet is not feasible, shall be established with high-visibility fencing by a qualified biologist around beach strand habitat. Larger setbacks up to 100 feet may be required by the qualified biologist based on the soil type in the area where construction will occur, slope between the construction work and area with beach strand habitat, local hydrology, existing vegetative cover, and runoff potential of construction areas. Prior to the onset of development activities within 100 feet of beach strand habitat, high visibility fencing shall be installed to delineate the beach strand setbacks. A qualified biologist shall be present during any and all development activities that occur within 50 feet of the fenced beach strand setbacks to ensure no indirect impacts occur to beach strand habitat.

**4.3-16:** Consultation shall occur with USACE in order to verify the presence of jurisdictional wetlands and waters impacted by the Modified Project. The project sponsor shall obtain a Clean Water Act Section 404 permit from the USACE for impacts to jurisdictional wetlands or waters, and a corresponding Clean Water Act Section 401 Water Quality Certification from the San Francisco Regional Water Quality Control Board (SFRWQCB). Typical 404-permit mitigation occurs at a ratio of 1:1 acres created versus impacted and 2:1 acres restored/enhanced versus impacted, though individual permit conditions may vary.

The project sponsor shall provide the required notification to CDFW under Section 1602 of the Fish and Game Code for alteration of the ephemeral drainages and shall obtain an LSAA if required by CDFW prior to ground disturbance. The conditions of these permits, as well as any additional permits related to impacts to biological resources required for the Modified Project, shall be adhered to.

Mitigation for direct impacts to seasonal wetlands and ephemeral drainages not covered under the permits listed above shall occur through a combination of habitat preservation, creation, and/or restoration and shall, at a minimum, include the following:

- Should mitigation occur through preservation, preservation shall occur at a minimum ratio of 2:1. Areas designated for preservation shall be maximized within designated open space, and shall not occur within residential lots. Those areas selected for preservation shall be approved by the City and shall be subject to the compensatory actions set forth in this mitigation and necessary permit conditions.
- Seasonal wetlands may be mitigated for through restoration of habitat at a 2:1 ratio, or creation of habitat at a 1:1 ratio. Restoration and/or creation of habitat shall occur within designated open space as possible. Monitoring of mitigation activities shall be performed by a qualified biologist for a minimum of three years consistent with the terms of necessary permits. The qualified biologist shall prepare an annual report on the progress of mitigation with recommended management actions. These reports shall be submitted to the City and available to agencies upon request. Mitigation shall be deemed complete once the qualified biologist has determined that the success or establishment of restoration or habitat creation activities. The biologist may use a combination of habitat indicators such as ground stabilization, percent native ground cover, relative ratios of the herbaceous, shrub, and tree layers, as well as other habitat quality indicators in order to determine the level of success. At a minimum, native plant cover percent shall meet or

exceeding that of impacted wetland habitat. Ephemeral drainage mitigation shall not be channelized and shall promote stable banks and native plant species. Additional years of management and reporting shall occur should mitigation fail to meet success criteria. Specific management and maintenance procedures shall be included within the Open Space Plan.

- Ephemeral drainages shall be offset by no less than the linear feet length of impacts. Monitoring of mitigation activities shall be performed by a qualified biologist for a minimum of three years consistent with the terms of necessary permits. The qualified biologist shall prepare an annual report on the progress of mitigation with recommended management actions. These reports shall be submitted to the City and available to agencies upon request. Mitigation shall be deemed complete once the qualified biologist has determined that the success or establishment of restoration or habitat creation. The biologist may use a combination of habitat indicators such as ground stabilization, percent native ground cover, relative ratios of the herbaceous, shrub, and tree layers, as well as other habitat quality indicators in order to determine the level of success. Ephemeral drainage mitigation shall not be channelized and shall promote stable banks and native plant species. Additional years of management and reporting shall occur should mitigation fail to meet success criteria. Specific management and maintenance procedures shall be included within the Open Space Plan.

Additionally, setbacks of 50 feet, or the largest setback possible when a full 50 feet is not feasible, shall be established by a qualified biologist around each of the seasonal wetlands or ephemeral drainage features within 100 feet of project development. The biologist may require a larger setback of up to 100 feet after consideration of the soil types, slope between the buffer and construction, hydrology, vegetation, and runoff potential. Setbacks shall be marked off with high visibility fencing prior to the commencement of construction. A qualified biologist shall be present during any and all construction activities that

ensue within 50 feet of any buffer area of seasonal wetlands or ephemeral drainage. The qualified biologist shall act as a construction monitor to ensure that indirect impacts from construction to waters/wetlands do not occur and the fencing remains intact.

**4.3-17:** The tidal marsh habitat onsite shall be completely avoided. A minimum setback of at least 50 feet shall be established around the tidal marsh habitat to prevent any impacts during construction. The exact width of the tidal marsh setback may be larger based on specified conditions of associated permits from the BCDC, USACE, or other jurisdictional agencies.

Prior to commencement of construction, high visibility fencing shall be installed to delineate the tidal marsh setback. A qualified biologist shall be present during any and all development activities that ensue within 50 feet of the fenced tidal marsh setback. The qualified biologist shall act as a construction monitor to ensure the fencing remains intact and that construction activities do not disturb habitat within this setback buffer.

**4.3-18:** Impacts to coastal terrace prairie shall be mitigated at a 2:1 ratio, such that for each acre impacted, no less than two acres of in-kind habitat shall be created, restored, or preserved. The following activities shall occur related to coastal terrace prairie mitigation:

- Those 6.2 acres of coastal terrace prairie habitat within the Open Space and not impacted by grading shall be preserved. These acres shall be managed and monitored for a total of five years to prevent significant increase in invasive grasses cover. A qualified biologist shall prepare an annual report on the status of preserved habitat with recommendations on adaptive management for invasive species as necessary. These reports shall be maintained by the project Applicant and available to agencies upon request. Specific management and maintenance procedures shall be included within the Open Space Plan.
- Those 18.8 acres of invasive annual grassland habitat within the Open Space and not impacted by grading are suitable for restoration to a coastal terrace prairie composition and shall be restored

such that the minimum 2:1 mitigation ratio is achieved. Areas where annual grasslands have been impacted by grading may also be areas that are suitable for restoration to coastal terrace prairie. These acres shall be managed and monitored annually for a minimum of five years. A qualified biologist shall prepare an annual report on the status of habitat restoration activities with recommendations on adaptive management measures as necessary. Mitigation shall be deemed complete when, after five years of management and monitoring, the qualified biologist determines that the mitigation has achieved successful conversion of annual grassland to coastal terrace prairie habitat, with a percent native grass cover equal to or exceeding the average percent cover of native grasses of preserved coastal terrace prairie. Additional years of management and reporting shall occur should mitigation fail to meet success criteria. These reports shall be maintained by the project Applicant and available to agencies upon request. Specific management and maintenance procedures shall be included within the Open Space Plan.

- Grading areas that remove coastal terrace prairie or annual grassland habitat shall be replanted with coastal terrace prairie habitat as possible in concurrence with or following stabilization of the grading area. Those acreages necessary to reach the mitigation goal of 2:1, should additional acreage be necessary beyond (1) and (2) above, shall be subject to the same monitoring, management, and reporting requirements as detailed in (2) above.

Identification of coastal terrace prairie preservation, restoration, and/or creation areas shall be reviewed and approved by the City through the Open Space Plan.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**BIO-5:** After construction is complete, EBRPD or the

		<p>construction contractor shall replant native trees and native shrubs in the immediate vicinity of the Project at a 3:1 mitigation ratio, or a replacement ratio as determined by regulatory agencies and specified in environmental permits obtained through the Joint Aquatic Resources Permit Application (JARPA) if it results in a greater number of replacement trees.</p> <p><b>BIO-6:</b> During construction, the contractor shall avoid and minimize the spread of invasive or noxious weed species. Equipment shall be cleaned and free of weeds, and seeds prior to being used on site. The EBPRD or a qualified contractor will write a site-specific Invasive Plant Plan to specify how the plan shall be implemented to avoid and minimize the introduction and spread of invasive plant species and seeds.</p>		
<p><b>4.3.3:</b> Implementation of the Modified Project may have a substantial adverse effect on State or federally protected wetlands through direct removal, filling, hydrological interruption or other means.</p>	PS	<p>Implement <b>Mitigation Measures 4.3-16 through 4.3-18, 4.8-1 and 4.8-2.</b></p> <p><b>4.3-19:</b> The project sponsor shall obtain an approved jurisdictional delineation from USACE prior to the commencement of construction to determine whether the wetlands and waters on the Project Site are jurisdictional under the CWA. A CWA Section 404 permit and CWA Section 401 certification for impacts to any jurisdictional features shall be obtained prior to ground disturbance. For those features that are not jurisdictional under the Clean Water Act but are waters of the State, the project sponsor will secure waste discharge requirements from the RWQCB prior to commencement of construction.</p> <p>The Modified Project shall avoid jurisdictional waters to the extent practicable through project design. Setbacks of a minimum 50 feet, or maximum possible when a full 50 feet is not practicable, shall be established by a qualified biologist around each of the wetland features within 100 feet of project development, unless the soils, slope, hydrology, vegetation, and runoff potential determine that a greater buffer distance up to 100 feet is required. Setbacks would be demarked by installation of high visibility fencing prior to the commencement of construction activities. A qualified biologist shall be present during any and all construction activities that ensue within 50 feet of the wetlands or waters buffers.</p>	LTS	No New or Substantially More Significant Impact

The qualified biologist shall act as a construction monitor to make sure the fencing remains intact and that construction activities do not occur within the wetlands or waters avoidance buffer areas. Permit terms and conditions related to buffers shall supersede buffers presented herein in case of conflict.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**BIO-7:** To reduce potential short-term impacts to the upland wetland, the contractor shall implement the following avoidance measures and BMPs:

- Install temporary silt fencing beyond the outer edge of the wetland boundary to prevent entry of fill into the wetland during construction. Temporary silt fencing will also reduce the likelihood of wildlife from entering the work area.
- Place temporary Environmentally Sensitive Area (ESA) fencing where needed to prevent construction equipment and workers from entering the upland wetland.

<b>4.3.4:</b> Implementation of the Modified Project may interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites.	PS	<p>The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:</p> <p><b>BIO-8:</b> Fencing and other structures associated with development of the San Francisco Bay Trail shall be designed and constructed in a manner that does not impede wildlife movement.</p>	LTS	No New or Substantially More Significant Impact
<b>4.3.5:</b> Implementation of the Modified Project may conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance.	PS	<p>Implement <b>Mitigation Measures 4.3-12</b> and <b>4.3-13</b>.</p> <p><b>4.3-20:</b> Should ground-disturbance activities commence within eucalyptus woodland within monarch over-wintering season (October 1 through February 28), a preconstruction survey shall be completed by a qualified biologist to determine the presence or absence of roosting monarch butterflies. Should no roosts be identified, no further mitigation is necessary. Should active monarch butterfly roost trees be identified, the tree shall not be removed until after the qualified biologist has determined</p>	LTS	No New or Substantially More Significant Impact



that the monarch butterflies have vacated the roost. Active roost trees shall be protected with a construction buffer demarcated by a qualified biologist with high-visibility fencing or flagging around the outer boundary of the active roosting habitat. The buffer shall remain until it is determined by the biologist that the roost is no longer active.

**4.3-21:** The Modified Project shall maximize the use of native trees consistent with the City Urban Greening Master Plan's recommendations on tree species and planting specifications. Trees removed on City land as a result of the Modified Project shall be mitigated for in the following way:

- Permitted removal of native trees shall be replanted at an in-kind 2:1 ratio.
- Permitted removal of non-native trees shall be replaced with a native tree recommended within the Urban Greening Master Plan at a 2:1 ratio.
- Planted trees shall be monitored annually by a qualified biologist for a minimum of three years. Mitigation shall achieve a minimum success rate of 75 percent survival after three years. The annual report shall be submitted to the City and shall include information on tree planting locations, health of trees, diameter at breast height (if applicable), and the number and location of necessary plantings to replace failed trees. Additional years of monitoring and maintenance activities may be required to achieve success criteria

Use of compensatory tree plantings shall be maximized within public access areas such as parks and along roadsides, and spacing shall be consistent with the street-tree requirements in the City's Urban Greening Master Plan.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**BIO-9:** The EBRPD or its construction contractor shall obtain a tree removal permit from the City of Richmond

		superintendent, or equivalent, for removal or pruning of trees at least three days prior to when work shall occur. Proposed tree removal shall be completed within 30 days of obtaining the permit.		
		<b>BIO-10:</b> The construction contractor shall be responsible for providing, installing, and maintaining tree and shrub protection in active work areas for the duration of construction.		
<b>4.3.6:</b> Implementation of the Modified Project is not likely to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan	NI	No mitigation is required.	NA	No New or Substantially More Significant Impact.
<b>4.3.7:</b> Implementation of the Modified Project is not likely to increase public exposure to disease vectors or increase potential disease vector habitat	LTS	No mitigation is required.	NA	NA
<b>4.3.8:</b> Implementation of the Modified Project may have significant cumulative biological resources impacts.	PS	Implement <b>Mitigation Measures 4.3-1 through 4.3-21, 4.8-1, 4.8-2, 4.10-1, 4.10-5, and BIO-1 through BIO-10.</b>	LTS	No New or Substantially More Significant Impact
<b>4.4 Cultural Resources and Tribal Cultural Resources</b>				
<b>4.4.1:</b> Implementation of the Modified Project may cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.	PS	<b>4.4-1:</b> The City shall not issue demolition permits associated with demolition or construction in the Winehaven Historic District until the HPC has reviewed the application to ensure that the building proposed to be demolished is not a contributor to the Winehaven District.	LTS	No New or Substantially More Significant Impact
		<b>4.4-2:</b> The Modified Project Applicant shall develop comprehensive Design Guidelines that comply with the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties that will govern the rehabilitation of buildings within the Historic District as well as new construction within the Historic District. The Design Guidelines shall be reviewed and approved by the HPC prior to the issuance of demolition permits to ensure that they would result in a project that complies with the Secretary of the Interior's Standards for Rehabilitation; (2) would result in buildings that are compatible with the Historic District; and (3) require preservation of the historic		

materials and character-defining features of the buildings, and repair instead of replacement of deteriorated features, where feasible. In addition, the City shall not issue building permits associated with the Historic District until HPC staff concur that the design of the buildings associated with those permits conforms to the Design Guidelines as part of its review pursuant to Zoning Code section 15.04.303.120. Provisions that must be included in the Design Guidelines include the following.

- a. All work within the Historic District shall be performed in keeping with the Secretary's Standards and Guidelines for the Treatment of Historic Properties (the "Standards").
- b. Alterations to contributing buildings shall be conducted in a sensitive manner consistent with the Standards, and will preserve materials, features, and finishes of contributing resources to the extent feasible. Deteriorated features will be repaired whenever feasible, and when not feasible, these features will be replaced "in kind," matching the original in design, color, texture, and materials, whether these materials are wood, masonry (e.g., brick, concrete, or stone), metal, or some other material.
- c. All Historic District contributing buildings shall be retained. Demolition of existing construction or removal of historically significant features shall be limited and shall meet requirements listed in the Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties. Any demolition activities shall be conducted in a manner that shall be sensitive to and protective of Historic District contributors and/or their character-defining features.
- d. Preserve contributing sections of the railway system except if doing so conflicts with remediation requirements. If preservation is not feasible, then the sections of railway tracks shall be replaced in kind.
- e. New buildings constructed within the Historic District boundary shall be consistent with the Standards, including Standard 9, which requires any new construction to be differentiated from but compatible with existing historic buildings.
- f. Prior to the alteration of any contributing buildings within the Historic District, the 1995 Historic

American Building Survey documentation shall be reviewed and updated, if needed.

- g. Damaged or deteriorated brickwork throughout any brick structure shall be repaired or replaced to match the existing brickwork; if the painted-on Air Raid Shelter signs are removed, they shall be professionally photographed prior to damage or destruction.
- h. Any work involving the relocation of utilities, water, sewer, or electrical facilities shall avoid impacts to the visual character of the Historic District and its contributing buildings. Installation of any new utility features in visually prominent sites within the District or adjacent to its contributing buildings shall be avoided.

In the cases that contributing buildings must be relocated, these relocations shall be conducted in a manner that, to the greatest extent possible, retains the moved building's existing spatial relationships with other contributing buildings in the Historic District and does not compromise their historic significance; i.e., their ability to contribute to the Historic District.

- i. Provide open space, or the impression of space, between Building No. 1 and any new construction immediately adjacent to it to the north or south. Maintain a clear line of sight through the gap south of Building 1 to the power house and hillside.
  - j. Limit vertical development directly west of Building No. 1 between Building No. 1 and the Bay to small structures, such as kiosks or park amenities, which shall be sensitively designed and placed to maintain overall views between Building No. 1 and the Bay in keeping with the Standards.
  - k. Any new public entrances added to Building #1 shall be designed to be compatible with the character of the building.
  - l. Reconfiguration of Stenmark Drive should de-emphasize the physical division of the east and west portions of the Historic District. Use landscaping to help minimize the visual division.
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The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**CUL-1:** The EBRPD or its construction contractor shall obtain a tree removal permit from the City of Richmond superintendent, or equivalent, for removal or pruning of trees at least three days prior to when work shall occur. Proposed tree removal shall be completed within 30 days of obtaining the permit.

<b>4.4.2:</b> Implementation of the Modified Project may substantially cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	PS	<p><b>4.4-3:</b></p> <p>a. The Applicant shall retain a qualified professional archaeologist to monitor any ground disturbing activities associated with widening Stenmark Drive or constructing utility systems that are (a) within a 50 foot radius of the mapped boundaries of CA-CCO-284 and (b) anticipated to extend 2.0 feet or more below the current ground surface. If intact features, burials, or diagnostic artifacts are found during construction, the archaeologist shall stop work within a 50-foot radius of the find investigate, document, or otherwise recover the finds in accordance with current professional standards and the unanticipated discoveries requirements (see below). Work shall not resume in the stop-work area until the archeologist determines work can safely proceed.</p> <p>b. The Applicant shall maintain a protective buffer of 50 feet around CA-CCO-506H during construction. CA-CCO-506H is located away from most development and infrastructure improvements, however the full extent of subsurface deposits is unknown. Any construction that could extend more than 2.0 feet below ground surface shall, wherever feasible, remain outside the buffer established for CA-CCO-506H. The Applicant shall retain a qualified professional archaeologist to monitor any ground-disturbing activity within the buffer that is expected to exceed 2.0 feet below surface. If intact features, burials, or diagnostic artifacts are found during construction, the archaeologist shall stop work within a 50-foot radius of the find, investigate, document, or otherwise recover the finds in accordance with current professional standards</p>	LTS	No New or Substantially More Significant Impact
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- and **Mitigation Measure 4.4-4**. Work shall not resume in the stop-work area until the archeologist determines work can safely proceed.
- c. Any project-related construction or grading shall avoid the known boundaries of CA-CCO-283 by a minimum of 50 feet in any direction whenever feasible. Where soil-disturbing activities approach closer than 50 feet, the Applicant shall retain a qualified professional archaeological monitor. If intact features, burials, or diagnostic artifacts are found during construction, the archeologist shall stop work within a 50-foot radius of the find, investigate, document, or otherwise recover the finds in accordance with current professional standards and **Mitigation Measure 4.4-4**, and, if applicable, **Mitigation Measure 4.4-5**. Work shall not resume in the stop-work area until the archeologist determines work can safely proceed.
  - d. Prior to the beginning of grading (including ground-clearing) or any construction (including structure relocation), a qualified professional archeologist shall administer a cultural resources awareness training program to all construction workers who will be performing grading or construction work. The program shall include a review of the types of finds that could occur, regulatory requirements, and a list of contacts (with telephone numbers) in case of accidental discoveries. The training program shall be repeated periodically as new construction workers are added to the project.

**4.4-4:** The project proponent shall have a qualified archeologist observe all ground-disturbing activities. If unidentified cultural resources are encountered during ground-disturbing activities, work in the immediate area and within 50 feet of the discovery shall halt and the qualified archeologist shall evaluate the resource's significance through a study of its features and artifacts. Construction activities can continue in areas 50 feet away from the find and not associated with the cultural resource location. If the resource is determined not to be significant, no further archaeological investigation or mitigation shall be required. If the find is determined to be a potentially significant archeological resource or TCR, a qualified archeologist, in consultation with the Planning Director or

designee at the City of Richmond, the project proponent, and the Native American monitor, where a potential TCR, shall determine whether preservation in place is feasible. If preservation in place is infeasible in light of project design or layout, or is unnecessary to avoid significant effects, a Cultural Resources Data Recovery Plan (CRDRP) shall be developed by the qualified archaeologist and, if the find is a TCR, the tribal monitor, to outline excavation and laboratory procedures, and if appropriate, curation at a university depository or other, if a TCR, other treatment considered appropriate by the tribe. The plan shall be submitted to the City for review and approval prior to proceeding with grading and construction activities in the area around the find.

The CRDRP shall identify a proposed data recovery program, and how the data recovery program would preserve the significant information the archaeological resource is expected to contain. Treatment of unique archaeological resources shall follow the applicable requirements of Public Resources Code Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The CRDRP shall include provisions for analysis of data in a regional context; reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative, where applicable, before being finalized; curation of artifacts and data at a local facility acceptable to the City and appropriate Native American representative, if applicable; and dissemination of final confidential reports to the appropriate Native American representative, if applicable, the Northwest Information Center of the California Historical Resources Information System and the City.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

Implement **Mitigation Measure CUL-1**.

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<b>4.4.3:</b> Implementation of the Modified Project may disturb any human remains, including those interred outside of formal cemeteries.	PS	Implement <b>Mitigation Measure 4.4-3</b> and <b>4.4-4</b>	LTS	No New or Substantially More Significant Impact
		<p><b>4.4-5:</b> If human remains are encountered during construction activities, work within 50 feet of the find shall halt immediately and the County Coroner shall be notified in accordance with California HSC § 7050.5 and a qualified archeologist also shall be notified. The coroner will examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands, as per Section 7050.5(b) of the Health and Safety Code. If the coroner determines that the remains are those of a Native American, the coroner will contact the NAHC by phone within 24 hours of making that determination, as per Section 7050(c) of the HSC. The Applicant will act on notification of a discovery of Native American human remains in compliance with Section 5097.9 of the California Public Resources Code. The Applicant and the professional archaeologist are required to contact the Most Likely Descendent (MLD), as determined by the NAHC, regarding the remains. The MLD, in cooperation with the property owner and the lead agencies, will determine the ultimate disposition of the remains. The MLD has 48 hours from the time of being granted access to the site by the landowner to inspect the discovery and provide recommendations to the landowner for the treatment of the human remains and any associated grave goods. In the event that no descendant is identified or the descendant fails to make a recommendation for disposition, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.</p> <p>The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:</p> <p><b>CUL-3:</b> Any human remains encountered during project ground disturbing activities should be treated in accordance with California Health and Safety Code Section 7050.5. The District and the County of Contra Costa should verify that the following directive has been included in the appropriate contract documents: "If human remains are uncovered, work within 25 feet of the discovery shall be redirected and the County Coroner</p>		



		notified immediately. At the same time, an archaeologist shall be contacted—if one is not already on site—to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods."		
4.4.4: Implementation of the Modified Project may cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC § 21074	PS	Implement <b>Mitigation Measure 4.3-4, 4.3-6, 4.4-3, 4.4-4, 4.8-1 and 4.8-2</b>  4.4-6: The project proponent shall invite Guidiville to choose a monitor and participate in monitoring ground-disturbing activities at least two months before activities begin.  4.4-7: The Applicant shall include the four culturally significant plants identified as TCRs ( <i>Dichelostemma multiflorum</i> , <i>Dichondra donnelliana</i> , <i>Elymus glaucus</i> ssp. <i>jepsonii</i> , and <i>Grindelia stricta</i> var. <i>platyphylla</i> ) in vegetation buffers (with interpretive signs) in an area within the Project Site that is open to visitors, including members of the Tribe. The Tribe must be able to harvest the plants if desired. In addition, the Modified Project shall construct and/or rehabilitate an uphill trail east of the proposed development that contains periodic interpretive panels, sitting areas, and learning exhibits that tell the story of the early inhabitants of the area. If allowed by the San Francisco Bay Conservation and Development Commission, interpretative panels with the Project Site's history should also be placed near the beach.	LTS	No New or Substantially More Significant Impact
4.4.5: Implementation of the Modified Project may have significant cumulative impact to cultural, tribal and paleontological resources.	PS	Implement <b>Mitigation Measures 4.3-2, 4.3-4, 4.3-6, 4.4-2 through 4.4-5, 4.4-7, 4.8-1, 4.8-2, and CUL-1.</b>	LTS	No New or Substantially More Significant Impact
<b>4.5 Energy</b>				
4.5.1: Implementation of the Modified Project may have significant environmental impacts due to wasteful, inefficient, or unnecessary	PS	Implement <b>Mitigation Measures 4.2-1(f) and 4.2-2 4.13-6:</b> In addition to the TDM measures incorporated into	LTS	No New or Substantially More

consumption of energy resources.

the Modified Project design (Section 3.4.3.4), the Applicant shall implement the following strategies to reduce vehicle trips generated by the Modified Project.

Significant  
Impact

1. **BART Shuttle** – The Modified Project shall include a frequent (20-minute headways) direct weekday shuttle service between the Project Site and the Richmond BART Station for two hours during both the peak morning and evening commute periods. This service could be operated by a private contractor or by AC Transit. Shuttles shall be electric and fully accessible to passengers using wheelchairs and other mobility services and should have the capacity to transport bicycles. It is also recommended the Modified Project explore providing a real-time smart-phone app that tracks real-time arrivals to make shuttle use more reliable and convenient.
2. **Guaranteed Ride Home** – The Modified Project shall include a guaranteed ride home program which would provide employees and commuters who rideshare to work with a reimbursed ride home in the event of unexpected circumstances.
3. **Preferential Parking for Carpoolers** – The building management shall offer free or discounted preferential carpool parking for eligible commuters. To be eligible for carpool parking, the carpool shall consist of three or more people. The building management shall monitor and provide adequate carpool spaces to meet and exceed potential demand.
4. **Preferential Parking for Vanpools** – The building management shall offer free or discounted preferential vanpool parking for eligible commuters. The building management shall monitor and provide adequate carpool spaces to meet and exceed potential demand.
5. **Commute Center** – The Modified Project shall provide a commute information center that may include an information board or kiosk located in a common gathering area. The kiosk will contain transportation information, such as Emergency Ride Home, transit schedules, bike maps, and 511 ride-matching.
6. **Bi-Annual Employee Transportation Surveys** – The Modified Project shall conduct surveys to

			determine the transportation and travel characteristics of the employees working onsite. The goal of the survey would be to identify the best practices for shifting employees to alternative transportation or high occupancy vehicle modes.		
		7.	<b>On-Site Amenities</b> – The Modified Project shall provide a minimum of three trip reducing on-site amenities. Typical features could include: banks, grocery stores, clothes cleaners, exercise facilities, child care center, etc. The goal of the Modified Project would be to provide as many of these amenities as is feasible.		
<b>4.5.2:</b> Implementation of the Modified Project is not likely to conflict with a state or local plan for renewable energy or energy efficiency.	LTS		No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.5.3:</b> Implementation of the Modified Project is not likely to have cumulative impacts due to increased energy use.	LTS		No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.6 Geology, Soils, and Mineral Resources</b>					
<b>4.6.1:</b> Implementation of the Modified Project is likely to directly or indirectly cause potential substantial risk of loss, injury or death due to seismic related hazards.	PS		<b>4.6-1:</b> The following measures shall be implemented to prevent the loss of life or property as a result of development on unstable or expansive soils. Prior to construction of any new buildings or parking structures, a California Registered Civil Engineer or Geotechnical Engineer shall prepare a final geotechnical report that provides design-grade specifications for structural engineering of all new construction and retrofitting of historic buildings. The Project proponent shall submit the final design-level geotechnical report for the City Planning and Building Services Department for review and approval. The report must be compliant with the CBC and incorporate CGS Special Publication 117A guidelines. According to the CBC Chapter 18, the geotechnical report must include, at a minimum, the following. <ul style="list-style-type: none"> <li>▪ A plot showing the location of the soil investigations</li> <li>▪ A complete record of the soil boring and penetration test logs and soil samples</li> <li>▪ A record of the soil profile</li> </ul>	LTS	No New or Substantially More Significant Impact

- Elevation of the water table, if encountered
- Recommendations for foundation type and design criteria, including but not limited to: bearing capacity of natural or compacted soil; provisions to mitigate the effects of expansive soils; mitigation of the effects of liquefaction, differential settlement and varying soil strength; and the effects of adjacent loads
- Expected total and differential settlement
- Deep foundation information in accordance with CBC § 1803.5.5
- Special design and construction provisions for foundations of structures founded on expansive soils, as necessary
- Compacted fill material properties and testing in accordance with CBC § 1803.5.8
- Controlled low-strength material properties and testing in accordance with CBC § 1803.5.9

The report shall also consider the effects of seismic hazard in accordance with CBC § 1803.7.

It is the responsibility of the Project proponent to provide for engineering inspection and certification that earthwork and construction have been performed in conformity with recommendations contained in the report. All recommendations provided in the final design-level geotechnical report must comply with ASCE 7 minimum load requirements.

Recommendations made as a result of these investigations to protect new structures and reduce impacts from geological hazards shall be incorporated into project design and verified through implementation of the Mitigation Monitoring and Reporting Plan. These measures are anticipated to include requirements to construct foundations designed to resist movements of expansive soils and removal of unstable soils and replacement with suitable fill or engineered materials. Based on the geotechnical study (Appendix I of the 2011 FEIR), suitable fill material is available onsite to replace hazardous soils.

If the geotechnical report indicates the presence of critically expansive soils or other issues that could lead to structural defects, a certification of completion of the

requirements of the geotechnical report shall be submitted to the City Planning and Building Services Department prior to issuance of building permits. This shall be noted on the Improvement Plans; in the conditions, covenants, and restrictions (CC&R); and on the Informational Sheet filed with the Final Subdivision Map(s). The geotechnical feasibility memo, dated September 19, 2019 and included as **Appendix R**, indicated the presence of potentially expansive soils and landslides, that must be addressed in a design-level geotechnical report. At a minimum, the following recommendations of the preliminary geotechnical feasibility memo shall be adhered to.

1. If liquefaction is identified, risks shall be avoided by not developing in those areas, by designing structures and improvements for the potential ground movement due to liquefaction, or by reducing the liquefaction hazard through ground improvement or densification. The magnitude of any potential liquefaction in development areas would be assessed prior to determining which method, if any, is needed.
2. Where landslides and colluvium overlap with planned building areas, the landslide debris or colluvium shall be removed and replaced with engineered fill. In areas where deposits lie outside development areas, there shall be a development setback from the area or construction of a toe buttress fill and debris bench. Seismically induced landslide hazards shall be reduced by using engineered stabilization of landslides and removal of colluvial deposits.
3. If lateral spreading hazards are identified, the Applicant would ensure risks are avoided by setting back development from areas subject to significant lateral movement, stabilization of the liquefiable soil along the shoreline, or improvement to the liquefiable soil.
4. If expansive soil is identified, building damage due to volume changes shall be reduced by: (1) using a mat foundation that is designed to resist the settlement and heave of expansive soil (such as post-tensioned), (2) deepening the foundations to below the zone of moisture fluctuation, i.e., by using deep footings or drilled piers, and/or (3) using footings at normal shallow depths but

		<p>bottomed on a layer of select fill having a low expansion potential.</p> <p>5. Existing undocumented, non-engineered fill shall be removed and recompactd in development areas.</p>		
<p><b>4.6.2:</b> Implementation of the Modified Project is likely to cause substantial soil erosion or loss of topsoil.</p>	S	<p>Implement <b>Mitigation Measure 4.8-1.</b></p> <p>The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:</p> <p><b>GEO-1:</b> The East Bay Regional Park District (EBRPD) or a qualified contractor shall be required to develop a SWPPP and obtain coverage under the Construction General Permit. To obtain coverage, the EBRPD shall be required to submit and certify the SWPPP and the Permit Registration Documents in the Stormwater Multiple Application Tracking and Reporting System (SMARTS) at least 14 days prior to any ground disturbance.</p> <p><b>GEO-2:</b> The contractor shall be required to implement the SWPPP throughout construction of the Modified Project until stabilization criteria have been met and a Notice of Termination of coverage under the Construction General Permit has been filed in SMARTS.</p>	LTS	No New or Substantially More Significant Impact
<p><b>4.6.3:</b> Implementation of the Modified Project is considered development on unstable soil.</p>	PS	<p>Implement <b>Mitigation Measure 4.6-1.</b></p> <p><b>4.6-2:</b> The lower areas of the Project Site are likely to have shallow groundwater conditions. During underground construction in these areas, temporary dewatering procedures should be anticipated to lower the free water so that excavation and working areas are kept reasonably dry and stable during construction. Additionally, to reduce long-term effects from potential rises in groundwater, buildings shall be underlain by foundation subdrainage to collect and discharge accumulations of water.</p>	LTS	No New or Substantially More Significant Impact
<p><b>4.6.4:</b> Implementation of the Modified Project is considered development on expansive soil.</p>	PS	<p>Implement <b>Mitigation Measure 4.6-1.</b></p>	LTS	No New or Substantially More Significant

<b>4.6.5:</b> Implementation of the Modified Project may have significant impacts and cause destruction of a unique paleontological resource or site or unique geologic feature.	PS	Implement <b>Mitigation Measure 4.4-3.</b>	LTS	Impact No New or Substantially More Significant Impact
<b>4.6.6:</b> Implementation of the Modified Project will not have cumulative geology and soils impacts.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact

#### 4.7 Hazards, Wildfire, & Hazardous Materials

<b>4.7.1:</b> Implementation of the Modified Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	PS	<b>4.7-4:</b> Cleanup of environmental contamination shall be conducted under the oversight of, and in direct coordination with, the Regional Water Quality Control Board. Remediation shall be completed to cleanup standards established by the Regional Board as protective of human health and the environment. Cleanup standards will likely vary for each portion of the site, based upon the contaminants detected, the planned use of the site, technical feasibility, and any other factors deemed relevant by the Water Board. Any and all development shall be consistent with deed restrictions or other land use covenants that the Regional Board deems adequate to protect human health and the environment.	LTS	No New or Substantially More Significant Impact
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The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**HAZ-1:** Exclusionary fencing shall be installed to keep users from accessing abandoned buildings and other structures that pose a physical hazard. Fencing shall also be installed in areas where HBMs may be present and where contaminated soils occur near the proposed alignment and would not be capped. This may include areas along the eastern edge of Burma Road, the perimeter of buildings at the drum lot, and the inside perimeter of the drum lot.

**HAZ-2:** The final Plan, Specification and Estimate (PS&E) for the Project shall identify areas where arsenic shall be addressed and require the contractor to comply with the NFD SGWMP, the project-specific soil management plan, and air monitoring plan. The contractor shall be required

		to prepare and Health and Safety Plan. Implementation of the project-specific soil management plan and air monitoring plan, and preparation and implementation of the Health and Safety Plan shall be conducted with oversight by a Certified Industrial Hygienist. During construction, areas of known elevated arsenic shall be either capped in place, relocated and capped, or access discouraged to prohibit users. Areas where soils containing arsenic above background occur beneath the footprint of the trail shall be covered with a minimum of 1-foot of clean fill material. Soils shall not be transported between City and Chevron properties (i.e. between Segment A and Segment B). The Lead Agency shall document that the City has informed/contacted the RWQCB two weeks prior to construction, as required by the SGWMP.		
<b>4.7.2:</b> Implementation of the Modified Project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	PS	No mitigation is required.	LTS	No New or Substantially More Significant Impact
<b>4.7.3:</b> The Modified Project is located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or to the environment.	S	Implement <b>Mitigation Measure 4.7-4.</b>  The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:  <b>HAZ-4:</b> The contractor shall adhere to and incorporate the relevant conditions contained in the 2012 NFD SGWMP. Prior to Project construction, a project specific soils management plan and or equivalent health and safety plan shall be prepared by the contractor under the direction of a certified industrial hygienist, and reviewed by the City of Richmond for consistency with existing contractual requirements.	LTS	No New or Substantially More Significant Impact
<b>4.7.4:</b> Implementation of the Modified Project will significantly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	S	<b>4.7-1:</b> Prior to the issuance of the first building permit, a site-specific ERP will be developed under the Modified Project to ensure safe evacuation of the Project Site during an emergency in a manner that does not interfere with existing evacuation plans and procedures for	LTS	No New or Substantially More Significant Impact



sheltering in place. The ERP shall identify protocols for evacuation and recommendations regarding emergency supply kits and HEPA filter masks that can be accessed in the case of an earthquake, wildfire, and chemical release. The ERP shall require that the Project Site include a warning system and identify the location of warning devices, such as sirens, on the Project Site and describe how the warning system would be integrated with the Contra Costa Health Services (CCHS) and Community Warning System (CWS). The ERP also shall identify the locations of appropriate refuge areas and emergency evacuation routes, and will address the need for one or more places where people can shelter-in-place as a contingency to evacuation. The ERP shall require community informational sessions to inform citizens of the evacuation procedures, refuge locations, and shelter-in-place procedures and how to appropriately respond during an emergency. Furthermore, signage will be posted on the Project Site that will inform residents and visitors of the location of refuge areas and places to shelter in place. The ERP also shall require the Project proponent to coordinate its emergency plans with CCHS to ensure an adequate level of emergency preparedness for Project Site visitors. Additionally, the ERP shall require the Project proponent to coordinate with the Water Emergency Transportation Authority (WETA) to provide emergency response planning and coordinated water-escape services.

**4.13-5:** The Applicant shall coordinate all construction activities that would affect traffic flow on Stenmark Drive with local emergency service providers at least one week in advance of construction. Emergency service providers shall be notified of the timing, location, and duration of construction activities. All roads shall remain passable to emergency service vehicles at all times. Stenmark Drive shall remain passable to through traffic 24 hours a day, seven days a week to provide access to and from other land uses located on the San Pablo Peninsula. In the event that portions of Stenmark Drive must be closed temporarily, reasonable detours shall be provided such that access to the San Pablo Yacht Harbor and other adjacent land uses is not restricted.

<b>4.7.5:</b> Implementation of Modified Project may expose people or structures to a significant risk	PS	Implement <b>Mitigation Measure 4.3-13.</b>	LTS	No New or Substantially
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of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

**4.7-2:** Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws. During construction, all construction personnel shall have a cell phone or radio system in order to activate 911 if required, a handheld pressurized horn that can be utilized to alert others during an emergency, and be trained in how to properly inform 911 of their work location. All construction vehicles shall be equipped with a 4/ABC or larger fire extinguisher. Every work area shall have one water type fire extinguisher and one round-tip shovel available within 10 feet. Staging areas and areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. Furthermore, all vegetation mowing activities shall be completed prior to noon. During hot work (e.g. welding), a fire watch shall be utilized 30 minutes during and after the hot work is completed.

**4.7-3:** Prior to issuance of the first building permit, a site-specific WERP shall be developed by qualified personnel with expertise in wildfire management and in coordination with the Richmond Fire Department. This WERP shall have pre- and post-wildfire response measures. The pre-wildfire response measures shall include actions to reduce damage to property anticipated from wildfire events and ensure evacuation routes are kept clear (e.g. sandbags to mitigate possible landslide and flood damage). The post-wildfire response measures will include fire suppression damage repair and emergency stabilization measures. Fire suppression damage repair could include immediate actions to minimize soil erosion impacts resulting from fire suppression activities that can occur before the wildfire is completely contained. Emergency stabilization could include identifying impending threats to safety and property and then actions immediately implemented to mitigate these identified threats. These actions could include the installation of water run-off and erosion control structures, removal of burnt vegetation, and installation of warning signs.

The WERP will also include standards for a five-year long-term recovery and restoration plan to rehabilitate any

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		burned areas. These measures could include restoring burned habitat, reforestation, monitoring fire effects, and treating noxious weed infestations. This would be prepared by qualified personnel with burned area restoration expertise and in coordination with and to the approval of the Richmond Fire Department. Prior to the issuance of the first building permit, the WERP shall be submitted to the Richmond Fire Department for review and approval.		
<b>4.7.6:</b> Due to slope, prevailing winds, and other factors, the Modified Project will significantly exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	S	Implement <b>Mitigation Measures 4.7-1</b> and <b>4.3-13</b> .	LTS	New Significant Impact
<b>4.7.7:</b> Implementation of the Modified Project may require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	PS	Implement <b>Mitigation Measures 4.7-2</b> and <b>4.3-13</b>	LTS	New Potentially Significant Impact
<b>4.7.8:</b> Implementation of the Modified Project may expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	PS	Implement <b>Mitigation Measures 4.7-1</b> and <b>4.7-3</b> .	LTS	New Potentially Significant Impact
<b>4.7.9:</b> Implementation of the Modified Project will not create a significant hazard to the project through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment from off-site sources.	NA	No mitigation required.	NA	NA
<b>4.7.10:</b> Implementation of the Modified Project will not have cumulative hazards, hazardous material, and wildfire impacts.	LTS	Implement <b>Mitigation Measures 4.7-1</b> through <b>4.7-3</b> , and <b>4.3-13</b> .	NA	No New or Substantially More Significant Impact
<b>4.8 Hydrology and Water Quality</b>				
<b>4.8.1:</b> Implementation of the Modified Project could potentially violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	PS	Implement <b>Mitigation Measure 4.8-1</b> and <b>4.8-2</b> .  <b>4.8-3:</b> If Wastewater Treatment Variant A is selected, the Applicant shall establish a cooperative agreement with Chevron® prior to the issuance of building permits to set out terms and conditions related to the conveyance of	LTS	No New or Substantially More Significant Impact

recycled wastewater from the Project Site to the Chevron®-Richmond Refinery for subsequent reuse at the Chevron®-Richmond Refinery. The agreement shall clarify that all of the treated wastewater that is not used for irrigation on the Project Site will be directed to the Chevron®-Richmond Refinery, and thus all of the terms and conditions in the agreement will pertain to that amount. Execution of this agreement would not cause Chevron® to exceed the limits of recycled water use defined in existing permits, and no water would be discharged tributary to the Bay under any circumstances. The treatment, conveyance, and use of recycled water shall be in accordance with Title 22 and all other applicable laws. The agreement shall have an expiration date no sooner than 30 years from the development of the Modified Project, and wastewater shall not be treated at the Project Site until this agreement is established.

The following mitigation measures are incorporated by reference from the San Francisco Bay Trail at Point Molate IS/MND:

**HYD-1:** Implement **GEO-1** and **GEO-2**.

**HYD-2:** The Lead Agency shall obtain permits from RWQCB to ensure compliance with CWA Section 401.

<b>4.8.2:</b> Implementation of the Modified Project is not likely to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.8.3:</b> Implementation of the Modified Project could substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> <li>▪ Result in a substantial erosion or siltation on- or off-site</li> <li>▪ Substantially increase the rate or amount of surface runoff in a manner which would</li> </ul>	PS	Implement <b>Mitigation Measure 4.8-1</b> and <b>4.8-2</b> .	LTS	No New or Substantially More Significant Impact

result in flooding on- or off-site				
<ul style="list-style-type: none"><li>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff</li><li>Impede or redirect flood flows</li></ul>				
<b>4.8.4:</b> In flood hazard, tsunami, or seiche zones, the Modified Project is not likely to cause the release of pollutants due to project inundation.	PS	Implement <b>Mitigation Measure 4.8-1</b> and <b>4.8-2</b> .	LTS	No New or Substantially More Significant Impact
<b>4.8.5:</b> Implementation of the Modified Project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	PS	Implement <b>Mitigation Measure 4.8-1</b> through <b>4.8-3</b> , <b>HYD-1</b> , and <b>HYD-2</b> .	LTS	No New or Substantially More Significant Impact
<b>4.8.6:</b> Implementation of the Modified Project could have significant cumulative hydrology and water quality impacts.	PS	Implement <b>Mitigation Measure 4.8-1</b> through <b>4.8-3</b> , <b>HYD-1</b> , and <b>HYD-2</b> .	LTS	No New or Substantially More Significant Impact
<b>4.9 Land Use and Planning</b>				
<b>4.9.1:</b> Implementation of the Modified Project is not likely to cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.9.2:</b> Implementation of the Modified Project is not likely to create cumulative land use impacts.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.10 Noise</b>				
<b>4.10.1:</b> Implementation of the Modified Project might cause generation of a substantial temporary or permanent increase in ambient noise levels from construction of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	PS	Implement <b>Mitigation Measure 4.10-1</b> .	LTS	No New or Substantially More Significant Impacts
<b>4.10.2:</b> Implementation of the Modified Project will not cause generation of a substantial temporary or permanent increase in ambient	LTS	No mitigation is required.	NA	No New or Substantially More

noise levels from operation of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.				Significant Impacts
<b>4.10-3:</b> Implementation of the Modified Project would generate excessive ground-borne vibration or ground-borne noise levels.	S	<p><b>4.10-2:</b> In order to reduce potential vibration impacts to historic resources, the following construction-related vibration mitigation measures shall be implemented.</p> <ul style="list-style-type: none"> <li>▪ Prior to the start of any ground-disturbing activity, the Project proponent shall engage a historic architect or qualified historic preservation professional to undertake a pre-construction survey of historical resource(s) within the Historic District to document and photograph the buildings' existing conditions.</li> <li>▪ Prior to the start of construction, a structural engineer or other qualified entity shall establish a maximum vibration level that shall not be exceeded at each building, based on existing conditions, character-defining features, soils conditions, and anticipated construction practices in use at the time.</li> <li>▪ To ensure that vibration levels do not exceed the established standard, a qualified acoustical/vibration consultant shall monitor vibration levels at each structure within the Historic District using proper monitoring equipment and shall prohibit vibratory construction activities that generate vibration levels in excess of the standard. Should vibration levels be observed in excess of the standard, construction shall be halted and alternative construction techniques put in practice.</li> <li>▪ The qualified acoustical/vibration consultant shall conduct regular periodic inspections of each building within the Historic District. Should damage to a building occur as a result of ground disturbing activity on the Project Site, the building(s) shall be remediated to its pre-construction condition at the conclusion of ground-disturbing activity on the Project Site.</li> </ul>	LTS	No New or Substantially More Significant Impacts
<b>4.10.4:</b> Implementation of the Modified Project may result in future traffic noise levels at project sensitive receptors.	PS	<b>4.10-3:</b> Along with the plans submitted for building and/or grading permits for development of a single-family home or townhome along Stenmark Drive, a building specific noise impact study shall be submitted for City review to	LTS	No New or Substantially More Significant

		determine if exterior noise at the building's property line would exceed 65 dBA. If so, then the building would be required to incorporate measures, such as use of sound rated door and window assemblies, mechanical ventilation, careful siting or use of landscaping for outdoor recreation areas, or other methods to reduce interior noise levels to 45 dBA CNEL and provide noise shielding.		Impacts
<b>4.10.5:</b> Implementation of the Modified Project may generate significant project commercial noise levels at proposed sensitive receptors.	PS	<p><b>4.10-4:</b> Along with the plans submitted for building and/or grading permits for development of commercial and multi-family residential uses, a building-specific noise impact study shall be submitted for City review to demonstrate that interior noise levels for nearby current and proposed sensitive receptors have been reduced to 45 dBA CNEL. The following mitigation measures can be implemented for commercial and multi-family residential uses to reduce noise exposure to the desired level:</p> <ul style="list-style-type: none"> <li>▪ Ensure that noise exposure associated with the selected mechanical equipment satisfies the applicable City noise level limits at proposed sensitive receptors.</li> <li>▪ Screen rooftop mechanical equipment to attenuate noise exposure.</li> <li>▪ Locate mechanical equipment on the rooftop of commercial buildings away from sensitive receptors.</li> <li>▪ Refuse dumpsters and commercial loading and unloading areas shall be located as far as reasonably possible from the outdoor activity areas of proposed residential buildings. Commercial refuse containers shall also be located such that buildings shield nearby residential uses from noise generated by loading/unloading operations and garbage collection activities.</li> <li>▪ Use of sound rated door and window assemblies for multi-family residential buildings, if required.</li> </ul>	LTS	No New or Substantially More Significant Impacts
<b>4.10.6:</b> Implementation of the Modified Project may generate project wastewater treatment facility operational noise at the proposed sensitive receptors.	PS	Implement <b>Mitigation Measure 4.10-5.</b>	LTS	No New or Substantially More Significant Impacts
<b>4.10.7:</b> Implementation of the Modified Project may generate significant project construction noise at proposed noise-sensitive receptors.	PS	Implement <b>Mitigation Measure 4.10-1</b>	LTS	No New or Substantially More Significant Impacts

<b>4.10.8:</b> Implementation of the Modified Project will not likely create significant cumulative traffic noise impacts.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.11 Population and Housing</b>				
<b>4.11.1:</b> Implementation of the Modified Project would not likely induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure).	LTS	No mitigation available.	NA	No New or Substantially More Significant Impact
<b>4.11.2:</b> Implementation of the Modified Project would not likely have significant cumulative population and housing impacts.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.12 Public Services and Recreation</b>				
<b>4.12.1:</b> Implementation of the Modified Project would not likely result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for Fire Protection and Police Protection.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.12.2:</b> Implementation of the Modified Project would not likely result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.12.3:</b> Implementation of the Modified Project could significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or include recreational facilities or require the construction or expansion of	PS	<b>4.12-1:</b> The Modified Project shall comply with the City's Quimby Act ordinance by developing sufficient parkland to provide at least 3.0 acres of parkland on the Project Site per 1,000 residents generated by the Modified Project or paying the City's in lieu fee, or a combination of the two methods.	LTS	No New or Substantially More Significant Impact



recreational facilities which might have an adverse physical effect on the environment.				
<b>4.12.4:</b> Implementation of the Modified Project could result in the substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public services.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.12.5:</b> Implementation of the Modified Project will potentially create potentially significant cumulative public service impacts.	PS	Implement <b>Mitigation Measure 4.12-1.</b>	LTS	No New or Substantially More Significant Impact
<b>4.13 Transportation</b>				
<b>4.13.1:</b> Implementation of the Modified Project will not significantly conflict with program, plan, ordinance, or policy addressing roadways during construction.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.13.2:</b> Implementation of the Modified Project significantly conflict with program, plan, ordinance, or policy addressing roadways during operation assuming existing plus project.	S	<b>4.13-1(a):</b> <u>Castro Street and the I-580 WB Ramps/Chevron® Entrance (Intersection #1 - Existing Plus Project):</u> 1) Installation of a dual southbound left turn lane on Castro Street and 2) installation of a third NB through lane on Castro Street.  <b>4.13-1(e):</b> <u>Richmond Parkway and Goodrick Avenue (Intersection #29 – All Plus Project Scenarios):</u> Conversion of the EB exclusive right turn lane to a shared through-right lane.	SU	New Significant Impact
<b>4.13.3:</b> Implementation of the Modified Project significantly conflicts conflict with program, plan, ordinance, or policy addressing roadways during special events	S	<b>4.13-3:</b> Prior to issuance of occupancy permits, the Modified Project shall mitigate the above-identified impacts by paying the required traffic impact fees described below, subject to City approval.  Payment of the Regional Transportation Development Impact Mitigation Fee: The Modified Project would pay the West County STMP development fees to fund regional freeway system improvements including I-580 improvements.	SU	New Significant Impact

<b>4.13.4:</b> Implementation of the Modified Project could potentially conflict operations: conflict with program, plan, ordinance, or policy addressing roadways during special events.	PS	<p><b>4.13-4:</b> To ensure that the maximum additional peak hour traffic at the i-580 interchange with Stenmark Drive does not exceed 800 vehicles, any event with a potential attendance of 3,000 people or more be would be required to prepare a detailed traffic monitoring and management program, subject to city approval that could include the following measures.</p> <ul style="list-style-type: none"> <li>▪ Off-site parking with shuttle service</li> <li>▪ Traffic control office deployment</li> <li>▪ On-street parking restrictions</li> <li>▪ Roadway closures</li> <li>▪ Restricted access/bus priority streets</li> <li>▪ Event signage including directional and/or detour signs</li> <li>▪ Media announcements of potential traffic restrictions and shuttle service options</li> <li>▪ Marketing campaign to encourage transit use and bicycle use to special events</li> </ul> <p>Public information on events for commuters, businesses, and deliveries</p>	LTS	No New or Substantially More Significant Impact
<b>4.13.5:</b> Implementation of the Modified Project may potentially conflict with program, plan, ordinance, or policy addressing transit during operation.	LTS	Not mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.13.6:</b> Implementation of the Modified Project would not conflict with program, plan, ordinance or policy addressing bicycle, or pedestrian facilities during operation.	BI	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.13.7:</b> Implementation of the Modified Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.13.8:</b> Implementation of the Modified Project would result in inadequate emergency access.	S	Implement <b>Mitigation Measure 4.7-1</b> and <b>4.13-5</b> .	LTS	No New or Substantially More Significant Impact
<b>4.13.9:</b> Implementation of the Modified Project may significantly conflict with program, plan, ordinance or policy addressing roadways during	PS	<p>Implement <b>Mitigation Measure 4.13-1(a)</b> and <b>4.13-1(e)</b>:</p> <p><b>4.13-1(b):</b> <u>Richmond Parkway and West Gertrude Avenue (Intersection #21 – Cumulative Plus Project); Conversion</u></p>	SU	New Significant Impact

operation assuming cumulative plus project conditions.

of the NB exclusive right turn lane to a shared through-right lane.

**4.13-1(c): Richmond Parkway and Parr Boulevard (Intersection #22 – Cumulative Plus Project):** Conversion of the NB and SB exclusive right turn lanes to shared through-right lanes.

**4.13-1(d): Richmond Parkway and San Pablo Avenue (Intersection #23 – Cumulative Plus Project):** Restriping of NB San Pablo Avenue from the Richmond Parkway to Crestwood Drive to provide three through lanes and an associated modification of the traffic signal at Kay Road to accommodate the detectors required for the additional NB through lane that would be added at this intersection.

**4.13-2:** Prior to issuance of occupancy permits, the Modified Project shall mitigate the above-identified impacts by paying the required traffic impact fees toward the improvements described below, subject to City approval.

Richmond Parkway and San Pablo Avenue (Intersection #23 – Cumulative Plus Project): Construction of the planned San Pablo Avenue interchange as set forth in the West County Action Plan. As a mitigation, the Modified Project would pay the West County Subregional Transportation Mitigation Program (STMP) Development Fees.

<b>4.13.10:</b> Implementation of the Modified Project may significantly conflict with program, plan, ordinance or policy addressing cumulative freeway operations.	PS	Implement <b>Mitigation Measure 4.13-3.</b>	SU	New Significant Impact
<b>4.13.11:</b> Implementation of the Modified Project would not conflict with program, plan, ordinance, or policy addressing transit, bicycle, or pedestrian facilities during operation assuming cumulative plus project conditions.	LTS	No mitigation required.	NA	No New or Substantially More Significant Impact
<b>4.13.12:</b> The Modified Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) under cumulative plus project conditions.	LTS	No mitigation required.	NA	No New or Substantially More Significant Impact

<b>4.13.13:</b> The Modified Project would not result in inadequate emergency access under cumulative plus project conditions.	LTS	Implement <b>Mitigation Measure 4.7-1.</b>	NA	No New or Substantially More Significant Impact
<b>4.14 Utilities</b>				
<b>4.14.1:</b> Implementation of the Modified Project will require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	LTS	No mitigation identified.	NA	No New or Substantially More Significant Impact
<b>4.14.2:</b> Implementation of the Modified Project will require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects	LTS	No mitigation required.	NA	No New or Substantially More Significant Impact
<b>4.14.3:</b> Implementation of the Modified Project will require or result in the relocation or construction of new or expanded stormwater drainage facilities, the construction or relocation of which could cause significant environmental effects.	LTS	No mitigation required.	NA	No New or Substantially More Significant Impact
<b>4.14.4:</b> Implementation of the Modified Project will require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.14.5:</b> Implementation of the Modified Project will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.	LTS	No mitigation is required.	NA	No New or Substantially More Significant Impact
<b>4.14.6:</b> Implementation of the Modified Project will likely result in a determination by the wastewater treatment provider that serves or may serve the modified project, that it has adequate capacity to serve the projected demand of the modified project in addition to the existing commitments of the provider.	PS	Implement <b>Mitigation Measure 4.8-3.</b>  <b>4.14-1:</b> Winehaven Legacy, LLC shall apply to connect to the RMSD for conveyance and treatment of wastewater generated at the Project Site. Subsequent to approval of connection to RMSD and prior to issuance of occupancy permits, the Modified Project shall fully fund or implement the following upgrades to the conveyance system to provide adequate conveyance and treatment capacity for	LTS	No New or Substantially More Significant Impact

		the peak day wastewater generation rate of the Modified Project. Alternatively, if the City implements any of these improvement prior to issuance of occupancy permits for the Modified Project, the improvement would not be required to be implemented and the City may collect fair-share contributions from the Modified Project to support implementation.		
		(a) Upsizing of 530 linear feet of an existing 6-inch pipe to a 10-inch pipe;		
		(b) In-kind replacement or lining, as approved by the Public Works Director, of 432 lineal feet of an existing 36-inch pipe.		
<b>4.14.7:</b> Implementation of the Modified Project will not likely generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	LTS	None identified.	NA	No New or Substantially More Significant Impact
<b>4.14.8:</b> Implementation of the Modified Project will not have likely have cumulative utilities impacts	LTS	Implement <b>Mitigation Measure 4.14-1.</b>	NA	No New or Substantially More Significant Impact
NOTE: BI – Beneficial impact LTS – Less than significant NA – Not applicable NI – No impact S – Significant SU – Significant and unavoidable PS – Potentially significant Source: AES, 2010				

