

**RESOLUTION NO. 6-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND APPROVING THE CENTRAL AVENUE AT INTERSTATE 80 (I-80) LOCAL ROAD IMPROVEMENT PROJECT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PLAN (MMRP) AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO REAL PROPERTY SERVICES AGREEMENT WITH THE COUNTY OF CONTRA COSTA FOR REAL PROPERTY RIGHT OF WAY SERVICES FOR THE CENTRAL AVENUE AT I-80 LOCAL ROAD IMPROVEMENT PROJECT TO INCREASE THE AGREEMENT IN AN AMOUNT OF \$1,000,000 FOR A TOTAL AMOUNT OF \$1,050,000**

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**WHEREAS**, in November 2004, Contra Costa County voters approved Measure J with a 71% vote. The measure provided for the continuation of our county's half-cent transportation sales tax for 25 more years beyond the original expiration date of 2009 and the tax revenues will be used to fund a voter-approved Expenditure Plan of transportation programs and projects; and

**WHEREAS**, the 2016 Measure J Strategic Plan is the fifth update out of twelve expected over of the life of Measure J. It will provide firm commitments of Measure J funding for specific projects through June 30, 2021, and the I-80 Central Interchange Phase 2 project ("Project") is included in the Measure J expenditure plan for Capital Projects; and

**WHEREAS**, a City Council resolution authorizing the city manager to execute Amendment #1 to the Real Property Services Agreement with the County of Contra Costa for Real Property Right of Way Services for the construction of the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project is needed to increase the agreement in an amount of \$1,000,000 for a total of \$1,050,000; and

**WHEREAS**, in November 2022, the City of Richmond, as lead agency under the California Environmental Quality Act ("CEQA"), prepared a draft Initial Study/Mitigated Negative Declaration ("IS/MND") for the project titled the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project (Exhibit B). The IS/MND describes the proposed project and provides an assessment of the project's potential significant adverse impacts on the environment. The IS/MND concludes that the proposed project will not have any significant effects on the environment after implementation of mitigation measures and best management practices; and

**WHEREAS**, pursuant to Section 15085 of the CEQA Guidelines, the City of Richmond submitted a Notice of Completion ("NOC") for the proposed IS/MND to the California State Clearinghouse ("SCH") on November 8, 2022. In accordance with Section 15105(b) CEQA Guidelines, the public review and comment period began on November 8, 2022, and ended on December 8, 2022; and

**WHEREAS**, the IS/MND included a Mitigation Monitoring and Reporting Plan (Section 5 of Exhibit A) which addresses the potential impacts of the proposed project. The IS/MND identified potential impacts in the areas of Biological Resources, Cultural Resources/Tribal Cultural Resources, Geology, Hazardous Materials and Noise. Mitigation measures were adopted to ensure that these potential impacts are avoided or reduced to less-than-significant levels; and

**WHEREAS**, the City of Richmond received three comment letters on the draft IS/MND and has prepared responses to comments (Exhibit A, Section 2). This document and the Draft IS/MND comprises the Final IS/MND recommended for adoption (Exhibit A); and

**WHEREAS**, on January 24, 2023, the Richmond City Council held a public meeting to consider adoption of the Final IS/MND and authorization to execute a real property agreement with the County of Contra Costa for the proposed project.

**NOW, THEREFORE, BE IT RESOLVED** that, after hearing all interested persons and considering all relevant evidence, the Council finds and determines as follows:

1. The Final IS/MND (Exhibit A), consisting of the Draft IS/MND and the Responses to Comments document, and the MMRP (Section 5 of Exhibit A), have been completed in accordance with the requirements of the CEQA, and the State CEQA Guidelines (14 Cal. Code Regs Section 15000 *et.seq*);

2. The Final IS/MND for the Project was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, and the State CEQA Guidelines, and constitutes an adequate, accurate, objective, and complete IS/MND in accordance with the requirement of CEQA statutes and the State CEQA Guidelines;

3. The Final IS/MND for the Project has been reviewed and found adequate by the City Council prior to authorizing the initiation of the bidding process for the work, and the Final IS/MND reflects the independent judgment and analysis of the City; and

4. The Final IS/MND for the Project identifies potentially significant effects on the environment; however, revisions to the Project and incorporation of the mitigation measures in the Project will reduce any and all significant adverse environmental impacts to a less-than-significant level. There is no substantial evidence in the record that the resulting Project, in light of the whole record before the City Council, will have a significant effect on the environment.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council finds the above recitals are true and correct.

**BE IT FURTHER RESOLVED**, that this Resolution approves the Final IS/MND and associated MMRP and authorizes the city manager or their designee to execute Amendment #1 to the Real Property Services Agreement with the County of Contra Costa for Real Property Right of Way Services for the construction of the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project in an amount of \$1,000,000 for a total amount of \$1,050,000.

Exhibit A: Final IS/MND with MMRP

Exhibit B: Draft IS/MND

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting thereof held January 24, 2023, by the following vote:

AYES: Councilmembers Bana, Jimenez, Robinson, Zepeda, Vice Mayor McLaughlin, and Mayor Martinez.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: Councilmember Willis.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

EDUARDO MARTINEZ  
Mayor

Approved as to form:

DAVE ALESHIRE  
City Attorney



State of California            }  
County of Contra Costa        }       : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Resolution No. 6-23**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on January 24, 2023.

*Pamela Christian*

\_\_\_\_\_  
Pamela Christian, Clerk of the City of Richmond



**Final Initial Study/Mitigated Negative Declaration**

**Central Avenue at Interstate 80 (I-80) Local  
Road Improvement Project**

Richmond, CA

January 2023



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# **Central Avenue at Interstate 80 (I-80) Local Road Improvement Project**

**January 2023**

## **Final Initial Study/Mitigated Negative Declaration**

### **Prepared for:**

#### **City of Richmond**

Engineering Services Department  
450 Civic Center Plaza  
Richmond, CA 94804

*Contact:*

Lina Velasco

Community Development Director  
Planning Division  
(510) 620-6841  
Lina\_Velasco@ci.richmond.ca.us

### **Prepared by:**



501 Canal Blvd, Suite I  
Pt. Richmond, CA 94804

*Contact:*

Gail M. Ervin, Ph.D.  
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***If you need this document presented in an alternative format,***

***please contact:***

Lina Velasco

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**Attachment A:** Revised Conceptual Site Plan

**Attachment B:** Public Review Draft Initial Study/Mitigated Negative Declaration

## **Section 1 Introduction**

### **1.1 CEQA PROCESS**

Pursuant to Section 15085 of the California Environmental Quality Act (CEQA) Guidelines, the City of Richmond submitted a Notice of Completion for the proposed Central Avenue at Interstate I-80 Local Road Improvement Project (Project), Public Review Draft Initial Study/Mitigated Negative Declaration (IS/MND), to the California State Clearinghouse on 11/08/2022. Also, pursuant to Section 15072 of the CEQA Guidelines, the City of Richmond posted a Notice of Intent to Adopt (NOI) the proposed MND. In accordance with Section 15105(b) of the CEQA Guidelines, the public review and comment period began on 11/08/2022, and ended on 12/09/2022. In response to the publication of the IS/MND for public review, public comments have been received. These comments are discussed in this document and the original letters are available for public review at:

City of Richmond  
Engineering Services Department  
450 Civic Center Plaza  
Richmond, CA 94804

This document incorporates comments from the general public and interested agencies and contains responses by the Lead Agency to those comments. No new significant environmental impacts were identified, and no revisions are required for the Draft IS/MND.

## Section 2 Comments on the Draft IS/MND and Responses

### 2.1 INTRODUCTION

This section includes transcriptions of the comments received during the public review period on the Draft IS/MND and responses to those comments. The comments and responses plus the Public Review Draft IS/MND comprise the Final IS/MND.

### 2.2 PUBLIC COMMENTS ON THE DRAFT IS/MND

The following comments on the project were submitted via email. Transcribed comments are shown in italics. Full, technical responses to the comments received are provided below, followed by responses to each comment. Comments and responses are in order by date received.

#### **Comment 1: Mark Leong, 12/13/2022**

*Dear Lina Velasco:*

*Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the November 2020 MND.*

#### *Project Understanding*

*The project is intended improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue. The project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.*

#### **Signage**

*Figure 2- Project Conceptual Layout- where stop bars are shown, Caltrans recommends that stop signs be installed. Refer to attached.*

#### **Multimodal Transportation**

*Although outside of Caltrans' right of way, Caltrans recommends the following:*

- Consider incorporating two-stage left turn bike boxes at signalized intersections such as Central Ave/San Mateo Street. Turn boxes help facilitate left turns for bicyclists who would otherwise have to maneuver*

*through multiple vehicle travel lanes to turn left and are thereby positioned far from the protection of the curb. Please note that any right turns on red conflicting with such placement of two-stage turn boxes would need to be prohibited. Refer to FHWA's Interim Approval 20 for more information;*

- A strong preference is for bicycle facilities that are Class I, Class II, buffered Class II, or Class IV, rather than Class III markings as currently proposed. Consider replacing the Class III markings currently proposed with Class II bike lanes wherever adequate space exists within this road improvement project;*
- A strong preference is for intersections to be marked with crosswalks at every leg. Consider adding the northern crosswalk at the San Mateo St/Pierce Street intersection, which is currently missing.*

*Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.*

*Sincerely,*

*MARK LEONG*

*District Branch Chief Local Development Review*

*c: State Clearinghouse*

### **Response to Comment 1**

The comments provided by Caltrans address minor design elements and are not comments on the adequacy of the environmental analysis. The City, however, does provide the following responses to the design questions.

#### Signage

Appropriate traffic signs are planned to be installed along the project corridor in conformance with the California Manual on Uniform Traffic Control Devices (CA MUTCD) and will be included on the final design plans. For clarity, "Figure 2 - Project Conceptual Layout" has been revised to show Stop Signs where stop bars are currently depicted. Please see Attachment A.

#### Multimodal Transportation

- The design team will further review the applicability and feasibility of two-stage left turn bike boxes at the San Mateo at Central Avenue intersection within the context of the approved project design objectives and in coordination with the Cities of El Cerrito and Richmond's bicycle master plans for this area.

- Where Class III bicycle facilities are currently depicted along portions of Pierce Street and San Mateo Street there are limitations regarding existing or proposed ROW and the typical roadway sections for implementation of alternative Class I, Class II, buffered Class II, or Class IV bicycle facilities.
- The design team will confirm the compatibility of a marked crosswalk on the northern leg of the proposed Pierce Street and San Mateo Street intersection with the proposed grading plan and drainage design. However, the proposed catch basin on the northwest corner of the proposed intersection along with the existing driveway would prohibit the installation of an ADA-compliant curb ramp and a corresponding marked crosswalk.

**Comment 2: Aidin Amiri, 12/13/2022**

*Hello Hector,*

*This letter is a regards to "City of Richmond 30-day Notice of Intent to Adopt a Mitigated Negative Declaration".*

*My name is Aidin Amiri and I am the son of Saeid Amiri whom is the owner of Central Valero. We are a Father and Son team that run the small business. We are a locally owned, family owned, and minority owned small business that has been serving the community for over 30 years.*

*This project will have an enormously negative impact on our business. Not only will it be diverting a large percentage of customers away from our business,*

*But also due to some of the proposed changes on Pierce street, mainly the suggested barrier to be installed, there are a number safety concerns which arise as well.*

*I'm hoping that with the city's promise to help small businesses, and your help as a city Planning leader, you can help answer some questions and possibly guide us to getting more information on protesting this Declaration.*

*Is there any possibility that we could sit down sometime or maybe even have a brief telephone conversation in the next day or two?*

*Thank you very much*

*Aidin Amiri  
Central Valero  
925 322-7895*

**Response to Comment 2**

The comments provided address design elements and socioeconomic concerns and are not comments on the adequacy of the environmental analysis.

City of Richmond Public Works staff as well as Planning staff in conjunction with NCE's staff met Aidin Amiri and Saeid Amiri during a virtual conference call on 12/15/2022 to better understand their site access concerns. It was clarified during the call that the business owner's main concern was maintaining existing site access from the Pierce Street driveway for vehicles traveling northbound along Pierce Street and making a left-turn into the business. The project team confirmed to the business owners that their existing driveway access from Pierce Street would be maintained despite the planned intersection reconfiguration at Pierce Street and Central Avenue. Therefore, it was mutually agreed with the business owners that no significant impacts to the business are anticipated due to the project.

**Comment 3: East Bay Municipal Utility Management District (EBMUD),  
12/13/2022**

*Dear Mr. Rojas:*

*East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration for the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project (Project) located at Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through two private properties to Pierce Street in the Cities of Richmond and El Cerrito.*

*EBMUD has the following comments.*

**WATER DISTRIBUTION PIPELINES**

*EBMUD owns and operates 6-inch and 8-inch water distribution pipelines in Central Avenue, Pierce Street, and San Mateo Street which provide continuous service to EBMUD's customers in the area. Any proposed construction activity in Central Avenue, Pierce Street, and San Mateo Street would need to be coordinated with EBMUD so that the integrity of these pipelines is maintained at all times.*

*It is imperative to continue to coordinate with EBMUD during the development of street improvement projects, so reasonable time can be provided for planning, design, and construction if conflicts exist to avoid schedule impacts. The City of Richmond and EBMUD will need to continue to work together in finalizing the scope of work for*

*EBMUD infrastructure adjustments and relocations. EBMUD requires reasonable time to allocate resources and modify internal construction schedules. EBMUD recommends at least 18 months advance notification for upcoming street improvement projects to allow for a reasonable amount of time to perform water*

pipeline relocations. The following table provides a typical project schedule for EBMUD to design and relocate approximately 1,500 feet of 8-inch water pipeline. The required time may increase or decrease depending on the size, length and complexity of the water pipeline project; and if constructed by EBMUD crews or by Contractor.

<b>Required Time</b>	<b>Schedule Task</b>
<i>1 month</i>	<i>Receive Street Improvement and Understand Impacts</i>
<i>1 month</i>	<i>Review Project and Planning Assessment</i>
<i>2 months</i>	<i>Collect Survey Data or Use Existing Survey from Requesting Agency</i>
<i>2 months</i>	<i>Draft Base Drawing for Water Main Relocation</i>
<i>3 months</i>	<i>Design Water Main Relocation</i>
<i>2 months</i>	<i>Develop Construction Bid Documents</i>
<i>3 months</i>	<i>Advertise and Award Water Main Relocation Project</i>
<i>4 months</i>	<i>Install New Water Main and Provide Temporary Paving</i>

*18 months Reasonable Notification Time*

*(Typical Project: 1,500 feet of 8-inch pipe)*

*EBMUD will not design piping or services until soil and groundwater quality data and remediation plans have been received and reviewed and will not start underground work until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists, or the information supplied by the project sponsor is insufficient, EBMUD may require the project sponsor to perform sampling and analysis to characterize the soil and groundwater that may be encountered during excavation, or EBMUD may perform such sampling and analysis at the project sponsor's expense. If evidence of contamination is discovered during EBMUD work on the project site, work may be suspended until such contamination is adequately characterized and remediated to EBMUD standards.*

*EBMUD's water distribution pipelines and valves must always be accessible to EBMUD staff in order to maintain high-quality domestic water and fire flow services and mitigate for planned and unplanned pipeline outages. The City of Richmond is responsible for protecting in-place pipeline valves and ensuring that pipeline valves are accessible (i.e., not paved over) during and after Project construction. EBMUD recommends that the City of Richmond review EBMUD as-built drawings and*

*identify potential utility conflicts between Project improvements and existing EBMUD pipelines.*

*Attached are EBMUD guidelines for requesting pipeline as-builts that include pipeline vertical data (see Attachment A - EBMUD Map & Utility Information Request Form and Guidelines). EBMUD's process for requesting as-built drawings is a two steps process: 1) request EBMUD water distribution maps, and 2) submit to EBMUD marked-up EBMUD water distribution maps identifying which water pipeline as-builts are needed to evaluate water pipelines within street improvements. In some cases, EBMUD as-builts are not available and in those situations EBMUD recommends for local agencies to pothole and field locate utilities.*

### **EBMUD'S DESIGN STANDARDS AND SPECIFICATIONS**

*When evaluating the need and method for relocating and adjusting EBMUD infrastructure (e.g., pipelines, meters, valves, and fire hydrants), please review EBMUD's Design Standards and Specifications for Mains 20-inches and Smaller, which are located on the following webpage under "Apply for Standard Water Service":*

*<https://www.ebmud.com/customers/new-meter-installation>*

### **PIPELINE VALVE COVER ADJUSTMENTS**

*For utility conflicts between the Project and existing EBMUD pipeline valve covers, the City of Richmond must share with EB MUD conflict locations, and existing and final pavement grade elevations. EBMUD will support paving street improvement projects as follows:*

- Grade change less than 0.5-inches - For street improvement projects with a grade change elevation less than 0.5-inches, EB MUD is not obligated to adjust pipeline valve covers to facilitate the construction of street improvements, pursuant to Streets & Highways Code Section 680, which states that EBMUD may not be required to relocate its facilities for a temporary purpose. However, EBMUD will provide valve cover rings, at no cost, to be used to make valve cover adjustments as needed. The City of Richmond is responsible for protecting in-place EBMUD pipeline valve covers which will be inspected by EBMUD staff post project completion. Pipeline valves must remain accessible during and after project construction for water distribution operations (i.e., not paved over).*
- Grade change greater than 0.5-inches - For street improvement projects with a grade change elevation greater than 0.5-inches, EBMUD will support the Project by adjusting pipelines valve covers (one time) to the final street grade. However, EBMUD is not obligated to adjust valves during construction to facilitate means and methods for completing street improvements,*

*pursuant to Streets & Highways Code Section 680, which states that EBMUD may not be required to relocate its facilities for a temporary purpose. The City of Richmond is responsible for protecting in-place EB MUD pipeline valve covers which will be inspected by EBMUD staff post project completion. Pipelines valves must remain accessible during and after project construction for water distribution operations (i.e., not paved over).*

*Pipeline Valve Cover Upgrades - If the City of Richmond determines a need to upgrade old pipeline valve covers to the new Christy G-05 Valve Box and Rise Installation, EBMUD will provide the valve boxes and covers, and will reimburse the City of Richmond for the valve box upgrade at a reasonable cost. To upgrade pipeline valve covers and boxes, the City of Richmond must enter into a Valve Box Agreement with EBMUD prior to start of pipeline valve cover upgrades. An EBMUD Union notification will be required to complete the work by the City's contractor.*

### **WATER METER RELOCATIONS AND ADJUSTMENTS**

*When an agency like the City of Richmond completes street improvements ( e.g., replace sidewalks, street pavement, and storm drain pipelines) to improve both street safety and street aesthetics, EBMUD supports the agency by relocating water meters to meet Project objectives, current design standards ( e.g., meters need to be placed at 1-foot off the face of curb), and mitigate utility conflicts. EBMUD relocates water meters to their new location once the area is staked and is ready for final meter placement ( e.g. .. forms for new sidewalk and other features are in place). The City of Richmond is then responsible for relocating the customer's private water service line to the new meter location. EB MUD is not financially liable for work beyond the water meter (i.e., private water line).*

### **HYDRANT RELOCATIONS OR ADJUSTMENTS (SET-BACKS/SET-FORWARDS)**

*When the City of Richmond completes street improvements (e.g., replace sidewalks and curbs) to improve both street safety and street aesthetics, the City of Richmond must ensure that there are no conflicts between existing EBMUD fire hydrants and new curb ramps and sidewalks. Fire hydrants must be located 5-feet from the edge of curb ramps and 20 to 24- inches from the face of street curbs. Hydrant relocations are horizontal offsets that require the installation of new hydrant service laterals; hydrant relocations require the City of Richmond to submit Hydrant Relocation Application with EBMUD's New Business Office (510-287- 1010) or via EBMUD's online water service application at <https://wsa.ebmud.com>.*

### **WASTEWATER**

*EBMUD owns and operates a 48-inch wastewater interceptor pipeline located in Central A venue. This pipeline is a critical infrastructure and due to its shallow*

*nature is potentially at risk of damage from nearby construction activities or structures built on top of them (see enclosed Attachment B - Wastewater Interceptor Drawing). The City of Richmond shall submit design drawings and detailed maps to EBMUD to determine if the Project will impact the wastewater interceptor pipeline. Any proposed construction activity across this pipeline would need to be coordinated with EB MUD so that the integrity of the pipeline is maintained at all times.*

**PRE-CONSTRUCTION MEETING**

*The City of Richmond shall invite EBMUD's North Area Service Center Superintendents, Shelly Frank (510-986-7733 or shelly.frank@ebmud.com), and the Assistant Superintendents, Mike Rangel (510-287-1829 or michael.rangel@ebmud.com) to all pre-construction meetings.*

*If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.*

*Sincerely,*

*David J. Rehnstrom  
Manager of Water Distribution Planning*

**Response to Comment 3**

The comments provided address utility coordination and are not comments on the adequacy of the environmental analysis.

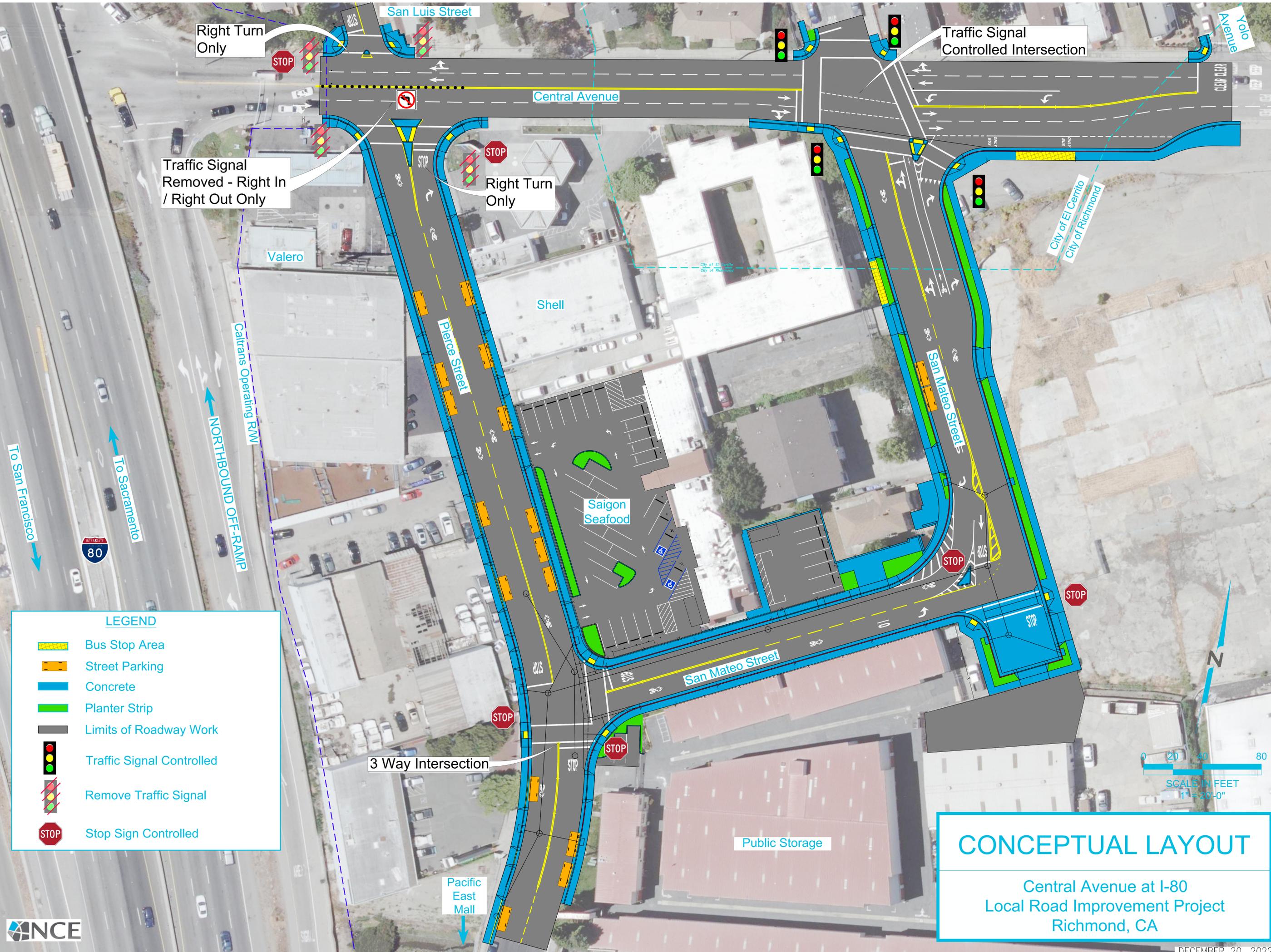
The City of Richmond Public Works Department via the project design consultant first notified EBMUD of the project via electronic Utility "A" Letter dated May 31, 2022, including a description of planned construction activities accompanied by a conceptual site plan as well as submittal of an EBMUD facility map request. The City appreciates EBMUD's continuing coordination efforts regarding the project including this letter and mapping information as well as other recent electronic communication concerning various facilities requiring relocation coordination around the project site. The City will continue to provide reasonable notification and coordination during the continuing design and eventual construction of the project (anticipated June 2025 to June 2027) regarding as-needed protection, relocation, or adjustment of EBMUD facilities within the project site.

## **Attachment A**

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### **REVISED CONCEPTUAL SITE PLAN**

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**LEGEND**

- Bus Stop Area
- Street Parking
- Concrete
- Planter Strip
- Limits of Roadway Work
- Traffic Signal Controlled
- Remove Traffic Signal
- Stop Sign Controlled

**CONCEPTUAL LAYOUT**

Central Avenue at I-80  
Local Road Improvement Project  
Richmond, CA

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**Attachment B**

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**PUBLIC REVIEW DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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**PUBLIC REVIEW DRAFT**



**Initial Study/Mitigated Negative Declaration**

**Central Avenue at Interstate 80 (I-80) Local  
Road Improvement Project**

Richmond, CA

November 2022



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COMMUNITY DEVELOPMENT DEPARTMENT  
450 CIVIC CENTER PLAZA, RICHMOND, CA 94804  
PHONE: (510) 620-6706 FAX: (510) 620-6858

**CITY OF RICHMOND  
30-DAY NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE  
DECLARATION**

**NOTICE IS HEREBY GIVEN** that the City of Richmond intends to adopt a Mitigated Negative Declaration (MND) for the following described project in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Richmond's Guidelines and Procedures for Implementation of CEQA.

**Project Title** Central Avenue at Interstate 80 (I-80) Local Road Improvement Project  
**Project Applicant** City of Richmond Public Works Department, 450 Civic Center, Plaza, Richmond 94804, (510) 231-3008  
**Project Location** I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito, Contra Costa County, California. The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through two private properties to Pierce Street.  
**Assessor Parcel No.** 510-053-001, 510-053-002, 510-053-031, 510-053-040, 510-053-005, 510-052-007, 510-053-019, 510-053-025, 510-053-032, 510-053-033, 510-053-034 and 510-053-006  
**Lead Agency** City of Richmond

**Project Description:**

The Central Avenue at Interstate 80 (I-80) Local Road Improvement Project (project) has been designed by the City of Richmond (City) to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue. The project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

The project is located along the east of the I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito, Contra Costa County, California. The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through private properties to Pierce Street.

The Project is a resurfacing, restoration, and rehabilitation project that includes the following features:

- New and removed traffic signals
- New and replacement street lighting
- San Mateo Street realignment and new connection to Pierce Street
- Roadway widening
- Street parking reconfiguration
- Striping and signage reconfiguration
- Joint utility pole (power and telecom) undergrounding and relocation, as needed (with local funds)
- Subsurface utility adjustments

- Storm drain utility improvements (if needed)
- Bus stop relocation
- Parking lot reconstruction
- Class III bike route
- Landscaping and bioretention
- Concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter
- Americans with Disabilities Act (ADA)-compliant curb ramps

The basis for proposing a Mitigated Negative Declaration is the finding that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the cities of Richmond and El Cerrito have hereby agreed to implement each of the identified mitigation measures, which would be adopted as part of the Mitigation Monitoring and Reporting Plan.

**Review and Comment Period:** Comments on the MND shall be sent in writing and must be received by **5:00 p.m. on Friday, December 9, 2022** at the following address or email:

Hector Rojas, Planning Manager  
City of Richmond Community Development Department, Planning Division  
450 Civic Center Plaza  
P.O. Box 4046 Richmond, CA 94804  
Hector\_Rojas@ci.richmond.ca.us

**Report Availability:** A copy of the Initial Study and MND is available for review online at <https://www.ci.richmond.ca.us/DocumentCenter/View/63384>.

Copies are also available for review at the City of Richmond, **Community Development Department**, City Hall, 450 Civic Center Plaza, Richmond, CA, 94804, Monday through Thursday, 8:30 AM to 4:00 PM and Friday, 8:30 AM to 12:00 PM.

**Start of Public Review:** November 8, 2022

**End of Public Review:** December 8, 2022

**Central Avenue at Interstate 80 (I-80) Local Road  
Improvement Project**

**Richmond, CA**

**Initial Study/Mitigated Negative Declaration**

**Prepared for:**

**City of Richmond**

Engineering Services Department  
450 Civic Center Plaza  
Richmond, CA 94804

*Contact:*

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### MITIGATED NEGATIVE DECLARATION

The City of Richmond, California, a municipal corporation, does hereby prepare, declare, and publish this Mitigated Negative Declaration for the following described project:

**Project Name: Central Avenue at Interstate 80 (I-80) Local Road Improvement Project**

**Project Location:** The project is located just east of the I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito, Contra Costa County, California. The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through private properties to Pierce Street.

**Project Description:** The project has been designed by the City of Richmond (City) to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue. The project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

**Findings:** The City of Richmond has reviewed the project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the City's independent judgment and analysis as Lead Agency. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

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

This Mitigated Negative Declaration has been prepared pursuant to Title 14, Section 15070 of the California Code of Regulations; the Local Environmental Regulations adopted by the cities of Richmond and El Cerrito, the El Cerrito Municipal Code, and the Richmond Municipal Code.

Copies are also available for review at the City of Richmond, **Community Development Department**, City Hall, 450 Civic Center Plaza, Richmond, CA, 94804.

Director of Community Development, City of Richmond,  
California, a municipal corporation

Dated: November 7, 2022

***If you need this document presented in an alternative format,***

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## **Executive Summary**

The City of Richmond proposes the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project (Project) to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue.

### **PROJECT DESCRIPTION**

The Project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

### **Project Features**

This is a resurfacing, restoration, and rehabilitation project that includes the following features:

- New and removed traffic signals
- New and replacement street lighting
- San Mateo Street realignment and new connection to Pierce Street
- Roadway widening
- Street parking reconfiguration
- Striping and signage reconfiguration
- Joint utility pole (power and telecom) undergrounding and relocation, as needed (with local funds)
- Subsurface utility adjustments
- Storm drain utility improvements
- Bus stop relocation
- Parking lot reconstruction
- Class III bike route
- Landscaping and bioretention
- Concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter
- Americans with Disabilities Act (ADA) improvements

### **POTENTIAL IMPACTS**

Based on the environmental evaluation performed for this Initial Study, the proposed Project would have:

- **No Impact** on Agriculture and Forestry Resources, Energy, Mineral Resources, Public Services, and Recreation.
- **Less Than Significant Impact** on Aesthetics, Air Quality, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Population and Housing, Transportation, Utilities and Service Systems, and Wildfire.
- **Less Than Significant Impact with Mitigation Incorporated** on Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources.

### MITIGATION MEASURES

The City of Richmond has agreed to implement the following mitigation measures to reduce Project impacts to a “Less than Significant” level:

- **Mitigation Measure BIO-1:**
  1. If trees, shrubs, or herbaceous vegetation need to be removed, their removal shall occur during the non-breeding season (August 16 - January 31 in this area) if possible to avoid impacts to nesting birds and their habitat. If vegetation removal or ground-disturbing activities with the potential to impact nesting birds or their habitat will be conducted during the breeding season (February 1 - August 15), a qualified biologist shall conduct pre-construction avian surveys. These surveys shall be conducted no more than 30 days prior to the initiation of activities that have the potential to impact migratory birds and their habitat. A copy of the survey shall be submitted to the City Engineer or equivalent prior to the start of construction activities.
  2. If nesting birds are detected within the Project area during the survey, consultation with the CDFW shall be conducted to establish avoidance or minimization measures that will protect nesting birds during construction. An avoidance/minimization plan shall be prepared by a qualified biologist and submitted to the City Engineer or equivalent and CDFW for review and approval prior to the start of construction activities. A suitable activity-free buffer shall be established around all active nests. The precise dimensions of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in-place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. The avoidance or minimization plan shall be submitted to the City Engineer or equivalent for review and approval prior to the start of construction activities.

- **Mitigation CUL-1/TCR-1:** During construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural and tribal cultural resources.
- **Mitigation GEO-1:** The City shall retain a professional qualified paleontologist to review the Paleontological Resource Potential Maps and determine if the Project area contains the potential for paleontological resources. The City shall coordinate for a “request for opinion” from a qualified professional paleontologist, state paleontological clearinghouse, or an accredited institution with an established paleontological repository housing paleontological resources from the region of interest.

In areas determined to have high or undetermined potential for significant paleontological resources, an adequate program for mitigating the impact shall include:

- a. Monitoring by a qualified paleontological resources monitor during excavations in previously undisturbed rock
- b. Salvage of unearthed fossil remains and/or traces (e.g., tracks, trails, burrows)
- c. Screen washing to recover small specimens, if applicable
- d. Preparation of salvaged fossils to a point of being ready for curation
- e. Identification, cataloguing, curation, and provision for repository storage of prepared fossil specimens
- f. A final report of the findings and their significance

To assure compliance at the start of the Project, a statement that confirms the site’s paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the City of Richmond and contractor(s) before any ground disturbance begins.

- **Mitigation Measure HAZ-1:**
  - The contractor is responsible for offsite disposal of soils. Soils shall require profiling and waste characterization within six months of removal and stockpiling for disposal facility acceptance. All soil spills generated at the Site shall be disposed of by the contractor and transported by a licensed waste hauler to an appropriately licensed waste disposal facility.

- Soil stockpiles shall be controlled, covered, and demarcated by the contractor when not in active use.
- Worker protection and training shall be required by the City of the contractor in advance of and during construction to mitigate potential health concerns related to exposure of metals and petroleum hydrocarbons.
- The contractor shall comply with all regulatory requirements associated with any discharge to the POTW.

The contractor shall prepare a soil and groundwater management plan (SGMP) that addresses the above mitigation requirements. The SGMP shall generally address soil and groundwater excavation, dewatering, disposal, stockpiling, and transportation. The SGMP shall explicitly address groundwater dewatering and dewatering discharge, handling and disposal of soil and groundwater, onsite soil management, onsite dewatering storage (if any), offsite soil disposal, profiling of soil and groundwater, transportation routes, and dust mitigation controls.

- **Mitigation Measure NOIS-1:** The Project shall install a sound barrier with a minimum height of 6 feet relative to the residential yard elevations along the portions of property fronting the new San Mateo Street extension at 3221 and 3211 San Mateo Street. The sound barrier shall be constructed using a solid material with no gaps in the face of the wall. Suitable materials for sound wall construction shall have a minimum surface weight of 3 pounds per square foot, such as 1-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or 1-inch-thick metal. The sound barrier shall be constructed by the City of Richmond or approved contractor and shall be completed prior to final inspection of the site by the City of Richmond.

**List of Abbreviations**

Abbreviation	Definition
AB	Assembly Bill
ADA	Americans with Disabilities Act
ADI	Area of Direct Impact
ADL	aerially deposited lead
ADT	Average Daily Traffic
APE	Area of Potential Effect
APN	Assessor's Parcel Number
ASR	Archaeological Survey Report
BAAQMD	Bay Area Air Quality Management District
BMP	best management practice
BP	before the present
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAM-17	CAM-17 Metals
CARB	California Air Resources Board
CCR	California Code of Regulations
CCTA	Contra Costa Transportation Authority
CDFG	California Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database

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Abbreviation	Definition
CNPS	California Native Plant Society
CRHR	California Register of Historical Resources
CWA	Clean Water Act
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FIRM	Flood Insurance Rate Map
GHG	greenhouse gases
HREC	Historical Recognized Environmental Condition
HRER	Historical Resources Evaluation Report
HSC	Health and Safety Code
LOS	level of service
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring and Reporting Plan
MND	Mitigated Negative Declaration
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NSR	Noise Study Report

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Abbreviation	Definition
PM	particulate matter
POTW	publicly owned treatment works
PRC	Public Resources Code
REC	Recognized Environmental Condition
RFD	Richmond Fire Department
ROG	reactive organic gases
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
SER	Standard Environmental Reference
sf	square foot/feet
SOI	Secretary of the Interior
SSD	Stege Sanitary District
SSMP	Sewer System Management Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TMDL	Total Maximum Daily Load
TOHIMU	Transit Oriented Higher Intensity Mixed-Use
TPH	total petroleum hydrocarbon
USFWS	United States Fish & Wildlife Service
USGS	United States Geological Survey
VHFHSZ	Very High Fire Hazard Severity Zone
VIA	Visual Impact Assessment
VMT	vehicle miles traveled
WEAP	Worker Environmental Awareness Program

**Section 1 Project Information**

*Type of Information*

*Project Details*

<b>1. Project title:</b>	Central Avenue at Interstate 80 (I-80) Local Road Improvement Project
<b>2. Lead agency name and address:</b>	City of Richmond Engineering Services Department 450 Civic Center Plaza Richmond, CA 94804
<b>3. Contact person and phone number:</b>	Lina Velasco Director of Community Development (510) 620-6841
<b>4. Project location:</b>	The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through two commercial private properties, to Pierce Street, in the cities of Richmond and El Cerrito.
<b>5. Project sponsor's name and address:</b>	City of Richmond 450 Civic Center Plaza Richmond, CA 94804
<b>6. General Plan designations:</b>	Regional Commercial Mixed-Use (City of Richmond 2012) Transit Oriented Higher Intensity Mixed-Use (TOHIMU)(City of El Cerrito 2014)
<b>7. Zoning:</b>	Regional Commercial (CR) (Richmond) TOHIMU (El Cerrito)
<b>8. Description of project:</b>	Increase spacing between signalized intersections east of I-80, relocate traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue, convert Pierce Street at Central Avenue to "right in, right out" access, and extending

*Type of Information*

*Project Details*

	<p>San Mateo Street to connect with Pierce Street. Project elements include new and removed traffic signals, San Mateo Street realignment and new connection to Pierce Street, roadway widening, street parking reconfiguration, striping and signage reconfiguration, joint utility pole (power and telecom) undergrounding and relocation as needed, subsurface utility adjustments, bus stop relocation, parking lot reconstruction, class III bike route, landscaping and bioretention, storm drain utility improvements, new and replacement street lighting, and concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter improvements.</p>
<p><b>9. Surrounding land uses and setting:</b></p>	<p>Highly urbanized area with a mix of single-family and multi-family residences, commercial and light industrial uses, and community parkland (City of El Cerrito 2014)</p>
<p><b>10. Other public agencies whose approval is required:</b></p>	<p>California Department of Transportation City of El Cerrito Contra Costa Transportation Authority</p>
<p><b>11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?</b></p>	<p>On June 13, 2018, a letter was sent to the Native American Heritage Commission (NAHC) requesting a search of their Sacred Lands database and a list of contacts that may have knowledge of cultural or tribal resources within or immediately adjacent to the proposed Project area. A response was received on June 26, 2018, indicating that the Sacred Lands database search did reveal the presence of Native American cultural resources within or immediately adjacent to the proposed Project area. The NAHC requested that six tribe representatives be contacted. Tribe inquiry letters were mailed on June 27, 2018, and follow-up phone calls</p>

*Type of Information*

*Project Details*

	<p>were made to all individuals identified by the NAHC on September 4, 2018.</p> <p>Given a hiatus in the Project, updated consultation letters were sent to these six tribes on January 20, 2021. After receiving an updated contact list from the NAHC on March 11, 2021, three additional tribes were also sent consultation letters. These letters were sent on March 16, 2021, and follow-up phone calls occurred on March 24, 2021.</p> <p>Four tribes, The Confederated Villages of Lisjan, the Northern Valley Yokuts Tribe, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Mutsun Band of Costanoan, have responded to date. See Section 4.18, Tribal Cultural Resources, for details.</p>
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## Section 2 Introduction

### 2.1 FOCUS OF THE ENVIRONMENTAL REVIEW

#### 2.1.1 California Environmental Quality Act

The City of Richmond has prepared this Draft Initial Study (IS) and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) for the proposed I-80/ Central Avenue Interchange Improvement -Local Roads Portion Project (Project). This Public Review IS/MND is an informational document, provided to help the public and decision-makers understand the potential effects the Project may have on the environment, and how potential adverse effects may be mitigated. The Notice of Intent to Adopt a Mitigated Negative Declaration provides notice to interested agencies and the public that it is the City's intent to adopt an MND and, pending public review, expects to determine from this study that the proposed Project would not have a significant effect on the environment. This Public Review Draft IS/MND is subject to modification based on comments received by interested agencies and the public.

#### 2.1.2 California Department of Transportation

The City of Richmond is Lead Agency and the California Department of Transportation (Caltrans) is a Responsible Agency under CEQA. Caltrans has been designated the National Environmental Policy Act (NEPA) lead by the Federal Highway Administration for administering federal funds and must approve all technical studies and environmental documents to meet federal statutory requirements before the Project can proceed. Caltrans provides guidance for implementing regulations, as well as recommended report content and format, in the *Standard Environmental Reference* (SER; Caltrans n.d.-a) at: <http://www.dot.ca.gov/ser/>. This guidance was used to develop supporting technical studies for CEQA topic analyses for the proposed Project.

### 2.2 REQUIRED PERMITS AND ADDITIONAL APPROVALS

#### 2.2.1 Permits

The Project would obtain or comply with the following permits:

- Encroachment Permit (El Cerrito)
- Encroachment Permit (Caltrans)
- Temporary Construction Easement (Various Property Owners)

#### 2.2.2 Responsible Agencies

- City of El Cerrito

- Caltrans
- Contra Costa Transportation Authority

2.3 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

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

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

\_\_\_ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

\_\_\_ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

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

Lina Velasco

Digitally signed by Lina Velasco  
DN: cn=Lina Velasco, o=City of Richmond, ou=Community Development, email=Lina\_Velasco@ci.richmond.ca.us, c=US  
Date: 2022.11.03 15:40:28 -07'00'

11/3/2022

Signature

Date

Lina Velasco

Director of Community Development

Name

Title

### **Section 3 Project Description**

The City of Richmond proposes the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project, Contra Costa County, California, Federal Aid #STPL 5137(050) (Project) in order to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue.

#### **3.1 PROJECT LOCATION**

The proposed Project is located just east of the I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito (Figure 1). The Project limits start at the intersection of Central Avenue and San Luis Street/Pierce Street (including an approximately 30-foot-long segment north along San Luis Street) and extend along Central Avenue approximately 230 feet past the Central Avenue/San Mateo Street intersection (including an approximately 30-foot-long segment north along San Mateo Street). The Project limits extend south from the intersection of Central Avenue and San Mateo Street approximately 425 feet. Continuing from the current southern terminus of San Mateo Street, the Project limits extend approximately 320 feet to the west, through a residential parcel and a commercial parking lot and form a new intersection at Pierce Street. Lastly, the Project limits extend approximately 150 feet south from the newly created intersection at San Mateo Street and Pierce Street to and approximately 450 feet from the same intersection to the Pierce Street/Central Avenue intersection.

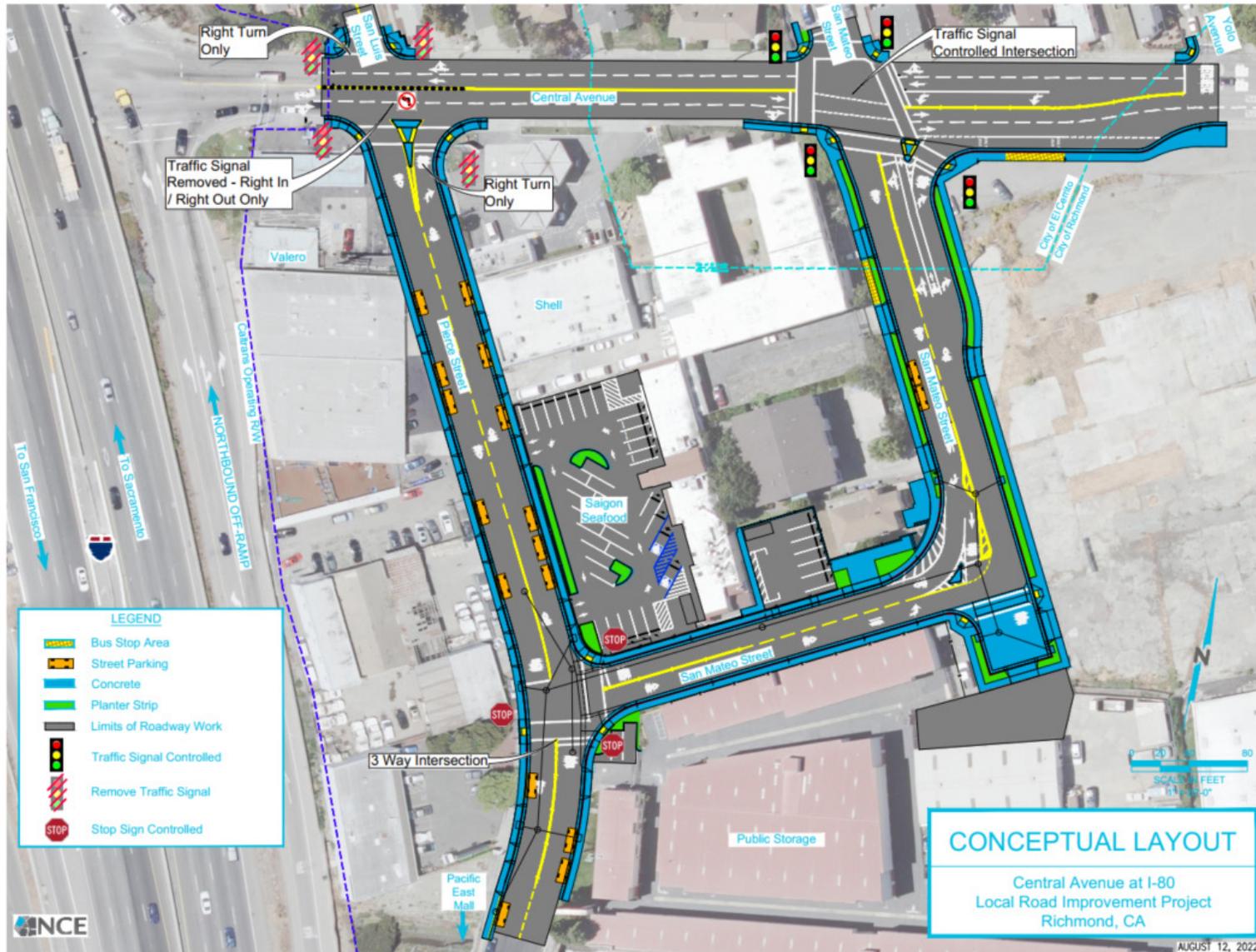
The Project limits are shown in Figure 2. This layout is the basis for the construction documents currently being prepared.

#### **3.2 BACKGROUND**

In 2003, the City of El Cerrito received a Traffic Engineering Technical Assistance Program grant from the Metropolitan Transportation Commission to prepare a traffic operations study for Central Avenue between San Pablo Avenue and I-80 to identify improvements that could be implemented to improve corridor operations. Through work led by the West Contra Costa Transportation Advisory Committee, the cities of El Cerrito and Richmond and the local community initiated the I-80/Central Avenue project and advocated for its inclusion on Contra Costa County's Ballot Measure J. Additionally, the El Cerrito City Council worked to obtain a federal earmark for the project.



**Figure 1. Project Vicinity Map**



**Figure 2. Project Conceptual Layout**

A Feasibility Study was conducted by the Contra Costa Transportation Authority (CCTA) in July 2009 (CCTA 2009a), which included three build alternatives as potentially viable (Alternatives 7A, 10, and 12) and analyzed a No Build Alternative. From that study, CCTA recommended two project phases for implementation:

- Phase 1 – Near Term Improvements, to redirect left turns from westbound Central Avenue onto I-80 westbound to the adjacent I-580 eastbound on ramp at Rydin Road during peak hours and to install traffic signals at the I-580 ramps.
- Phase 2 – Local Roads Realignment (the proposed Project discussed in this document), to increase spacing between the signalized intersections east of I-80 by connecting Pierce Street and San Mateo Street, converting Pierce Street access at Central Avenue to “right-in”, “right-out”, and relocating the traffic signal at Pierce Street/Central Avenue to the San Mateo Street/Central Avenue intersection.

Together, both phases will alleviate congestion and improve traffic safety along Central Avenue (CCTA 2009). The environmental review for the Phase 1 – Near Term Improvements project was completed in 2012. Project construction and implementation was completed in 2018 and it is currently operational.

### **3.3 PROJECT OBJECTIVES**

The Project objectives are to improve traffic operations and increase spacing between signalized intersections east of I-80. This would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

### **3.4 EXISTING CONDITIONS**

The Project site encompasses three roadways and portions of adjacent properties.

- Central Avenue is a 1.7-mile-long, east-west arterial roadway. The four-lane road has no shoulders from I-80 (Caltrans ROW) east toward San Mateo Street. There are sidewalks on both sides of Central Avenue and no existing medians within the Project area. Central Avenue has a posted speed limit of 30 miles per hour (mph) west of Pierce Street and 25 mph east of Pierce Street.
- San Mateo Street is a 32-foot-wide, two-lane local street that extends from Carlson Boulevard in the north, and dead-ends approximately 380 feet south of Central Avenue into a commercial property. There are northbound and southbound two-way stop signs at its intersection with Central Avenue. The posted speed limit on San Mateo Street is 25 mph. There are existing

driveway encroachments and sidewalks on both sides of the street north of Central Avenue, and only on the western side of the street south of Central Avenue. Parking is allowed on both sides of the street.

- Pierce Street is a 35-foot wide, two-lane collector roadway and commercial frontage road along I-80 that begins at Central Avenue south of San Luis Street. Pierce Street extends south to Buchanan Street and is currently signalized at Central Avenue. The posted speed limit on Pierce Street is 35 mph. There are sidewalks and on-street parking on both sides of the street. North of Central Avenue, Pierce becomes San Luis Street and extends north to Van Fleet Avenue. San Luis Street is a 22-foot-wide, two-lane residential roadway with a 30 mph speed limit. There are existing driveway encroachments, and on-street parking on both sides of the street.

The Project area is located inland approximately 1 mile from the San Francisco Bay. The area surrounding the Project is fully developed and urbanized, consisting of high-density residential, commercial, and light industrial uses. There are bus stops on both sides of Pierce Street approximately 100 feet south of the intersection with Central Avenue.

Surrounding land uses include a 2.6-acre community park (Central Park) located approximately 300 feet east of the Central Avenue/San Mateo Street intersection in the City of Richmond. On the eastern boundary of San Mateo Street is a vacant lot that formerly housed multiple industrial/commercial operations including a lumber mill, a machine shop, and an auto repair shop. The facilities ended operation in 2007; this site has a current application in to the City of Richmond for a medium-density residential development. To the south is a Public Storage facility and businesses at the current terminus of San Mateo Street. A channelized tributary of the historic Cerrito Creek meanders from the southern terminus of San Mateo along the east side of the commercial properties to border the southern boundary of the Public Storage complex. East of Pierce is commercial abutting the I-80 off-ramp, and north of Central is single family residential.

Within the boundaries of the roadways, there are two single family residences and two multi-family residential developments on the west side of San Mateo Street, and the Saigon Seafood Harbor Restaurant, a Shell Station, and other commercial uses on the east side of Pierce Street.

### **3.5 PROJECT FEATURES**

The Project is a resurfacing, restoration, and rehabilitation project that includes street improvements within the City of Richmond (74,371 square feet [sf]), City of El Cerrito (28,519 sf), and Caltrans ROW (1,363 sf). Combined with non-street improvement areas (23,990 sf) such as parking lots, conforms, and some landscaping, the total Project area is 128,243 sf. The Project includes

improvements on 12 partial or entire Assessor Parcel Numbers (APNs) within the cities of Richmond and El Cerrito. The Project would require a total ROW acquisition of 24,470 sf. (see Section 3.5.2, below for a complete discussion).

The proposed Project features are identified on previous Figure 2. The Project includes the following features:

- New and removed traffic signals
- New and replacement street lighting
- San Mateo Street realignment and new connection to Pierce Street
- Roadway widening
- Street parking reconfiguration
- Striping and signage reconfiguration
- Joint utility pole (power and telecom) undergrounding and relocation, as needed (with local funds)
- Subsurface utility adjustments
- Storm drain utility improvements (if needed)
- Bus stop relocation
- Parking lot reconstruction
- Class III bike route
- Landscaping and bioretention
- Concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter
- Americans with Disabilities Act (ADA)-compliant curb ramps

### **3.5.1 Project Elements by Roadway Section**

The Project scope involves subsurface construction that will include excavation and grading, relocation of soil, potential dewatering activities, and parking, street, and streetscape improvements on four roadway segments, as follows:

#### Central Avenue

- Relocate the current traffic signal at Central Avenue/San Luis Street/Pierce Street (four-way intersection) to Central Avenue/San Mateo Street (4-way intersection).
- Convert the Central Avenue/San Luis Street/Pierce Street intersection to a two-way, stop-controlled intersection, with "right in" and "right out" access only.

- North-south access across Central Avenue would be prohibited.
- Traffic traveling southbound on San Luis Street would be restricted to right-turn-only access onto westbound Central Avenue by installing a small, raised island.
- Traffic traveling northbound on Pierce Street would be restricted to right-turn-only access onto eastbound Central Avenue by installing a raised pedestrian island.
- Eastbound traffic from San Luis Street would be rerouted to the new signal at San Mateo Street.
- Westbound Pierce Street traffic would be rerouted to the new signal at San Mateo Street via the new San Mateo extension.
- Install improvements on Central Avenue from the western Project limits to the centerline of Yolo Avenue, including:
  - Center divider at the Pierce Street/San Luis Street intersection
  - Street resurfacing
  - Pavement striping and markings and traffic signs
  - ADA-compliant curb ramps at Pierce Street/San Luis Street and San Mateo Street intersections, and on the northwest corner of Central and Yolo Avenue
  - Curb, gutter, and sidewalk improvements on the south side of Central Avenue
  - Bus stop area on the south side of Central Avenue east of San Mateo Street
  - Utility adjustments, as needed

#### San Mateo Street (Existing) and New San Mateo Street Extension Connecting to Pierce Street

- Install the following improvements on San Mateo Street (existing):
  - Street lighting
  - Street resurfacing
  - Pavement striping and markings and traffic signs
  - Class III bike route
  - ADA-compliant curb ramps
  - Curb and gutter improvements

- Sidewalks and planter strips
  - Bus stop and shelter (if needed)
  - On- and off-street parking reconfiguration
  - Driveway aprons
  - Undergrounding electrical and telecom utilities
  - Storm drain utility improvements
  - Utility adjustments, as needed
  - Landscaping and bioretention/rain gardens
- Construct a new two-lane roadway connecting Pierce Street to the current terminus of San Mateo Street. This street would be approximately 285 feet long and 42 feet wide measuring to the back of opposite sidewalks. Both the existing and new segments of San Mateo Street would require right-of-way (ROW) acquisition to accommodate road widening and construction of the roadway extension.
  - The parcels requiring partial ROW acquisition are located on eight privately owned parcels identified by the following assessor parcel numbers (APNs):
    - El Cerrito: 510-053-025 and 510-053-019
    - Richmond: 510-053-002, 510-053-005, 510-053-007, 510-053-032, 510-053-033, and 510 053-040
  - The parcels requiring full ROW acquisition are located on two privately owned parcels identified by the following assessor parcel numbers (APNs):
    - Richmond: 510-053-06 and 510-053-034

The proposed Project would demolish one residential structure, extend new parking into the backyard area of a second residential property, and reconfigure the parking lot. There are approximately 50 existing stalls; however, the existing parking lot configuration and specifically parking stall sizes may not conform to current municipal code requirements. If existing stalls were modernized to conform with existing code requirements the estimate may be below 50 stalls. With the Project reconfiguration the post-Project parking counts will be 40 off-street parking stalls, and up to 3 on-street parking spaces. Therefore, the proposed Project will generate a net loss of approximately 7 parking spaces compared to existing conditions.

- Install a new three-way, stop-controlled intersection at San Mateo Street (new portion) and Pierce Street with the following improvements:
  - Street resurfacing

- Pavement striping and markings and traffic signs
- ADA-compliant curb ramps
- Northbound improvements on San Mateo Street at Central Avenue would include construction of a right turn lane and a raised pedestrian island. Parking for up to two (2) vehicles will be available on the existing segment of San Mateo Street.

#### Pierce Street

- Install the following improvements on Pierce Street between Central Avenue to 150 feet south of San Mateo Street (new):
  - Street lighting
  - Street resurfacing
  - Pavement striping and markings and traffic signs
  - Class III bike route
  - ADA-compliant curb ramps
  - Curb and gutter improvements
  - Sidewalks and planter strips
  - On- and off-street parking reconfiguration
  - Driveway aprons
  - Undergrounding electrical and telecom utilities
  - Utility adjustments, as needed
  - Landscaping and bioretention/rain gardens
  - Extend storm drain to outfall at the creek channel

#### Saigon Seafood Harbor Restaurant Parking Lot

- Resurface pavement
- Restripe parking lot to provide 32 standard parking spots and two handicap parking spots
- Install Planter strips
- Lighting
- Fencing
- Utility adjustments, as needed

#### Proposed Saigon Seafood Harbor Restaurant Back Parking Lot

- Stripe six parking spots

- Stripe loading area
- Trash Receptables area
- Lighting
- Fencing
- Utility adjustments, as needed

Ground disturbances within the Project area will range according to Project elements. The majority of impacts (those related to roadway rehabilitation / grading / paving) will be between one and six feet deep, with the exception of the new San Mateo extension that may include impacts to a depth of four to eight feet deep. Deeper impacts will occur related to underground utility relocation (up to 12 feet), the installation of approximately 16 streetlights (up to 12 feet), five traffic signal poles (up to 15 feet), and demolition with associated cleanup of a private residence at 3221 San Mateo Street (up to 8 feet).

### **3.5.2 Right-of-Way Acquisitions**

As noted above, the Project would require ROW acquisitions (herein referred to as ROW Takes) along San Mateo Street and for the road extension to Pierce Street. Table 1 identifies the parcels included within the Project area and the anticipated takes by parcel number, size, and percentage of the site to be acquired.

The South ROW Take comprises the northern boundary of the Public Storage facility (formerly called Lockaway Storage), southern portion of the Saigon Seafood Harbor Restaurant parking lot, the Residence 1 property, and most of the back yard of the Residence 2 property. This is to accommodate the San Mateo extension to Pierce Street and allow construction of a back parking area to allow continued loading for the restaurant and replace some parking to keep the business viable.

The East ROW Take is on the vacant lot (Former Lumber Yard Property) adjoining the Project area to the east. This includes a strip of land along the Central and San Mateo frontages to accommodate the curb, sidewalk, and gutter, right turn lane, and bus stop.

The North Take area would remove a small area of vegetation belonging to the apartment complex on the southwest corner of Central Avenue and San Mateo Street to allow for a slight relocation of the sidewalk and ADA curb ramp.

The Contra Costa County Real Estate Division will work with local landowners regarding acquisition of these ROW areas. This process is anticipated to take two years, from early 2023 through early 2025.

**Table 1. Estimated Right-of-Way Take Summary**

Region	Property Description	APN	ROW Acquisition (sf)	Parcel Area (sf)	Percent Acquisition (%)
South ROW Take	Saigon Seafood Harbor Restaurant	510-053-031	0	0	0
South ROW Take	Saigon	510-053-001	0	0	0
South ROW Take	Saigon	510-053-002	2,167	6,418	34
South ROW Take	Saigon	510-053-034	3,209	3,209	100
South ROW Take	Public Storage	510-053-040	204	8,926	2.3
South ROW Take	Public Storage	510-053-005	1,217	4,235	29
South ROW Take	Residence #1	510-053-006	5,392	5,392	100
South ROW Take	Residence #2	510-053-007	2,887	9,627	30
North ROW Take	Apartment Complex	510-053-019	106	12,892	0.82
East ROW Take	Vacant Lot	510-053-025	3,774	7,954	47
East ROW Take	Vacant Lot	510-053-032	3,140	72,946	4.3
East ROW Take	Vacant Lot	510-053-033	2,374	31,066	7.6
<b>Total</b>	--	--	<b>24,470</b>	<b>162,665</b>	<b>15</b>

**Notes:**

APN = Assessor Parcel Number

ROW = right-of-way

sf = square feet

**Table 2. Estimated Street Improvements Summary**

<b>Street</b>	<b>City of Richmond (sf)</b>	<b>City of El Cerrito (sf)</b>	<b>Caltrans ROW (sf)</b>
Central Ave.	13,550	20,277	1,334
San Luis St.	2,099	0	29
San Mateo St. (existing)	18,674	8,242	0
San Mateo St. (proposed)	11,853	0	0
Pierce St.	28,195	0	0
<b>Subtotals</b>	<b>74,371</b>	<b>28,519</b>	<b>1,363</b>
<b>Total</b>	<b>--</b>	<b>--</b>	<b>104,253 sf</b>

For discussion purposes, ROW Takes have been divided into South (Saigon Seafood Harbor Restaurant and commercial/residential structures), North (apartment complex), and East (vacant lot). Areas proposed for acquisition are identified on Figure 3.

**3.5.3 Construction Schedule**

The construction phase is scheduled to begin in June 2025 and end in June 2027, with an estimated 23 weeks of working days or approximately 6 months.

**3.5.4 Construction Staging and Storage**

Construction staging and storage areas would be either located in-place within work areas, within the contractor’s personal equipment storage facility, or within the City of Richmond’s corporation yard. No materials shall be stored in the City of El Cerrito public ROW.

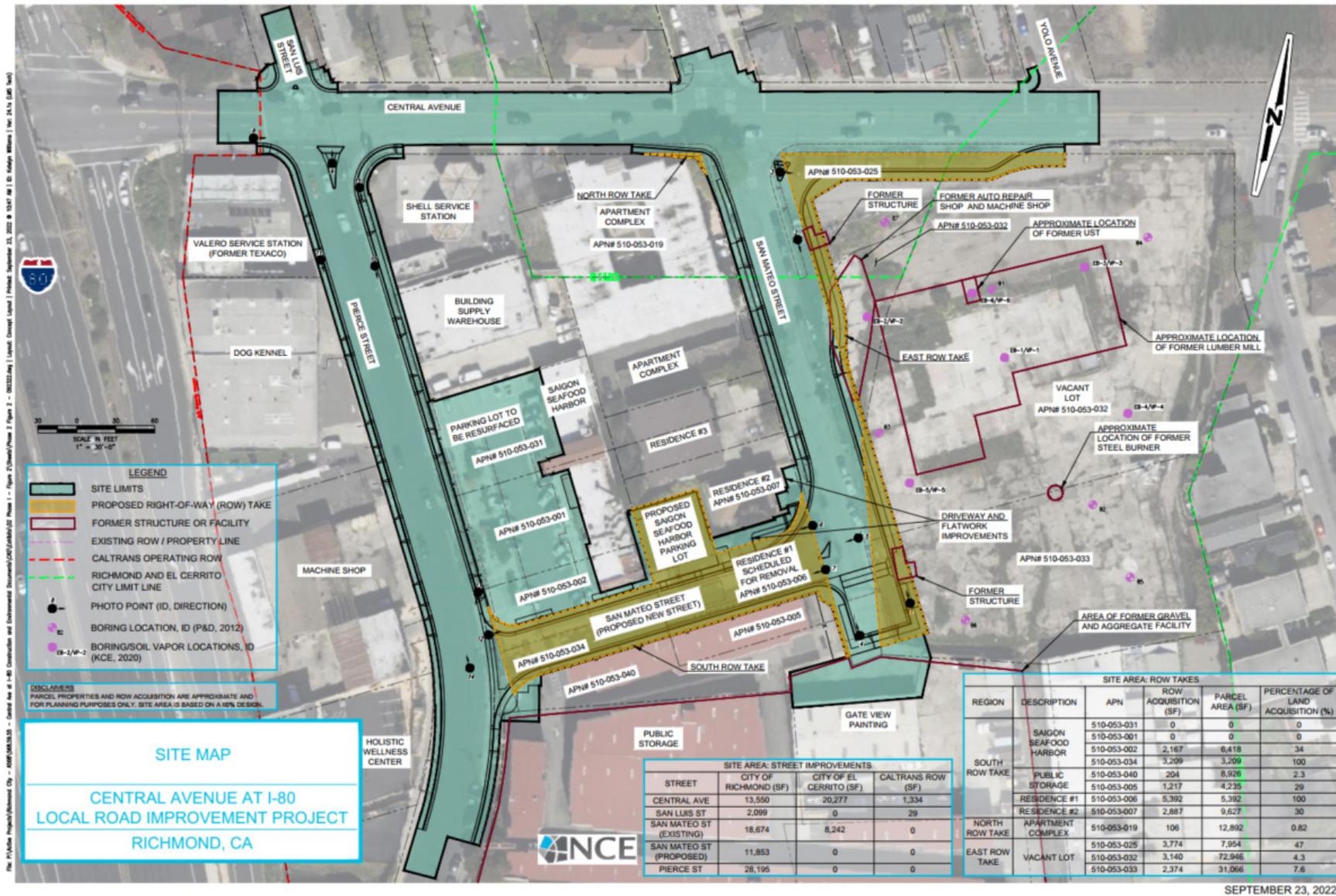
**3.5.5 Equipment and Labor Force**

Various types of equipment would be needed for the construction of the Project elements along the corridor. Small or medium-sized dozers would be used to clear the work area of vegetation and to move soil.

Construction of the roadway would require an excavator, crane, pavement milling machine, a compactor, a grader, asphalt pavers, and rollers to compact the asphalt pavement. Various smaller equipment would be needed like a skip loader, back-hoe, water truck, street sweeper, trucks, and lifting equipment to complete the numerous tasks of this Project.

**CENTRAL AVENUE AT INTERSTATE 80 (I-80) LOCAL ROAD IMPROVEMENT PROJECT**  
 PROJECT DESCRIPTION

RICHMOND, CA



**Figure 3. Site Map of Proposed Project with ROW Takes**

A skilled labor force would be required to complete this Project, including equipment operators, steel workers, carpenters, concrete finishers, asphalt paving crews, truck drivers, laborers, and landscape contractors.

### **3.6 CONSTRUCTION CONTROLS**

The Project is required to comply with local, state, and federal regulations pertaining to protection of human health, safety, and environment. In addition, the Project must meet Project-specific permit conditions established by regulatory agencies (see Section 2.3).

The following required conservation measures and construction controls from local, state, and federal agencies have been incorporated into the Project design. In general, the City follows the Caltrans *Construction Site Best Management Practices Manual* (Caltrans 2017).

#### **3.6.1 Air Quality**

The following basic construction controls shall be implemented to minimize impacts to air quality during construction, as required by the Bay Area Air Quality Management District CEQA Guidelines Update (Bay Area Air Quality Management District 2017a):

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-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. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. 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.

8. 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 Air District's phone number shall also be visible to ensure compliance with applicable regulations.

In addition, Caltrans' Standard Specifications in Section 14-9 (2015) require the contractor to comply with all applicable air quality laws and regulations. Specific actions include:

- Post a publicly visible sign with large font, providing 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. BAAQMD's nuisance response phone number shall also be visible to ensure compliance with applicable regulations.
- Idling times shall be minimized either by shutting equipment off when not in use, or, reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage in large font shall be provided for construction workers at all access points for this requirement.
- Construction equipment and vehicles will be properly tuned and maintained. All construction equipment will use low sulfur fuel as required by CA Code of Regulations Title 17, Section 93114.
- Water or a dust palliative will be applied to the site and equipment as often as necessary to control fugitive dust emissions.
- Soil binder will be spread on any unpaved roads used for construction purposes, and on all Project construction parking areas.
- Equipment and materials storage sites will be located as far away from residences and parks as practicable. Construction areas will be kept clean and orderly.
- Track-out reduction measures will be used at Project access points to minimize dust and mud deposits on roads affected by construction traffic. Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be promptly and regularly removed to reduce PM emissions.
- To minimize spreading dust into the wider community, all transported loads of soils and wet materials will be covered before transport, or adequate freeboard will be provided.

- To the extent feasible, construction traffic will be scheduled and routed to reduce congestion during peak travel times.
- As soon as practical after grading, the contractor will install mulch or plant vegetation to reduce windblown PM on spoils piles and areas not subject to near-term paving.

### 3.6.2 Geology and Soils

The Hydrology and Water Quality controls section below outlines erosion and sediment BMPs that would minimize impacts to geology and soils during construction.

### 3.6.3 Hazards and Hazardous Materials

The Construction General Permit requires that a Spill Prevention Plan be developed along with the Project-specific Stormwater Pollution Prevention Plan (SWPPP) to detail site-specific BMPs to prevent accidental spills from impacting water and land resources. The plan must outline response protocols and information for contacting the San Francisco Bay Regional Water Quality Control Board (RWQCB) and other responsible agencies. Additionally, spill containment and absorbent materials must be kept on-site at all times, and petroleum products and hazardous waste must be removed from the Project area and disposed of at an appropriate location.

### 3.6.4 Hydrology and Water Quality

Construction activities that disturb one acre or more of land, and construction on smaller sites that are part of a larger project, must comply with a California State Water Resources Control Board (SWRCB) Construction General Permit (Order 2009-0009-DWQ) that regulates stormwater leaving construction sites. Site owners must notify the state, prepare, and implement a SWPPP and monitor the effectiveness of the plan. The SWPPP must outline measures that will protect hydrology and water quality resources, including groundwater, from negative impacts during construction.

Construction site stormwater BMPs would follow the *Construction Site Best Management Practices Manual* (Caltrans 2017) to control and minimize the impacts of construction related activities. Some of these controls are also outlined in Section 3.6.1 as mitigations for air quality. The following BMPs, at a minimum, would be implemented at the site during construction:

1. Temporary erosion and sediment control BMPs to prevent the transport of earthen materials and other construction waste materials from disturbed land areas, stockpiles, and staging areas during periods of precipitation or runoff (such as silt fence, erosion control fabric, fiber rolls).

2. Tracking controls (such as designated ingress and egress areas) and designated staging areas outside of drainage areas.
3. Revegetation of all disturbed areas, including staging with native species only.
4. Temporary BMPs to prevent wind erosion and sediment transport of disturbed areas, such as use of water for dust control and covering of stockpiles.
5. Construction boundary fencing to limit land disturbance to areas not planned for construction.

### **3.6.5 Traffic During Construction**

For activities within a public ROW, a Temporary Traffic Control Plan and Pedestrian Control Plan conforming with the California Manual on Uniform Traffic Control Devices must be prepared and submitted for review and approval prior to issuance of applicable encroachment permits. Reviewing agencies would include Caltrans, El Cerrito, and Richmond for their respective ROWs.

## Section 4 Environmental Evaluation

The following sections evaluate the potential adverse impacts of the Project in compliance with CEQA. Appendix G of the CEQA Guidelines (California Association of Environmental Professionals 2022) provides a sample checklist with a series of questions designed to enable the lead agency, and Caltrans, to identify Project impacts for 20 environmental topics; this IS generally follows this checklist.

Except where a specific threshold has been adopted by a public agency and is specified in the sections below, such as an air quality threshold, Appendix G of the CEQA Guidelines are used as thresholds of significance for the CEQA checklist questions.

Potential environmental impacts are described as follows:

- **Potentially Significant Impact:** An environmental impact that could be significant and for which no feasible mitigation is known. If any potentially significant impacts are identified in this Checklist, an EIR must be prepared.
- **Less than Significant Impact with Mitigation Incorporated:** An environmental impact that requires the implementation of mitigation measures to reduce that impact to a less than significant level.
- **Less than Significant Impact:** An environmental impact may occur; however, the impact would not exceed significance thresholds.
- **No Impact:** No environmental impacts would result from implementation of the Project.

**4.1 AESTHETICS**

**4.1.1 Environmental Setting**

The Project is located in a highly urbanized area consisting primarily of paved local roadways (Central Avenue, San Mateo Street, Pierce Street, and San Luis Street). The Project area is surrounded by a mix of single-family residential homes and apartments as well as an assortment of commercial and light industrial buildings. The I-80/Central Avenue Interchange is approximately 200 feet west of Pierce Street and obstructs views west of the Project area. There is a 2.5-acre vacant property located along the east side of San Luis Street with a current land use entitlement allowing for construction of up to 172 multi-family apartment-type unit

There are utility poles obstructing sidewalks along the roadways and landscaping is very sparse in the Project area. There are approximately 47 trees of varying type and size sporadically located along Central Avenue and San Mateo Street. Also, there are a small number of ornamental landscape trees and shrubs in front of a commercial property along Pierce Street.

Existing nighttime light sources in the Project area include street lighting along Central Avenue, San Mateo Street, Pierce Street, San Luis Street, and other adjacent roadways, as well as security lighting from the surrounding residences and commercial buildings.

A Visual Impact Assessment (VIA) was prepared for this Project and is available upon request (Vallier & Associates 2018).

**4.1.2 CEQA Checklist Summary**

Except as provided in Public Resources Code Section 21099, would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway?	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant Impact

<b>CEQA Question</b>	<b>Impact Determination</b>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Less Than Significant Impact

**4.1.3 Answers to CEQA Checklist Questions**

Except as provided in Public Resources Code Section 21099:

**a) Would the project have a substantial adverse effect on a scenic vista?**

***No Impact***

Review of the Caltrans Vista Points dataset for Contra Costa County identified the Bird Roosting Island Vista Point west of the Project area along Central Avenue (Caltrans 2015). However, the Project area and designated vista point are separated by the I-80 Interchange and are not within visual proximity of one another.

There will be no significant change in vertical features that could block views within the area from any of the Project roadways. There is existing street lighting that will be relocated within the new roadway alignment but will not significantly alter any views. All other changes will occur at ground level and will provide visual improvements.

Based on the VIA, no scenic vistas were identified within the proposed Project setting (Vallier & Associates 2018). Views southward from Pierce Street to Albany Hill would be unaffected by the Project. Therefore, the Project would have no impact on a scenic vista.

**b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

***No Impact***

No notable scenic resources were identified within the Project setting. Review of the Caltrans Scenic Highway Mapping System for Contra Costa County did not identify any officially designated scenic highways in the immediate vicinity of the Project area that would be impacted as a result of the proposed Project (Caltrans n.d.-a) Because the Project is not located within a designated state scenic highway, there would be no impact.

Based on the VIA, no scenic resources of note, nor any historic buildings, were identified within the Project setting (Vallier & Associates 2018). There are no local or state scenic roadways in the Project viewshed. Therefore, the Project would have no impact on a scenic resource.

**c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

***Less Than Significant Impact***

The Project is in an urban area and would create minor levels of visual change within a setting of viewer sensitivity ranging from moderate (residents) to low (others). In general, visual changes due to the proposed Project would be relatively minor, including construction of new curbs, new paving and striping, relocation of traffic signals from the Pierce/San Luis intersection to the Central/San Mateo intersection, associated widening at the Central/San Mateo intersection to accommodate new turn lanes, a new bus stop at the southeast corner of the intersection, and a new short roadway extension between two existing roadways. These comparatively minor visual changes would be consistent with the existing roadway-dominated character of the Central Avenue streetscape. Visual changes proposed for Pierce and San Mateo Streets, including new streetlights, potential undergrounding of utilities, and road extension would also be consistent with their existing character. An existing residence at 3221 San Mateo Street would be removed to accommodate the new proposed roadway alignment. This generally low level of visual change would occur within a setting of viewer sensitivity and response that ranges from moderate (residences) to low (others).

The Project is located primarily within the City of Richmond, with portions of two parcels in the City of El Cerrito. Within Richmond, the Project is located in an area designated in the General Plan for Regional Commercial Mixed-Use. No applicable policies that would pertain specifically to aesthetics or scenic quality of the Project were identified in the Richmond General Plan or Zoning Ordinance.

The El Cerrito portion of the Project is in the Transit Oriented Higher Intensity Mixed-Use General Plan designation and zoning district (City of El Cerrito 2014). The applicable land use only includes the northwest corner of the apartment complex at San Mateo and Central Avenue, and the zoning does not indicate any specific aesthetic or scenic quality-related requirements applicable to the proposed Project.

Although the Community Development and Design Element of the El Cerrito 1999 General Plan articulates various broad goals for urban design in the city, no policies regarding aesthetics, scenic quality, or urban design that would specifically pertain to the proposed Project were identified. More specific land use and urban design goals and policies in the Plan are described in Design and Development Guidelines, in reference to specific priority development areas, but the proposed Project does not fall within any of these plan areas. The City of El Cerrito San Pablo Avenue

Specific Plan contains view standards in Section 2.05.02.03 to “acknowledge existing key natural and scenic views of Mount Tamalpais, the Golden Gate Bridge, Albany Hill, the East Bay Hills and the San Francisco Skyline, and to leverage context-sensitive design and minimize the impact of new development on these views” (City of El Cerrito 2014). The proposed Project does not fall within any of these natural and scenic views. Similarly, no specific zoning ordinances relating to the aesthetic/visual aspects of the Project were identified for either Richmond or El Cerrito. Neither Richmond nor El Cerrito identify scenic roadways or highways in their General Plans.

Thus, the Project would not conflict with applicable local zoning, general plan, or other regulations relating to scenic quality. The impact would be less than significant.

The VIA did note a potential nuisance concern regarding the northern wall of the Public Storage building that the sidewalk of the San Mateo Street extension would abut. There is concern that this wall would provide an attractive nuisance for graffiti. While not required to mitigate an impact under CEQA, it is recommended that the City adopt the following minimization and avoidance measure:

**Avoidance Measure 1:** In the event of future graffiti on the exposed walls, the City shall work with the property owners to coordinate repainting the affected wall with graffiti-resistant paint (per ASTM D6578/D6578M-13) or work with the property owners and arts community to paint a mural in that location.

**d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

***Less Than Significant Impact***

The Project would not adversely affect day or nighttime views in the area. The Project would relocate the current traffic signal at Central Avenue and San Luis/Pierce Street to the Central Avenue/San Mateo Street intersection. This would not result in an overall increase in lighting.

There will be 13 streetlights protected, 20 new streetlights added, three parking lights removed, and two new parking lights added into the Project area. New pedestrian lighting would be installed along both the existing and proposed segments of San Mateo Street similar in character and intensity to the existing lighting. These light standards would be typical of urban residential neighborhoods and would represent a potential improvement in nighttime safety for the residences on this street. The potential for intrusive night lighting within nearby homes would be minimized by the canopies of new street tree plantings proposed along San Mateo Street in this segment.

Street lighting associated with the traffic signal at Central Avenue and San Luis/Pierce Street would be relocated to the intersection of Central Avenue and San

Mateo Street. This lighting would be essentially similar in character and intensity to the existing lighting at Central Avenue and San Luis/Pierce Street, thus no new net glare or lighting-associated adverse impacts are anticipated in this segment of Central Avenue.

Overall, no substantial new sources of light or glare are proposed, and no significant adverse effects on day or nighttime views is anticipated.

**4.2 AGRICULTURAL AND FORESTRY RESOURCES**

**4.2.1 Environmental Setting**

The Project site is located in a highly urbanized area of the cities of Richmond and El Cerrito. The Project area is zoned for commercial and residential uses (see Section 4.11, Land Use & Planning). The area has not been used historically for agricultural or timberland production.

There are no agriculture or forestry land uses on or near the Project site. The Contra Costa County Important Farmland 2018 Map depicts that the majority of farmland of regional or state importance in the east regions of Contra Costa County (California Department of Conservation 2018).

**4.2.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code (PRC) § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	No Impact

**4.2.3 Answers to CEQA Checklist Questions**

**a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to**

**the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

***No Impact***

As discussed in the Environmental Setting section, the Project is not located in an area of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency (California Department of Conservation 2019a). Additionally, the Project does not propose features that would result in a change in land use; therefore, the Project would have no impact on farmland, nor would it convert farmland to non-agricultural use.

**b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

***No Impact***

There are no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) in the Project vicinity therefore, there are no Williamson Act contracts in the vicinity (California Department of Conservation 2016). Because there are no agricultural zoning designations and no Williamson Act contracts associated with the Project, there would be no impact.

**c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code (PRC) § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?**

***No Impact***

There are no forestland or timberland land uses or zoning designations in the Project vicinity. The nature of the Project has no impact on land development or conversion of land use. Therefore, the Project does not have potential to conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.

**d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

***No Impact***

There are no forestland or timberland land uses or zoning designations in the Project vicinity. The nature of the Project has no impact on land development or conversion of land use. Therefore, the Project does not have potential result in the loss of forest land or conversion of forest land to non-forest use.

**e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

***No Impact***

Refer to responses a-d. There is no potential for this infrastructure Project to result in a conversion of land and there is no farmland or forest land associated with the Project; therefore, there would be no impact on Farmland or agricultural uses.

## **4.3 AIR QUALITY**

### **4.3.1 Environmental Setting**

The topography of a region can substantially impact air flow and resulting pollutant concentrations. California is divided into 15 air basins with similar topography and meteorology to better manage air quality throughout the state. Each air basin has a local air district that is responsible for identifying and implementing air quality strategies to comply with ambient air quality standards.

The Project is located within the San Francisco Bay Air Basin, which includes Marin, Napa, San Mateo, Contra Costa, Alameda, Santa Clara, and parts of Sonoma and Solano counties. Air quality regulation in the San Francisco Air Basin is administered by the Bay Area Air Quality Management District (BAAQMD).

Climate, weather, and terrain influence local air quality. Factors such as the amount of sunlight, wind and rain all have strong influences. Winds can transport ozone (O<sub>3</sub>) and O<sub>3</sub> precursors from regionally, contributing to air quality problems downwind of sources. Furthermore, mountains can act as a barrier that prevents pollution from dispersing. Recent large fires in the Sierra Nevada have shown how winds can spread pollution. In one example from 2021, fire smoke from the Lake Tahoe region was clearly visible from space and traveled 100s of miles into central Utah. Hence, emissions generated in Richmond don't only affect the city – pollution can travel, mix with other pollutants, and impact those downwind.

Richmond, like much of the coastal East Bay, enjoys a mild Mediterranean climate year-round. The average highs range from 57 to 73°F and the lows are generally between 43 to 56°F year-round. Richmond usually enjoys an "Indian Summer", and September is, on average, the warmest month, while January is usually the coldest month. The highest recorded temperature in Richmond was 112°F in September 2022 while the coldest was 24°F in January 1990. The rainy season begins in late October and ends in April or May.

### **4.3.2 Regulatory Setting**

Both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common air pollutants. These standards are prescribed levels of pollutants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. The federal and State ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, federal and State standards differ in some cases.

## **Federal Regulations**

The EPA is responsible for enforcing the federal Clean Air Act and the 1990 amendments to it, as well as the National Ambient Air Quality Standards (NAAQS) that the EPA establishes. These standards identify levels of air quality for six criteria pollutants, which are considered the maximum levels considered safe, with an adequate margin of safety, to protect public health and welfare. The six criteria pollutants are ozone, carbon monoxide nitrogen dioxide, sulfur dioxide, particulate matter (respirable particulate matter with an aerodynamic diameter of 10 micrometers (PM<sub>10</sub>) and fine particulate matter with an aerodynamic diameter of 2.5 micrometers (PM<sub>2.5</sub>), and lead.

## **State Regulations**

CARB oversees air quality planning and control throughout California. It is primarily responsible for ensuring implementation of the 1989 amendments to the California Clean Air Act, responding to the federal Clean Air Act Amendment requirements, and regulating emissions from motor vehicles and consumer products within the state. In general, California Ambient Air Quality Standards (CAAQS) are more stringent than federal standards. This is particularly true for ozone and PM<sub>10</sub>.

Transportation projects may create temporary increases in emissions or a “hot-spot.” Under the transportation conformity regulations (40 Code of Federal Regulations [CFR] 93.123(c)(5)), construction-related activities that cause temporary increases in emissions are not required to conduct a “hot-spot” analysis. These are exempted from special analysis if they occur only during the construction phase and last 5 years or less at any individual site.

### ***Federal and State Air Quality Attainment Status***

Air quality conditions in the Bay Area are compared against the NAAQS and the state level (California Ambient Air Quality Standards). The attainment status is classified for each pollutant.

Under the NAAQS, the Bay Area is classified as nonattainment for the one-hour and 8-hour ozone standard. The area is also classified as nonattainment for PM<sub>2.5</sub>. Although the EPA issued a final rule in 2013 to determine that the Bay Area attains the 24-hour PM<sub>2.5</sub> national standard, the Bay Area continues to be designated as “nonattainment” for the 24-hour PM<sub>2.5</sub> NAAQS standard until BAAQMD submits a “redesignation request” and a “maintenance plan” to EPA, and EPA approves the proposed redesignation. The Bay Area is designated attainment for nitrogen dioxide, carbon monoxide, lead and sulfur dioxide. While BAAQMD monitoring data show the region meets the PM<sub>10</sub> NAAQS, the area is technically designated “unclassified.” At the state level, the area is designated nonattainment for ozone, PM<sub>2.5</sub> and PM<sub>10</sub> and considered “attainment” for all other criteria air pollutants (CARB 2018b).

## **Local Regulations**

### ***Air Quality Management District***

The BAAQMD adopted the 2017 Clean Air Plan (BAAQMD 2017b) to plan for and achieve compliance with the federal and State ozone standards. The 2017 plan updates the 2010 Clean Air Plan pursuant to air quality planning requirements. To fulfill state ozone planning requirements, the 2017 Plan includes a wide range of control measures designed to decrease emissions of harmful air pollutants, such as particulate matter, ozone (measured as reactive organic gases [ROG] and nitrogen oxides [NOx]), and toxic air contaminants; decrease greenhouse gas (GHG) emissions; and decrease emissions of CO<sub>2</sub> by reducing fossil fuel combustion (BAAQMD 2017b).

The BAAQMD has published their *CEQA Guidelines* (BAAQMD 2010), which are used in this analysis to evaluate air quality impacts of projects; while these guidelines have been updated to reflect current Supreme Court opinions, they are currently being further updated. The Guidelines provide BAAQMD-recommended procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. The control measures identified in the 2017 Plan (BAAQMD 2017b) are identified in the Guidelines as recommendations and/or mitigation measures.

### ***Bay Area Plan 2050***

In October 2021, the Association of Bay Area Governments and the Metropolitan Transportation Commission adopted the Bay Area Plan 2050. The plan looks at strategies to improve housing, transportation, climate change adaptation and economic development. The planning involved modeling various future scenarios and involved over 8,000 citizens, businesses, and other affected groups. The modeling involved levels called "Horizons" and "Futures."

According to the document, "The 35 strategies included in Plan Bay Area 2050 proved effective across multiple Futures or respond to challenges that remained unaddressed after the conclusion of the Horizon effort."

The following two transportation strategies apply to this Project:

T6. Improve interchanges and address highway bottlenecks. Rebuild interchanges and widen key highway bottlenecks to achieve short- to medium-term congestion relief.

T8. Build a Complete Streets network. Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths

***Thresholds of Significance***

In June 2010, BAAQMD adopted thresholds of significance to assist in the review of projects under CEQA. These thresholds were designed to establish the level at which BAAQMD believe air pollution emissions would cause significant environmental impacts under CEQA.

Table 3 presents the significance thresholds used in this analysis, including annual emissions for operational emissions and daily standards for short-term construction-related emissions. A project with daily emission rates below these thresholds is considered to have a less than significant effect on air quality (BAAQMD 2010).

***Table 3. BAAQMD Thresholds of Significance for Construction-Related Criteria Air Pollutants and Precursors (BAAQMD 2017b)***

<b>Criteria Air Pollutant</b>	<b>Construction Thresholds - Average Daily Emissions (lbs/day)</b>	<b>Operational Thresholds - Average Daily Emissions (lbs/day)</b>	<b>Operational Thresholds - Annual Average Emissions (tons/year)</b>
ROG	54	54	10
NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (Exhaust)	82	15
PM <sub>2.5</sub>	54 (Exhaust)	54	10
Carbon Monoxide	Not Applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	Not Applicable

Note: ROG = reactive organic gases, NO<sub>x</sub> = nitrogen oxides, PM<sub>10</sub> = coarse particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM<sub>2.5</sub> = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less.

**CUMULATIVE IMPACTS**

If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions. If the Project’s expected emissions fall below

the de minimus threshold, additional analysis to assess cumulative impacts is unnecessary.

**HEALTH EFFECTS**

Ozone, PM<sub>10</sub> and PM<sub>2.5</sub> emissions can cause adverse health impacts. High concentrations of ozone have the potential to irritate lungs, and long-term exposure may cause lung tissue damage and cancer. Typical sources of low-altitude ozone are almost entirely formed from ROG/volatile organic compounds and NO<sub>x</sub> in the presence of sunlight and heat. Common precursor emitters include motor vehicles and other internal combustion engines, solvent evaporation, boilers, furnaces, and industrial processes (CARB 2018b).

Particulate matter PM<sub>10</sub> (respirable particulate matter) and PM<sub>2.5</sub> (fine particulate matter) can irritate the eyes and respiratory tract and decrease lung capacity. Both are associated with increased cancer, heart disease, and mortality and contribute to haze and reduced visibility (CARB 2018a).

If emissions generated from project construction do not exceed the applicable BAAQMD thresholds for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>, the emission of criteria pollutants for which the area is non-attainment would not be associated with adverse health impacts.

**4.3.3 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less Than Significant Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant Impact

**4.3.4 Answers to CEQA Checklist Questions**

**a) Would the project conflict with or obstruct implementation of the applicable air quality plan?**

***Less Than Significant Impact***

Because the Project receives partial federal funding it must comply with special regulations for air quality impacts from transportation projects. The Project must conform to both regional and local plans.

The MTC prepares and updates transportation plans; the current plan is Bay Area Plan 2050. This plan includes a variety of projects, of which this Project is one. The MTC conducts regional air modeling to confirm that projects and actions would not inhibit air district efforts to achieve clean air. Thus, the MTC plan (under which this Project falls) is harmonized with the BAAQMD Clean Air Plan.

Projects that create new traffic volumes or that increase vehicle miles travelled would usually contribute to more pollution. Hence, they might be considered to have a significant impact on efforts to achieve the NAAQS and CAAQS. This Project does not increase miles travelled or create more trips. Its sole function is to reduce congestion and promote more efficient vehicle travel..

**b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

***Less Than Significant Impact***

The Project region is non-attainment for federal ambient air quality standards for ozone and PM<sub>2.5</sub>, and state ambient air quality standards for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>.

The BAAQMD has established that if the Project’s expected emissions fall below the de minimus threshold, additional analysis to assess cumulative impacts is unnecessary.

Extensive modeling was conducted in 2018 using current and forecast traffic volumes to estimate vehicle emissions. These are shown in below.

**Table 4. I-80 Central Avenue Summary of Operational Emissions 2018**

<b>Scenario/ Analysis Year</b>	<b>CO Pounds per day/tons per year</b>	<b>PM<sub>10</sub> Pounds per day/tons per year</b>	<b>PM<sub>2.5</sub> Pounds per day/tons per year</b>	<b>NOx Pounds per day/tons per year</b>
Existing No Project	15.45 / 2.82	0.84 / 0.15	0.36 / 0.07	4.32 / 0.79
Existing Plus Project	14.46 / 2.64	0.78 / 0.14	0.34 / 0.06	4.05 / 0.74
2040 No Project	9.19 / 1.68	1.07 / 0.19	0.44 / 0.08	1.89 / 0.35
2040 Plus Project	9.21 / 1.68	1.05 / 0.19	0.43 / 0.08	1.82 / 0.33

Source: Illingworth & Rodkin 2019

As can be seen, these emissions are substantially lower than BAAQMD significance thresholds.

Additionally, Fehr and Peers conducted traffic counts in August 2022 to verify the counts made in 2018. Traffic volumes changed slightly as shown in Table 5. Average Daily Traffic Volumes Comparison below. Thus, the Build 2040 option traffic volumes might increase by the same percentages.

**Table 5. Average Daily Traffic Volumes Comparison**

<b>Day of Week</b>	<b>ADT: Central Avenue between San Mateo and Carlson (2017)</b>	<b>ADT: Central Avenue between Pierce and San Mateo (2022)</b>	<b>Percent Change</b>
Typical Weekday (Wed. to Thurs.)	20,010	20,466	2.3%
Saturday	20,936	18,966	-9.4%

ADT = Average Daily Traffic Volumes  
 Source: Fehr & Peers 2022

As shown, average traffic volumes have increased between 2017 and 2022 on one part of Central Avenue and decreased on another segment. Looking at the worst increase, 2%, if this change holds for 2040, emissions will likely increase by about 2%. This does not materially change the Project’s compliance with BAAQMD Significance Thresholds. For example, the district’s PM2.5 threshold is 54 lbs/day. The 2040 Build project is expected to create approximately 0.43 lbs/day PM2.5. A 2% increase of 0.43 lbs well below the 54 lbs/day Significance Threshold. The same holds true for the other criteria pollutant emissions modeled. Therefore, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

**c) Would the project expose sensitive receptors to substantial pollutant concentrations?**

***Less Than Significant Impact***

BAAQMD defines sensitive receptors to include residential dwellings, including apartments, houses, and condominiums; schools, colleges, and universities; daycare centers and hospitals, and senior-care facilities. Most of the surrounding area is developed with residential and commercial uses.

Project impacts related to increased community risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of toxic air contaminants or by introducing a new source of contaminants with the potential to adversely affect existing sensitive receptors in the Project vicinity. The Project would not introduce new sensitive receptors, nor would it introduce a new permanent toxic air contaminant source. However, construction activity would generate dust and equipment exhaust on a temporary basis that could affect nearby sensitive receptors.

Since no new traffic will be created by the Project, exposure to sensitive receptors was analyzed for the construction period. Air modeling was conducted to estimate construction emissions. In the model, Project completion was assumed to require about 7 months, or 160 days. Estimated emissions are shown in the Table 6:

**Table 6. Construction Emissions for the Build Alternative 2018**

<b>Scenario</b>	<b>ROG</b>	<b>NOx</b>	<b>PM<sub>10</sub> Exhaust</b>	<b>PM<sub>2.5</sub> Exhaust</b>	<b>CO<sub>2e</sub> (metric Tons)</b>
Total construction emissions (tons)	0.32 tons	3.37 tons	0.16 tons	0.15 tons	444.20 (metric tons)
<b>Average daily emissions (pounds)<sup>1</sup></b>	4.0 lbs/day	42.1 lbs/day	2.0 lbs/day	1.9 lbs/day	6,120.5 lbs/day

Note: <sup>1</sup>Assumes 160 workdays

Source: Illingworth & Rodkin

All emissions are below the Thresholds of Significance. For all proposed projects, BAAQMD recommends the implementation of all Basic Construction Controls (BAAQMD 2010) whether or not construction-related emissions exceed applicable thresholds of significance. These controls are specified in Section 3.6.1. Therefore, the Project does not result in exposing sensitive receptors to substantial pollutant concentrations.

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

***Less Than Significant Impact***

Disturbance to naturally occurring asbestos during construction is a concern in parts of California. According to information presented in the Department of Conservation Division of Mines and Geology map, naturally occurring asbestos is not indicated in the Project footprint or in the vicinity of the Project (California Department of Conservation 2011).

Road construction and building demolition typically creates dust and diesel exhaust. The house at 2021 San Mateo Street will be demolished and grading, digging for utilities, and paving will occur. These activities have a potential to create dust and exhaust fumes that are an annoyance to sensitive receptors. Additionally, dust can soil homes, cars, and businesses. Dust and exhaust the construction controls are specified in Section 3.6.1. These include standard BAAQMD construction controls as well as Caltrans' Standard Specifications in Section 14-9 (2015). The construction controls specified in Section 3.6.1 would ensure construction emissions are less than significant.

## **4.4 BIOLOGICAL RESOURCES**

### **4.4.1 Environmental Setting**

The Project area consists primarily of existing roadway and developed surfaces including parking lots and buildings, with some minor areas of landscaping and previously developed land. An NCE Scientist walked the entire Project area on June 22, 2018 to assess the potential for special status plant and animal species or their habitats to occur within the Project area. An NCE Scientist walked the entire revised Project area again on September 14, 2022, to identify and map all trees within and adjacent to the Project area. The diameter at breast height (dbh) was measured for each tree and it was noted whether the tree was native or non-native. No suitable habitat was identified within the Project area for any of the special status species. There are 47 trees within or near the Project area.

### **4.4.2 Regulatory Setting**

#### **Federal**

##### ***Endangered Species Act***

The federal Endangered Species Act (FESA) protects plants and wildlife that are listed as endangered or threatened by the U.S. Fish & Wildlife Service (USFWS). Section 9 of the FESA prohibits the taking of endangered wildlife, where taking is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (50 CFR 17.3). This statute also governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law.

Under Section 7 of the FESA, federal agencies are required to consult with the USFWS and/or National Oceanic and Atmospheric Administration–National Marine Fisheries Service if their actions, including permit approvals or funding, could adversely affect a federally listed species (including plants) or its critical habitat.

##### ***Migratory Bird Treaty Act (MBTA)***

The Migratory Bird Treaty Act (MBTA) makes it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds. The law applies to the removal of nests (such as swallow nests on bridges) occupied by migratory birds during the breeding season.

##### ***Executive Order 13112 – Invasive Species***

Executive Order 13112 requires federal agencies to combat the introduction or spread of invasive species in the United States. Invasive species are defined as “any species, including its seeds, eggs, spores, or other biological material capable

of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health.”

Federal Highway Administration guidance issued August 10, 1999, directs the use of the invasive species list, maintained by the California Invasive Species Council, to define the invasive plants that must be considered as part of the National Environmental Policy Act analysis of a proposed project within California.

## **State**

### ***California Endangered Species Act***

Pursuant to the California Endangered Species Act (CESA) and Section 2081 of the CDFG Code, an Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) is required for projects that could result in the “take” of a State listed threatened or endangered species. Under CESA, “take” is defined as an activity that would directly or indirectly kill an individual of a species proposed for listing (called “candidates” by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations.

### ***California Native Plant Protection Act***

The Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900-1913) was created in order to “preserve, protect and enhance rare and endangered plants in this State.” The NPPA is administered by CDFW; they have the authority to designate native plants as “endangered” or “rare” and to protect endangered and rare plants from take. CESA provided further protection for rare and endangered plant species, but the NPPA remains part of the CDFG Code.

## **Local – Tree Removal**

### ***City of Richmond Municipal Code***

The Municipal Code’s Tree Preservation Standards (15.04.840.050) state that the Director of the Department of Public Works shall review all projects, both new development and additions or renovations to existing properties, to ensure their compliance with the provisions of the Urban Forest Management Plan and related city or any other specific ordinances and guidelines. Landmark trees and major groves will be preserved as required by the Director of the Department of Public Works and this Code.

Chapter 10.8 Trimming, Pruning, Care, Planting, Removal and Moving of Trees, Shrubs or Plants. Section 10.08.030 requires permits be obtained prior to cutting,

removing, or interfering with any tree, shrub or plant upon any street, park, pleasure ground, boulevard, alley, or public place located in the City of Richmond.

***City of Richmond General Plan***

The Conservation, Natural Resources and Open Space Element of the General Plan includes the following policies aimed at protecting natural resources considered “vital to the City and surrounding region because they provide a biologically diverse environment for people” (City of Richmond 2012).

Policy CN1.2 – *Local Native Plant Species* promotes the use of locally propagated native plant and tree species, including removal and control of invasive exotic plant species.

***City of Richmond Urban Greening Master Plan***

The City’s Urban Greening Master Plan is structured around five core goals and identifies policies and actions to achieve these goals (Vallier Design Associates, MacNair & Associates, and LSA Associates 2017). Goal 1 seeks a net zero loss of trees. The Plan supports greening efforts in all areas of the City, although is primarily focused on planting street trees and additional landscaping.

***El Cerrito Municipal Code***

The Public Tree and Shrub Ordinance (13.28.020) states that “the City of El Cerrito City Council finds and declares that the urban forest, including existing and future public trees located within the City of El Cerrito, are a valuable and distinctive natural resource. The Urban Forest of the City augments the economic base through the provision of resources, community character, and enhancement of the living environment. These resources are a major infrastructure element, offering many benefits to the city, county, and region.”

13.28.070 Pruning and Removing Trees and Shrubs in Public Places, Including Street Trees and Shrubs. “Any Person may submit a request for the City to Prune or remove a Public Tree, and this request shall be considered and prioritized for action based on public safety, Tree health, and other criteria maintained by the Director.”

***El Cerrito General Plan***

The Community Development and Design Element of the General Plan addresses land use, community design, housing, and growth management (City of El Cerrito 1999). The section on land use contains the future land use plan map and a description of the land use categories used in the plan. This includes policies, such as CD3.12 – Landscape Species. Indigenous and drought-tolerant species that reduce water usage and are compatible with El Cerrito’s climate are encouraged.

***El Cerrito Urban Forest Management Plan***

The Urban Forest Management Plan describes the benefits a successful urban forest can provide, outlines the elements necessary for an urban forest to provide those benefits and provides the goals and strategies necessary for El Cerrito’s urban forest to reach this standard of performance (Vallier Design Associates and MacNair & Associates 2007). Goal 1 is the establishment and maintenance of a citywide commitment to a healthy, growing urban forest in the City of El Cerrito. The Plan requires street tree planting and maintenance as a condition of all development and renovation projects, including tree planting and staking, irrigation, and maintenance.

***El Cerrito Urban Greening Plan***

The Urban Greening Plan defines community priorities to make a sustainable, vibrant urban environment (MIG and the City of El Cerrito Community Development Department 2015). It contains Objective 2: Greener Gateways, such as Central Avenue in this Project, that reinforces community identity and sense of place by creating distinct gateways that improve and highlight natural elements, reinforcing the community’s commitment to environmental sustainability.

**4.4.3 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife (CDFW) or U.S. Fish & Wildlife Service (USFWS)?	Less Than Significant Impact with Mitigation Incorporated
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact with Mitigation Incorporated

<b>CEQA Question</b>	<b>Impact Determination</b>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less Than Significant Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

**4.4.4 Answers to CEQA Checklist Questions**

**a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife (CDFW) or U.S. Fish & Wildlife Service (USFWS)?**

***Less Than Significant Impact with Mitigation Incorporated***

A query of federally listed wildlife species for the United States Geological Survey (USGS) 7.5-minute quadrangle encompassing the Project area was obtained from the USFWS’s Sacramento Endangered Species Office IPaC website on June 26, 2018 (USFWS n.d.). Additional information about the distribution of special status species with the potential to occur within the Project area was compiled from the CDFW California Natural Diversity Database (CNDDDB) for occurrences of special status species within a 1-mile radius of the proposed Project alignment (CDFW n.d.); from aerial photographs of the Project area; and from USGS 7.5-minute quadrangle maps of the Project area. Information on the distribution of special status species with potential to occur in the Project region also was compiled from published literature. The CNDDDB (CDFW n.d.), California Native Plant Society (n.d.), and IPaC (USFWS n.d.) databases were reviewed a second time in April 2022 to confirm if any special status plant and animal species were removed or added for the Project area. Results of these queries are discussed below.

The database searches identified five federally endangered wildlife species with the potential to be present within the Project area. The official list is provided within the *Biological Resources Evaluation* (NCE 2022b), provided upon request.

Reconnaissance-level field surveys of the Project area were conducted on June 26, 2018 and September 14, 2022. These surveys focused on identifying the presence of special status species or their habitat within the Project vicinity.

Based on a reconnaissance-level survey, background research of occurrence records for special status species, and the lack of suitable habitat present, it is unlikely that any special status species occur within the Project area.

However, the Project area and adjacent lands contain trees which may provide habitat for migratory birds. Migratory birds are protected under the MBTA, and birds of prey are also protected in California under provisions of the State Fish and Game Code, Section 3503.5. Both make it illegal to “take” protected species except under the terms of a permit. It is possible that nesting habitat could be disturbed during construction due to tree removal, noise, and vibrations from construction equipment. This would be a potentially significant impact on migratory birds and/or birds of prey.

Implementation of **Mitigation Measure BIO-1** would reduce potentially significant impacts to migratory birds and/or birds of prey to less than significant.

- **Mitigation Measure BIO-1:**

1. If trees, shrubs, or herbaceous vegetation need to be removed, their removal shall occur during the non-breeding season (August 16 - January 31 in this area) if possible to avoid impacts to nesting birds and their habitat. If vegetation removal or ground-disturbing activities with the potential to impact nesting birds or their habitat will be conducted during the breeding season (February 1 - August 15), a qualified biologist shall conduct pre-construction avian surveys. These surveys shall be conducted no more than 30 days prior to the initiation of activities that have the potential to impact migratory birds and their habitat. A copy of the survey shall be submitted to the City Engineer or equivalent prior to the start of construction activities.
2. If nesting birds are detected within the Project area during the survey, consultation with the CDFW shall be conducted to establish avoidance or minimization measures that will protect nesting birds during construction. An avoidance/minimization plan shall be prepared by a qualified biologist and submitted to the City Engineer or equivalent and CDFW for review and approval prior to the start of construction activities. A suitable activity-free buffer shall be established around all active nests. The precise dimensions of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in-place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. The avoidance or minimization plan shall be submitted to the City Engineer or equivalent for review and approval prior to the start of construction activities.

***Finding: Implementation of Mitigation Measure BIO-1 would protect nesting migratory birds and reduce potentially significant impacts to migratory birds to less than significant.***

**b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?**

***No Impact***

Sensitive natural communities are those that are listed in the CDFW's California Natural Diversity Database due to the rarity of the community in the state or throughout its entire range. No sensitive natural communities or riparian habitats were identified within or adjacent to the Project area (NCE 2022b). Thus, the proposed Project would have no impact on any riparian habitats or sensitive natural communities.

**c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

***No Impact***

No wetlands were identified within or adjacent to the Project area (NCE 2022b). Thus, the proposed Project would have no impact on any state or federally protected wetlands.

**d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

***Less Than Significant Impact with Mitigation Incorporated***

There are no established migratory corridors associated with the Project. Construction could temporarily interrupt movement of native resident or migratory wildlife species through the Project site, but not significantly as it is already a roadway barrier.

As discussed above, the Project area may contain migratory bird and bird of prey nesting habitat. With the implementation of **Mitigation Measure BIO-1**, migratory species utilizing the Project area for nesting would be protected against significant impacts.

***Finding. Implementation of Mitigation Measure BIO-1 provides sufficient species protection during construction to mitigate potential adverse effects on resident or migratory species to less than significant.***

**e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

***Less Than Significant Impact***

The Project area contains 47 trees, many of which would need to be removed during construction. The Project would be required to demonstrate consistency with

the City of Richmond and El Cerrito Municipal Code regarding trees by obtaining a tree removal permit prior to cutting, removing, or interfering with any tree, shrub or plant upon any street, park, pleasure ground, boulevard, alley, or public place. The Project would comply with the conditions of the tree removal permits and would therefore not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Protection for trees and shrubs not scheduled for removal in construction areas would also be implemented within the Project area as part of typical construction management protocols. Landscape improvements would use native plants. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources.

**f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

***No Impact***

There are no known Habitat Conservation Plans, Natural Community Conservation Plans, nor any other approved local, regional, or state habitat conservation plans associated with the Project area. Therefore, the Project would not conflict with an adopted conservation plan.

## **4.5 CULTURAL RESOURCES**

### **4.5.1 Environmental Setting**

Project screening for cultural and historic resources as part of the proposed Project was conducted by NCE in 2018, 2021, and 2022. Screening efforts consisted of an archival review, Native American tribal consultation, an intensive pedestrian survey, and recordation of any identified resources. An associated Archaeological Survey Report (ASR) (Tremaine and Laitinen 2022), Extended Phase I (XPI; Tremaine and Page-Schmit 2022a), and Historical Resources Evaluation Report (HRER; Brunzell 2022) were prepared to detail results of the screening efforts. The ASR describes the cultural context of the Project area in detail, documenting the prehistory of the region, along with background on the ethnography, and historic period. The HRER was prepared consistent with Caltrans' regulatory responsibilities under Section 106 of the National Historic Preservation Act (NHPA; 36 CFR Part 800). The cultural resources investigation reports are available upon request.

Key objectives of the HRER and ASR included establishing the Area of Potential Effect (APE) and Area of Direct Impact (ADI), and identifying prehistoric, ethnohistoric, and/or historic-period archaeological resources within or immediately adjacent to the APE. A 3.3-acre ADI was established for this Project and includes all areas subject to ground-disturbing activities associated with the proposed Project. The Area of Indirect Impact (AII) was generally established as the legal parcels adjacent to where potential direct impacts would occur. Most of the surface in the APE has been previously disturbed from utility placement, roadway construction, or commercial development.

### **4.5.2 Regulatory Setting**

#### **Federal**

The National Historic Preservation Act (NHPA; 1966) defined the role and responsibilities of the federal government in historic preservation and established the National Register of Historic Places. The NHPA directs agencies to identify and manage historic properties under their control, to undertake actions that would advance the Act's provisions and avoid actions contrary to its purposes, to consult with others while carrying out historic preservation activities, and to consider the effects of their actions on historic properties.

#### **State**

##### ***California Register of Historical Resources***

The CRHR is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The CRHR helps government agencies identify and evaluate California's historical resources

and indicates which properties are to be protected, to the extent prudent and feasible, from substantial adverse change (PRC §5024.1(a)). Any resource listed in, or eligible for listing in, the CRHR must be considered during the CEQA process.

### **Caltrans**

Projects on the Caltrans State Highway System must comply with federal and state environmental laws and regulations designed to protect cultural resources significant in American archaeology, architecture, history, culture, and engineering. Caltrans' SER contains provisions for the discovery of previously unidentified cultural resources. Chapter 2 of the SER, Section 2.4.4 "Post-Review Discoveries," offers guidance to assist Caltrans personnel in planning for the possibility of unexpected discovery of cultural resources and of unexpected effects on known historic properties (revised 2015). Chapter 3 of the SER outlines procedures that shall be followed if human remains are discovered during any Caltrans activity, in accordance with Section 7050.5 of the California HSC. Chapter 5 outlines procedures that shall be followed if previously unidentified archaeological resources are encountered during construction.

PRC §5097.5 prohibits excavation or removal of any "... archaeological... or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. PRC § 5097.5 states that any unauthorized disturbance or removal of archaeological or historical or sites located on public lands is a misdemeanor.

### **Local**

The Historic Resources Element is an optional element that Richmond has elected to include in its General Plan (City of Richmond 2012). The element is consistent with State of California Government Code which authorizes local jurisdictions to adopt additional elements to those required by State law when they relate to the physical development of the jurisdiction (Code section 65303). *Policy HR1.1 Preservation of Diverse Resources* directs the City to protect, preserve and enhance the diverse range of historic, cultural and archaeological sites and resources in the City for the benefit of current and future residents and visitors.

Within the El Cerrito General Plan, Chapter 7, "Resources and Hazards," Goal R2 directs the City to *Protect and rehabilitate architectural, historical, cultural, and archaeological resources that are of local, state, or federal significance* (City of El Cerrito 1999).

### 4.5.3 CEQA Checklist Summary

Would the project:

CEQA Question	Impact Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines § 15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?	Less Than Significant Impact with Mitigation Incorporated
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	Less Than Significant Impact

### 4.5.4 Answers to CEQA Checklist Questions

**a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines § 15064.5?**

***No Impact***

A records search was conducted through the California Historic Resource Information System. Architectural Historian Kara Brunzell reviewed aerial photographs and historic maps to determine the location of historic-period buildings or structures within the area of potential effects (APE). Five parcels within the APE contain at least one non-exempt building constructed before 1976, including residential and commercial parcels. The five properties were each individually evaluated for eligibility to the NRHP and CRHR. The resources were also evaluated following Section 15064.5 (a)(2)-(3) of the CEQA Guidelines, using criteria outlined in Section 5024.1 of the California Public Resources Code.

The historic-period resources were documented on the appropriate Department of Parks and Recreation (DPR) 523 series forms. DPR 523 A (Primary) and B (Building, Structure, and Object) forms were used to document the commercial/industrial buildings and residential properties. None of the resources surveyed are recommended eligible for listing on the NRHP or CRHR. Therefore, the proposed Project would cause no change in the significance of a historical resource.

**b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?**

***Less Than Significant Impact with Mitigation Incorporated***

Ground disturbances within the ADI will range according to project elements. The majority of impacts (those related to roadway rehabilitation/grading/paving) will be between one and six feet deep, with the exception of the new San Mateo extension

that may include impacts to a depth of four to eight feet deep. Deeper impacts will occur related to underground utility relocation (up to 12 feet), the installation of approximately 20 streetlights (up to 12 feet), two parking lights (up to 12 feet), five traffic signal poles (up to 15 feet), and demolition with associated cleanup of a private residence at 3221 San Mateo Street (up to 8 feet).

A records search conducted on July 3, 2018 indicated one previously recorded site (P-07-003065; a shell mound) within the APE. On December 27, 2018, a pedestrian archaeological survey was conducted of the APE. The objective of the survey was to identify and record cultural resources within the proposed Project area. Hardscape (paved streets, sidewalks, buildings, and parking lots) covered most of the proposed Project area. As such, there was only a limited opportunity to examine exposed ground within softscaped areas.

During the field survey, a sparse number of shell fragments were observed and recorded in five locations within the residential neighborhood along Central Avenue and San Mateo Street. An XPI study was subsequently conducted to determine the presence or absence of subsurface cultural deposits associated with the prehistoric campsites located within the APE (Tremaine & Associates and NCE 2021). The XPI determined that the Central Avenue section of the Project has been heavily modified over the past century, cutting along the base of the hillslope on the north side of the street to construct the roadway. Any cultural deposits that might have once been in the vicinity of P-07-003065 have likely been destroyed. One boring during the XPI recorded a high acid content that could indicate a historic deposit, but no other evidence could confirm presence.

The planned roadway extension between Pierce and San Mateo Streets remains untested, however, due to a lack of access. This section will be cut into the high ground that once was situated directly adjacent to the historic Cerrito Creek before it was channelized. Sampling could not be completed within the property at 3221 San Mateo Street or the parking lot of the Saigon Seafood Harbor Restaurant, which would resolve presence-absence in this vicinity. There remains a possibility, while low, that this untested portion of the ADI may impact cultural resources.

The Project has the potential to affect one archaeological site (P-07-003065). Pursuant to Section 106 PA Stipulation IX.B, an assessment of effects was conducted. Caltrans proposes No Adverse Effect without Standard Conditions, pursuant to Stipulation X.B.1(c) (Tremaine and Page-Schmit 2022b). Conditions proposed to avoid adverse effects include archaeological monitoring in the immediate vicinity of site P-07-003065 and a minor phased approach where testing could previously not take place. These conditions are outlined in a Post-Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans (Tremaine and Page-Schmit 2022c). Review and approval of the phased approach and mitigation

measures is in progress with Caltrans and SHPO and must be completed prior to the Project moving into the ROW acquisition phase.

As a federally funded Project, the City must comply with all mitigation measures as outlined in the final documentation submitted to and approved by SHPO. Those measures include an Environmentally Sensitive Area (ESA) Action Plan, Cultural Resources Sensitivity Training, Minor Phasing Approach to Identification, Evaluation, & Treatment, and strict protocols for the discovery of Human Remains and Associated Grave Goods. Caltrans and SHPO oversight would provide the necessary mitigation to ensure the Project would have a less than significant impact on tribal cultural resources.

- **Mitigation CUL-1/TCR-1:** During construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural and tribal cultural resources.

***Finding: Implementation of Mitigation Measure CUL-1/TCR-1 requires sufficient procedures, protocols, and oversight during construction to avoid and/or mitigate potential adverse effects on cultural resources, which would ensure a less than significant impact on subsurface cultural resources.***

**c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?**

***Less Than Significant Impact***

Based on the prehistoric and historic uses of the area and the prior ground disturbance within the APE, and minimal construction depths, human remains are not expected to be discovered during construction activities. Please see further discussion in Section 4.18, Tribal Cultural Resources. As noted in discussion "b" above, a process for identification, evaluation, and determination of effects, including unanticipated discoveries is required by Caltrans in compliance with Section 106. This includes measures for appropriately managing the unanticipated discovery of human remains. Therefore, with compliance with State law and **Mitigation Measure CUL-1/TCR-1**, the potential for the Project to disturb human remains is less than significant.

**4.6 ENERGY**

**4.6.1 Environmental Setting**

The City of Richmond relies on clean energy sources, waste reduction practices, sustainable buildings, and innovative land use planning to reduce energy impacts. The use of progressive measures has resulted in significant reductions in fossil fuel use as well as cost savings and emission reductions (City of Richmond 2012). Existing energy uses associated with the Project are traffic, parking, and streetlights.

**4.6.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

**4.6.3 Answers to CEQA Checklist Questions**

**a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

***Less Than Significant Impact***

Energy for the Project would primarily be required during construction and would not require additional capacity on a local or regional scale. One traffic signal will be relocated and upgraded to LED; thus, no net new energy would be required. Two new parking lights will be added to San Mateo and the Saigon Seafood Harbor Restaurant Parking Lot, all utilizing LED lighting; LED fixtures use 50% to 75% less energy than traditional high-pressure sodium vapor fixtures. The existing fixtures will be upgraded with LED. BAAQMD construction BMPs, would reduce use of fossil fuels and increase energy efficiency of construction vehicles. Because energy use would be temporary during construction and operational lighting would be energy efficient, and both would comply with BAAQMD efficiency requirements and the City’s fossil fuel reduction goals, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The impact would be less than significant.

**b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

***No Impact***

The Project would not conflict or obstruct the goals and policies of the City of Richmond's Energy and Climate Change Element of the General Plan (City of Richmond 2012). The Project would also not conflict or obstruct the City of El Cerrito's R1 Goal to protect natural resources and clean air and water in the General Plan (City of El Cerrito 1999). Implementing BMPs to reduce fossil fuel use by construction vehicles would be consistent with these goals and policies. Because the Project will conform with the Goals and Policies of the Energy and Climate Change Element of the City of Richmond's General Plan and R1 of El Cerrito's General Plan, the Project would have no impact on plans for renewable energy or energy efficiency.

## **4.7 GEOLOGY AND SOILS**

### **4.7.1 Environmental Setting**

The Project area lies near the edge of the San Francisco Bay. The Project area is characterized as flat, asphalt-paved areas, with a grade of elevation of 24 feet above mean sea level(msl). The elevation increases from the southern end of the site to the northern end of the site.

A geotechnical investigation was conducted at the proposed Project area; the Geotechnical Report prepared for the Project is available upon request (Cal Engineering & Geology 2022).

### **Geologic Setting**

The Project area is located in the eastern portion of the San Francisco Bay Area, which lies within the Coast Ranges geomorphic province. The San Francisco Bay is generally a northwest-trending wide depression that is bounded by similarly trending ridges that comprise the Berkeley Hills to the east and the San Francisco and Marin Peninsulas to the west. This bay trough and ridge structure was formed as a result of a combination of faulting and warping related to the San Andreas Fault system whereby the bay is underlain by a down dropped or tilted block (California Division of Mines and Geology 1969).

The oldest and most widespread rocks in the San Francisco Bay Area are composed of the Jurassic-Cretaceous age Franciscan Formation. The Franciscan Formation can be fault-contacted with other Mesozoic sedimentary rocks and is then in turn overlain by Tertiary- and Quaternary-age sedimentary and volcanic rock units. Within the San Francisco region, many of the valleys have been in-filled with quaternary-age sediments (e.g., alluvium and bay deposits) and include marine and non-marine clays, silts, sands, and gravels.

The Project area lies at the lower reaches of the Richmond Hills and is underlain by deposits of alluvium associated with San Pablo Creek. Below the alluvium is the Orinda Formation (Miocene Age), encountered at approximately 9 feet at each boring, consisting of poorly consolidated sedimentary rock including conglomerate, sandstone, siltstone, and claystone (Graymer, Jones, and Brabb 1994; Dibblee 1980).

### **Seismicity and Faulting**

The Project area is within a seismically active region, and historically numerous moderate to strong earthquakes related to the San Andreas system of faults have occurred in this region. Active faults are considered to be those that have moved during the past 11,000 years. Generally, only active faults are considered in evaluating seismic risk for building construction. The nearest active fault is the

active Hayward fault, a designated Alquist-Priolo Fault located approximately 1.8 miles to the east of the Project area. Other major faults that could cause significant shaking in the Project area are the Chabot, Miller Creek, Moraga, Pinole, South Hampton, and Wildcat Fault. The Geotechnical Report concluded that the potential for ground rupture due to primary faulting at the site is low (Cal Engineering & Geology 2022).

### **Liquefaction**

Liquefaction can occur when wet or saturated cohesionless soils temporarily lose strength due to the buildup of excess water pressure during events such as earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded sand. The *Susceptibility Map of the San Francisco Bay Area* identifies the liquefaction risk in the Project area as 'Very High' to the west, and 'moderate' and 'low' to the east and south. However, the Geotechnical Report concluded that due to the absence of elevated groundwater conditions and the clayey nature of the surficial soils, the potential for liquefaction at the site is low (Cal Engineering & Geology 2022).

### **Groundwater**

The Project area is located in the East Bay Plain Groundwater Basin. The basin is separated into two groundwater basins, the San Pablo Basin and the San Francisco Basin. The San Francisco Basin is further divided into seven sub-areas. The Project area is located in the Richmond sub-area at the southern end of the San Pablo Basin. Groundwater data collected during subsurface investigations adjacent to the Project area suggest that depth to groundwater ranges from 3 to 15 feet below ground surface (bgs) and that groundwater flow is generally to the south (Cardno Eri 2013).

### **Soils**

Soil types found in Richmond include Tierra Loam, Millsholm Loam, Los Osos Clay Loam, and Clear Lake Clay. The predominant drainage class of these soils, which is a measure of the expected natural frequency and duration of wet periods, are moderately well drained or better (City of Richmond 2012).

There is one Natural Resource Conservation Service's Soil Survey soil mapped in the Project area (Natural Resources Conservation Service, United States Department of Agriculture n.d.). The soil unit that can be found in the Project area is classified as Clear Lake clay, 0 to 15 percent slopes, MRLA 15-Central California Coast Range. MLRAs are used in statewide agricultural planning. This soil type is described to have poor drainage with high water runoff.

The Geotechnical Report revealed that the surficial soils near the proposed improvements consist mostly of lean clay and silty lean clay along Pierce Street and

have been interpreted as alluvium. The soils along San Mateo Street consist of an uneven mix of poorly graded sand, lean clay, silty lean clay, lean to fat clay, and fat clay. These soils are interpreted to be artificial fill underlain by alluvium.

**4.7.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Could the project directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</li> </ul>	Less Than Significant Impact
<ul style="list-style-type: none"> <li>ii. Strong seismic ground shaking?</li> </ul>	Less Than Significant Impact
<ul style="list-style-type: none"> <li>iii. Seismic-related ground failure, including liquefaction?</li> </ul>	Less Than Significant Impact
<ul style="list-style-type: none"> <li>iv. Landslides?</li> </ul>	Less Than Significant Impact
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant Impact with Mitigation Incorporated

### 4.7.3 Answers to CEQA Checklist Questions

**a) Would the project directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:**

**i Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

***Less Than Significant Impact***

The Project area is not within an Alquist-Priolo Earthquake Fault Zone (California Department of Conservation 2019b) that designates a known active fault (fault that is defined to be active if it has ruptured or shows evidence of displacement in the Holocene or the last 11,000 years). Therefore, the Project area is not susceptible to fault rupture as defined by the California Geologic Survey (formerly the California Division of Mines and Geology), and the potential for fault rupture at the Project area is low.

**ii. Strong seismic ground shaking?**

***Less Than Significant Impact***

The primary geologic hazard in the Project area is the potential for moderate to strong ground shaking associated with nearby faults discussed in the prior section on seismicity and faulting. Factors determining the characteristics of earthquake ground motion at the Project area would depend upon the magnitude of the earthquake, distance from the zone of energy release, travel path, topographic effects, subsurface materials, and rupture/source mechanism.

The proposed roadway construction has been designed to accommodate anticipated ground motions in accordance with appropriate seismic design criteria. No buildings are proposed as a part of the Project; therefore, there is no potential to expose people or structures from substantial adverse effects due to seismic ground shaking. Therefore, potential impacts associated with seismic shaking are considered less than significant.

**iii. Seismic-related ground failure, including liquefaction?**

***Less Than Significant Impact***

The USGS Susceptibility Map for the San Francisco Bay Area shows a low to very high susceptibility for liquefaction throughout the Project area (Western Geographic Science Center 2021). The Geotechnical Report concluded that due to the absence of elevated groundwater conditions and the clayey nature of the surficial soils, the potential for liquefaction at the site is low (Cal Engineering & Geology 2022). Thus, potential impacts related to risk of loss, injury or death related to liquefaction would be considered less than significant.

**iv. Landslides?**

***Less Than Significant Impact***

The Project site and surrounding area are relatively flat, and seismically related landslides are not likely to occur. Seismically induced landslides result from the rapid movement of large masses of soil on unstable slopes during an earthquake. The USGS has developed Seismic Hazard Zone Maps that delineate areas potentially at risk for seismically induced landslides. The Project area is outside the USGS hazard areas.

**b) Would the project result in substantial soil erosion or the loss of topsoil?**

***Less Than Significant Impact***

The proposed Project would not result in substantial soil erosion or topsoil loss. The Project would implement erosion and sediment BMPs as outlined in Section 3.6 that would prevent significant soil loss or erosion during construction, including use of native revegetation to stabilize disturbed areas. Implementation of the Project SWPPP would further reduce potential for erosion and topsoil loss during construction.

**c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

***Less Than Significant Impact***

Lateral spreading is a type of ground instability that results in ground displacements when liquefaction of a soil layer causes insufficient strength for lateral stability. This phenomenon can occur when either the ground surface or the soil layer subject to liquefaction is sloped or an open slope face or stream channel adjacent to a potentially liquefiable soil layer.

The predominant soil type in the area is known as Clear Lake Clay. The Geotechnical Report concluded that given the nature of the bedrock encountered and the topographic nature of the site, the potential for lateral spreading to occur at the site is very low. Therefore, Project impacts would be less than significant.

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

***Less Than Significant Impact***

Clear Lake Clay soils have a high expansion potential with estimated linear extensibility values ranging from 6.0 to 8.9 percent (Natural Resources Conservation Service, United States Department of Agriculture n.d.). However, the Project does not include any habitable structures and general design elements for

ground stability would be incorporated. Therefore, the potential for direct or indirect risks to life or property from soil expansion are less than significant..

**e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

***No Impact***

The Project would have no impact on septic tanks or alternative wastewater disposal systems. The East Bay Municipal Utility District provides water and sewer service within the Project area and is a reviewing agency for the Project. The East Bay Municipal Utility District will provide direction to the City involving any utility adjustments related to water or sewer prior to Project construction or implementation.

**f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

***Less Than Significant Impact with Mitigation Incorporated***

The Northwest Information Center records search revealed there are no previously recorded or existing paleontological resources identified within the Project area or mitigation site. No unique geological resources were identified during review of geologic resources within the Project boundary.

However, results from the Geotechnical Report indicate that the Orinda Formation, a terrestrial sedimentary sequence consisting of fluvial conglomerates, underlies the Project area. The Orinda Formation is fossiliferous, and the University of California Paleontology Museum database includes entries for the following vertebrates from these Miocene deposits:

- Gomphotherium (primitive elephantid)
- Hipparion, Nannipus, and Pliohippus (primitive horses)
- Barbourofelis (a member of the primitive cat family Nimravidae)
- Cranioceras (deer-like artiodactyl)
- Ticholeptus (an oreodont; an extinct group of pig-like grazing animals)
- Desmostylus (an extinct sea-cow morphologically similar to a hippopotamus)

Tedford and others (2004) assign most of the Orinda Formation vertebrate material to the middle Clarendonian Land Mammal Age, or about 11 to 12 million years ago.

Unlike the other Franciscan units, the melanges contain relatively abundant fossils, mainly Buchia, radiolarians, and dinoflagellates (Clarke Blake Jr. and Jones 1974). Ground disturbances within the ADI will range according to Project elements. The majority of impacts (those related to roadway rehabilitation/grading/paving) will be

between one and six feet deep, with the exception of the new San Mateo extension and demolition that may include impacts to a depth of four to eight feet deep. However, deeper impacts will occur related to underground utility relocation (up to 12 feet), the installation of approximately 20 streetlights (up to 12 feet), two parking lights (up to 12 feet), and five traffic signal poles (up to 15 feet). These depths could damage paleontological resources. Destruction of such resources would be a potentially significant impact.

**Mitigation Measure GEO-1** would ensure that paleontological resources are protected during construction by requiring the City to coordinate with a qualified paleontologist to determine if the Project area requires a detailed paleontological resource impact assessment.

- **Mitigation Measure GEO-1:** The City shall retain a professional qualified paleontologist to review the Paleontological Resource Potential Maps and determine if the Project area contains the potential for paleontological resources. The City shall coordinate for a "request for opinion" from a qualified professional paleontologist, state paleontological clearinghouse, or an accredited institution with an established paleontological repository housing paleontological resources from the region of interest.

In areas determined to have high or undetermined potential for significant paleontological resources, an adequate program for mitigating the impact shall include:

- a. Monitoring by a qualified paleontological resources monitor during excavations in previously undisturbed rock
- b. Salvage of unearthed fossil remains and/or traces (e.g., tracks, trails, burrows)
- c. Screen washing to recover small specimens, if applicable
- d. Preparation of salvaged fossils to a point of being ready for curation
- e. Identification, cataloguing, curation, and provision for repository storage of prepared fossil specimens
- f. A final report of the findings and their significance

To assure compliance at the start of the Project, a statement that confirms the site's paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the City of Richmond and contractor(s) before any ground disturbance begins.

***Finding: Implementation of Mitigation Measure GEO-1 would ensure that paleontological resources are protected during construction, which would reduce the potential for impacts to a less than significant level.***

## **4.8 GREENHOUSE GAS EMISSIONS**

The term 'greenhouse gas' describes atmospheric gases that absorb solar radiation and subsequently emit radiation in the thermal infrared region of the energy spectrum, trapping heat in the Earth's atmosphere. Greenhouse gases of concern include carbon dioxide, methane, nitrous oxide, and fluorinated gases. Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of GHGs have a broader, global impact.

GHGs differ by the amount of heat each traps in the atmosphere, known as global warming potential. Carbon dioxide is the most significant GHG, so amounts of other gases are expressed relative to carbon dioxide, using a metric called "carbon dioxide equivalent" (CO<sub>2</sub>e). The global warming potential of carbon dioxide is assigned a value of 1, and the warming potential of other gases is assessed as multiples of carbon dioxide. Generally, estimates of all GHGs are summed to obtain total emissions for a project or given time period, usually expressed in metric tons or million metric tons CO<sub>2</sub>e.

### **4.8.1 Environmental Setting**

The proposed Project is primarily located in the City of Richmond in Contra Costa County, although a portion in the northeast corner is in the City of El Cerrito. The primary sources of GHGs within City (City of Richmond 2016) include:

- Commercial/Industrial Energy (approximately 33%)
- Transportation on road (approximately 39%)
- Residential Energy use (approximately 17%)
- Transportation off road (approximately 4%)
- Solid waste (approximately 7%)
- Water (approximately <1%)

### **4.8.2 Regulatory Setting**

#### **Federal**

The EPA has no regulations or legislation enacted specifically addressing GHG emission reductions and climate change at the project-level. In addition, the EPA has not issued explicit guidance or methods to conduct project-level GHG analysis.

#### **State**

The State of California has taken several legislative steps including Assembly Bills (AB) and Senate Bills (SB) to reduce increases in GHG emissions. CARB is the lead agency in the development of reduction strategies for GHGs in California (CARB

2017). California’s GHG reduction requirements aim to reduce vehicle miles traveled (VMT), thereby improving air quality by reducing GHG emissions from automobiles.

**Local**

In 2007, the Richmond and El Cerrito signed the *U.S. Conference of Mayors Climate Protection Agreement*, committing the City of Richmond and the City of El Cerrito to reduce GHG emissions to meet or surpass the Kyoto Protocol targets (United States Conference of Mayors 2016). The Richmond City Council subsequently initiated a citywide GHG emissions inventory. This inventory establishes a baseline for emissions, identifies sources of energy use, and provides a foundation for developing relevant policies. The El Cerrito City Council subsequently accepted the City’s 2005 baseline GHG emissions inventory and adopted GHG emissions reduction targets of 15% below 2005 levels by 2020 and 30% below 2005 levels by 2035 (City of El Cerrito n.d.).

Recently approved State legislation (AB 32 and SB 375) and new air emissions standards adopted by CARB lay the foundation for local policy development on energy and climate change in Richmond and El Cerrito. Richmond’s Energy and Climate Change Element of the General Plan includes goals, policies, and actions to position the City for sustainable, physical, and economic development (City of Richmond 2012). El Cerrito’s General Plan, Chapter 7, Resources and Hazards, includes Goal R1.4, “Air Quality,” and Goal R1.5, “Clean Energy Sources,” to manage locally generated pollutants and support the development of new sources of energy (City of El Cerrito 1999).

**4.8.3 CEQA Checklist Summary**

Would the project:

CEQA Question	Impact Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant Impact

**4.8.4 Answers to CEQA Checklist Questions**

**a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

***Less Than Significant Impact***

The Project would result in short-term, temporary increases in GHG emissions during construction due to equipment and vehicle use. For a construction period of 160 working days, heavy equipment such as excavators, haul trucks, and worker commutes would generate exhaust. Emissions from construction equipment powered by gasoline and diesel engines would include carbon dioxide and nitrous oxide. These compounds are described as CO<sub>2</sub>e, as discussed above.

Based on the air quality emissions analysis (Section 4.3, Table 3) estimated total Project construction CO<sub>2</sub>e would be 14 metric tons, which is significantly less than the BAAQMD's annual 1,100 metric tons significance threshold for operational emissions. However, BAAQMD only provides thresholds for land use operational emissions, and not for construction emissions. Best management practices are recommended for reducing construction emissions.

Because the Project does not propose a new, long-term operational source of GHGs, Project effects would be considered less than cumulatively significant. BMPs identified by the air district as being effective in minimizing GHG emissions include using alternative fuel (e.g., biodiesel, electric) construction vehicles/equipment for at least 15 percent of the fleet; using local building materials of at least 10 percent; and recycling or reusing at least 50 percent of construction waste or demolition materials.

The purpose of the Project is to reduce congestion and improve traffic flow. This will in turn reduce fuel consumption, albeit a small amount, and modest CO<sub>2</sub>e emission reductions will occur compared to the no-project alternative.

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

***Less Than Significant Impact***

Given that emissions would be short term (over the course of 160 days), increases in GHGs that could be attributed to the Project would not interfere with adopted goals and policies to reduce GHGs. The GHG emissions generated during construction would not be considered significant and would not limit the State's ability to attain the reduction targets identified in AB 32, the Scoping Plan, or SB 32. Additionally, implementation of the Project would not conflict with any of the GHG emission policies within the City of Richmond and El Cerrito's Climate Action Plans. Therefore, the proposed Project does not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

## **4.9 HAZARDS AND HAZARDOUS MATERIALS**

### **4.9.1 Environmental Setting**

The proposed Project is located in an area with a history of high-density residential, commercial, and light-industrial uses. In the past, industrial uses within and around the Project area have included fueling stations, automotive repair facilities, a lumber yard, a machine shop, and a gravel and aggregate operation. As discussed in the Project Description, current uses adjacent to the proposed Project include single- and multi-family residences, two service stations, a building supply warehouse, a restaurant, a storage facility, a painting contractor, a holistic wellness center, and a vacant lot.

NCE conducted an initial Phase 1 Environmental Site Assessment (ESA) of the Project area in 2019. Subsequent design modifications changed the ROW Take areas and Project limits, necessitating an update to the Phase I ESA. The updated Phase I ESA (NCE 2022c) identified and confirmed, to the extent feasible, the potential for Recognized Environmental Conditions (RECs), or Historical Recognized Environmental Conditions (HREC) in connection with the Project area and adjoining properties. RECs/HRECS result from past improper use, manufacturing, storage, and/or disposal of hazardous or toxic substances. The Phase I ESA concluded the following:

- The Valero and Shell Service Stations at the southwestern and southeastern corners of the Central Avenue/Pierce Street intersection, respectively, qualify as RECs/HRECs. The parcels have documented historical releases of petroleum hydrocarbons to both soil and groundwater. Regulatory cases were filed by the San Francisco Bay RWQCB and No Further Action letters were issued for these cases in 2014. Nevertheless, Project construction requires excavation and potential dewatering, and the potential remains for residual hydrocarbon impacts to exist below the Project area. These residual hydrocarbons could be encountered during excavation, grading, trenching, and construction activities.
- The vacant lot to the east of the Project area (former lumber yard property) was the location of multiple industrial operations, including a lumber mill, a machine shop, and an auto repair shop. At least one diesel underground storage tank associated with historical operations was located on the property. Previous soil and groundwater investigations suggest that petroleum hydrocarbon-impacted soil and groundwater remain at the property. The documented contamination of soil and/or groundwater at the property meets the definition of a REC/HREC. Previous investigations do not provide sufficient data to fully characterize the release, and there is a

potential for impacts to the portion of the East ROW Take during Project construction activities.

- The general commercial and industrial nature of the area, including facilities such as the gravel and aggregate operation, suggests that the presence of other sources of contaminated soil and or groundwater on and/or beneath the Project area cannot be ruled out.
- Based on Project area age, historical use, and associated traffic volume, aerially deposited lead (ADL) is potentially present in Project area soils and adjoining areas. This is supported by results of a previous subsurface investigation (P&D 2012), although previous investigations do not provide sufficient data analysis to assess the potential impact of ADL on Project area conditions. The source of ADL was historically from automobiles, specifically tetraethyl lead in gasoline, which was banned in the 1970s.

NCE conducted a Phase II investigation to further examine the nature and extent of soil and groundwater contamination at the Project area. A Phase II Findings Report (NCE 2022d) was prepared to transmit analytical results from groundwater and soil sampling, and to evaluate potential impacts to worker safety, Project construction activities, and proposed South, North, and East ROW takes. The investigation evaluated constituents of concern identified in prior investigations; specifically, ADL, CAM-17 Metals, total petroleum hydrocarbons (TPHs), and volatile organic compounds. The Phase II investigation concluded the following:

- Concentrations of metals above expected background generally occur throughout the Project area and no specific source was identified. The presence of elevated metals concentrations within the proposed ROW takes does not appear to be definitively associated with specific activities.
- Petroleum hydrocarbons associated with the Valero and Shell Stations historical releases are present in soil within the smear zone that generally occurs below 7.0 to 9.5 feet bgs. Soil with petroleum hydrocarbon impacts may also occur at any depth throughout the Project area due to the general industrial use of the Project area and surrounding area.
- ADL was found to occur in exposed shallow soils and shall require specific worker protection, soil management, and disposal provisions. ADL may also be present in shallow surface soils that were inaccessible at the time of the 2022 Phase II NCE investigation.
- Discharge associated with construction dewatering activities, if necessary, will likely contain elevated concentrations of CAM-17 Metals. This may require waste profiling, special discharge permits, and possibly treatment to allow water discharge into the publicly owned treatment works (POTW).

The Phase I and Phase II Environmental Site Assessments are available upon request.

**4.9.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less Than Significant Impact with Mitigation Incorporated
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact
d) Be 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 the environment?	Less Than Significant Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

**4.9.3 Answers to CEQA Checklist Questions**

**a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

***Less Than Significant Impact***

The Project’s use of hazardous materials is limited to fuels, imported materials, and other maintenance related chemicals to run equipment machinery during construction; there are no long-term operational activities related to the Project. New concrete and asphalt materials would be used to construct the new roadway extension, resurface the existing roadways, and construct curb, gutter, and

sidewalk improvements. Demolition materials would be disposed of as construction waste. The residential demolition may expose asbestos containing materials and lead based paint. Demolition of such materials and appropriate disposal are highly regulated by the state and federal government, and routine transport to an appropriate landfill would pose no significant hazard to the public.

Transport and use of hazardous materials are anticipated to be minimal. The use, storage, and management of fuels and other vehicle-related chemicals as well as construction materials would be managed according to the on-site SWPPP. For example, the SWPPP requires that equipment fueling and maintenance, if performed at the job site, must be performed in a designated area utilizing secondary containment with a spill kit nearby. Rinsing of concrete tools and chutes would also be performed according to the SWPPP, including utilizing concrete washouts and/or requiring that wastewater be kept within the concrete truck and hauled offsite for recycling.

Therefore, the Project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.

**b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

***Less than Significant Impact with Mitigation Incorporated***

The Project scope involves excavation and grading, relocation of soil, and potential dewatering activities. Construction in the East ROW Take will require the demolition of residential structures that may contain asbestos-containing materials or other hazardous building materials. As identified in the Phase II investigation, there is the potential to encounter ADL, CAM-17 and TPH impacted soil and groundwater at levels potentially hazardous during Project construction activities. This would be a potentially significant impact.

• ***Mitigation Measure HAZ-1:***

- The contractor is responsible for offsite disposal of soils. Soils shall require profiling and waste characterization within six months of removal and stockpiling for disposal facility acceptance. All soil spills generated at the Site shall be disposed of by the contractor and transported by a licensed waste hauler to an appropriately licensed waste disposal facility.
- Soil stockpiles shall be controlled, covered, and demarcated by the contractor when not in active use.

- Worker protection and training shall be required by the City of the contractor in advance of and during construction to mitigate potential health concerns related to exposure of metals and petroleum hydrocarbons.
- The contractor shall comply with all regulatory requirements associated with any discharge to the POTW.
- The contractor shall prepare a soil and groundwater management plan (SGMP) that addresses the above mitigation requirements. The SGMP shall generally address soil and groundwater excavation, dewatering, disposal, stockpiling, and transportation. The SGMP shall explicitly address groundwater dewatering and dewatering discharge, handling and disposal of soil and groundwater, onsite soil management, onsite dewatering storage (if any), offsite soil disposal, profiling of soil and groundwater, transportation routes, and dust mitigation controls.

***Finding: Implementation of Mitigation Measure HAZ-1 would ensure that hazardous wastes exposed during construction are appropriately handled, characterized, and disposed of, which would protect construction workers, the public, and the environment from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and reduce impacts to less than significant.***

**c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

***No Impact***

There are no schools located within one-quarter mile of the Project area. The nearest school is Fairmont Elementary School, located approximately 0.4 miles northeast of the Project area. As discussed above, there is no long-term operational use of hazardous materials. The potential for the release of hazardous materials during construction would be mitigated through implementation of **Mitigation Measure HAZ-1**. For a discussion on air quality, see Section 4.3.

**d) Would the project be 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 the environment?**

***Less Than Significant Impact***

This checklist question refers specifically to the Department of Toxic Substance Control "Cortese List" which is no longer being issued. There are two identified properties listed under HIST CORTESE including: 1) Lockaway Storage at 3230 Pierce Street, and 2) TEXECO Station - 5430 Central Avenue. As discussed in the

setting section above, the Phase I and Phase II ESAs determined the Project area is impacted by sites listed on GeoTracker and other governmental data bases. GeoTracker is the SWRCB's database system used to track and archive compliance data related to sites that impact, or have the potential to impact, water quality in California (State Water Quality Control Board n.d.). This tool is used to evaluate community risk or Projects.

While soil in the Project area has some levels of petroleum contamination, there are no active cases open with the RWQCB on these properties. Levels of various compounds discovered in samples taken during the Phase II investigation are consistent with similar sites all over the Bay Area. All excavated areas will be paved over with new asphalt or concrete, and soils will be essentially sealed from movement through the air. **Mitigation Measure HAZ-1** will protect the public, construction workers and the environment from unintended releases during construction. Therefore, the impact of listed hazardous materials sites would be less than significant.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

***No Impact***

The nearest airport, Oakland International Airport, is located approximately 8 miles south of the Project area. The Project area is not located within a comprehensive land use planning area, and the Project does not involve habitable improvements that would be sensitive to airport operations.

**f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

***Less Than Significant Impact***

Once constructed, the Project may have a beneficial impact on local emergency response or evacuation plans by reducing congestion on the Central Avenue corridor. Project construction would occur within public road rights-of way along Central Avenue and Pierce Streets and for the new connection between San Mateo Avenue and Pierce Street. Emergency response vehicles use both Central Avenue and Pierce Street. During the construction phase of the Project, Central Avenue, Pierce Street, San Mateo Avenue, and nearby side streets could be partially blocked by construction activities, equipment, and crews but would remain open to all emergency vehicles and for evacuation traffic. The Project would implement temporary traffic control measures in accordance with the Manual for Uniform Traffic Control Devices, Chapter 6, where necessary during all construction activities (see Section 3.XVII, Transportation & Traffic).

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

***No Impact***

The Project proposes to improve traffic flow between two intersections. Roadway access will be provided at all times. The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

## **4.10 HYDROLOGY AND WATER QUALITY**

### **4.10.1 Environmental Setting**

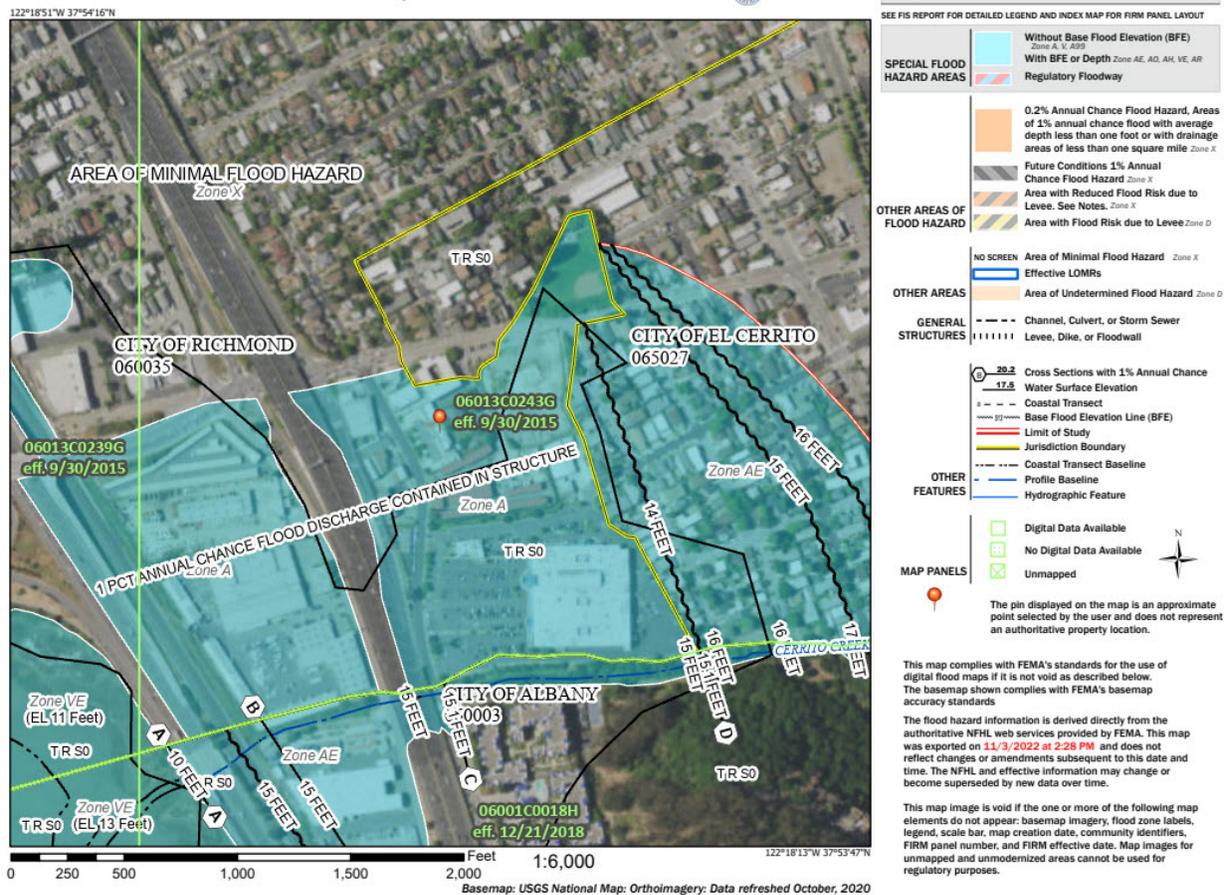
Contra Costa County is one of nine Bay Area counties with streams that are tributaries to the San Francisco Bay. The only hydrologic feature in the immediate vicinity of the Project area is a tributary to Cerrito North Creek. The tributary flows in an open concrete-lined channel from the southwest corner of Central Avenue and Belmont Avenue to the commercial properties located near the southern terminus of San Mateo Street. The creek channel then turns south and eventually flows along the southern edge of a storage facility to Pierce Street, where it is conveyed beneath Pierce Street in a culvert. The nearest significant body of water is the San Francisco Bay, which is located approximately 0.3 miles west of the site.

The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRMs) that delineate flood hazard zones for communities. Most of the Project area, including San Mateo and Pierce streets, is located within a FEMA-designated Zone A (FIRM Panel 06013C0243G, 09/30/2015) (.). The Zone A designation applies to areas identified on the FIRM as Special Flood Hazard Areas, which are areas that will be inundated by a flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. The segment of Central Avenue in the Project area is located in a FEMA-designated Zone X, which is a designation given to an area of minimal impact, also shown in .

A Location Hydraulic Study Form was conducted for the Project (NCE 2022e). The elevations of the site will not be changed significantly and will not increase fill within the floodplain. The Project will include the reconfiguration of approximately 105,000 square feet of roadway and other impervious area. Of this approximately 25,500 square feet is regulated for storm water mitigation under State and County guidelines. To treat stormwater runoff from the regulated area, 1,020 square feet of infiltrating bioswales will be constructed.

A Floodplain Encroachment Report was conducted for the Project (NCE 2022f). The Project area is within Zone A, without base flood information, of Cerrito Creek. It is a wide backwater area upstream of the Creek's discharge into the Bay. The site is within an existing densely developed commercial/residential area. The Zone AE of the Cerrito Creek channel adjacent to the Zone A covering the site has a base flood Q100 of 2,940 cubic feet per second and a water surface elevation for a 100-yr flood of 15 feet (North American Vertical Datum of 1988).

**National Flood Hazard Layer FIRMette**



**Figure 4. National Flood Layer FIRMette**

**4.10.2 Regulatory Setting**

**Federal**

**Clean Water Act and NPDES Permit**

Section 402 of the Clean Water Act (CWA) requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from municipal storm drain systems. The Water Quality Control Plan for the San Francisco Basin (Basin Plan is the San Francisco RWQCB’s planning document (San Francisco Bay RWQCB n.d.). Stormwater discharges into the municipal separate storm sewer systems are regulated by the California RWQCB under the Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049 (San Francisco Bay RWQCB 2015).

Section 303(d) of the CWA authorizes the EPA to assist jurisdictions in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum levels of each pollutant allowed in a

waterbody and serves as the starting point or planning tool for restoring water quality. In California, the State and regional water boards assess water quality monitoring data for the state’s surface waters every 2 years to determine if they contain pollutants at levels that exceed protective water quality standards. Water bodies and pollutants that exceed these standards are placed on the state’s 303(d) List. The determination is governed by the Water Quality Control Policy for developing California’s Clean Water Act Section 303(d) List. Currently, the 2018 303(d) list is in effect.

***Federal Emergency Management Agency***

FEMA implements the National Flood Insurance Program. Per Section 60.3(d)(3) of the National Flood Insurance Program regulations regarding floodplain management, the placement of fill, new construction, substantial improvements, and other development within the adopted regulatory floodway cannot result in any increase in flood levels during occurrences of the base flood discharge (100-year event).

**State**

***Statewide Construction General Permit***

Because the proposed Project would disturb more than 1 acre, it is subject to the statewide Construction General Permit Order 2009-0009-DWQ, which regulates stormwater leaving construction sites. Under this order, site owners must notify the state and implement a SWPPP prepared by a Qualified SWPPP Developer. The SWPPP must outline measures that would protect hydrology and water quality resources, including groundwater, from negative impacts during construction through implementation of BMPs and monitoring the effectiveness of BMPs. This permit is administered by the State Water Resources Control Board and overseen by the RWQCB.

**4.10.3 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less Than Significant Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No Impact

<b>CEQA Question</b>	<b>Impact Determination</b>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. result in substantial erosion or siltation on- or off-site;	Less Than Significant Impact
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less Than Significant Impact
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less Than Significant Impact
iv. impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant Impact

**4.10.4 Answers to CEQA Checklist Questions**

**a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

***Less Than Significant Impact***

The proposed Project would not violate any water quality standards or waste discharge requirements. Construction would be carried out in accordance with the state Construction General Permit. Appropriate best management practices (BMPs), including erosion, sediment and non-stormwater controls would be implemented to protect water quality at all times, as specified in Section 3.6.4 and the Construction General Permit. These controls would reduce potential water quality impacts during Project construction activities to a less than significant level by minimizing erosion and sedimentation and transport to receiving water bodies.

**b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

***No Impact***

The Project does not propose any groundwater withdrawals and would have no adverse impact on groundwater recharge. The Project will be designed to maintain on-site infiltration of stormwater by incorporation of green infrastructure

(bioretention swales and rain gardens), which in turn benefits groundwater recharge. There would be no impacts to groundwater resulting from Project construction and implementation.

**c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i) Result in substantial erosion or siltation on or off-site?**

***Less Than Significant Impact***

The proposed Project would implement construction BMPs as specified in Section 3.6.4 and the Construction General Permit and would not result in substantial erosion or siltation. Site-specific BMPs may include source control measures, site design elements, and post-construction treatment measures.

**ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

***Less Than Significant Impact***

The Project would not substantially increase the rate or amount of surface runoff. The Project would include new green infrastructure design elements that do not currently exist in or around the immediate Project area. Installation of green infrastructure is anticipated to have beneficial results by increasing the capacity of surface runoff on- and off-site through bioretention swales, rain gardens, and storm drain improvements.

**iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

***Less Than Significant Impact***

The Project would not create or contribute runoff water that would exceed storm drain capacity or increase pollutants. Project plans provide additional on-site spaces for bioretention swales, rain gardens, and other new green infrastructure design elements that would increase capacity for infiltration of polluted runoff. Therefore, the completed Project could provide beneficial impacts by reducing the potential for pollutants to travel to the storm drain system or receiving waters. During construction, a site-specific SWPPP would ensure that all runoff would be treated prior to conveyance into the storm drain system.

**iv) Impede or redirect flood flows?**

***No Impact***

The proposed Project does not include any structures that would impede or redirect flood flows. The proposed roadway improvements would not affect flood flows. The

Project would provide a minor beneficial impact by removing a residential structure from the floodplain.

**d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?**

***No Impact***

The Project would provide a minor beneficial impact by reducing the risk for the release of pollutants resulting from inundation by removing a residential structure likely to contain asbestos and lead based paint from the floodplain. Best management practices installed during construction would minimize release of pollutants should flooding occur, as required by the state Construction General Permit.

**e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

***Less Than Significant Impact***

The proposed Project would implement construction BMPs as specified in Section 3.6.4 and the Construction General Permit that would protect water quality during construction. A Project specific SWPPP would include a dewatering contingency plan if groundwater is encountered during Project construction. Site-specific BMPs may include source control measures, site design elements, and post-construction treatment measures. Project plans provide additional on-site spaces for bioretention swales, rain gardens, and other new green infrastructure design elements that would increase capacity for infiltration of polluted runoff thus improving water quality over existing conditions. Project construction and implementation would therefore not involve any activities that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**4.11 LAND USE AND PLANNING**

**4.11.1 Environmental Setting**

The Project area is situated in urbanized portions of the cities of Richmond and El Cerrito (see previous Figure 3 for city boundaries).

The Project limits within the City of Richmond include portions of Central Avenue, Pierce Street, San Mateo Street and San Luis Street. The Richmond portion of the Project area is zoned Regional Commercial (City of Richmond 2012). This zoning is intended for mid-rise, mixed-use development and regional shopping centers characterized by intensive development of retail space in compact and pedestrian-friendly environments. Existing establishments within and immediately adjacent to the Project area include single- and multi-family residential, gas stations, commercial, and the Saigon Seafood Harbor Restaurant, and public storage.

The Project limits within the City of El Cerrito include northeastern portions of Central Ave and San Mateo Street. The El Cerrito portion of the Project area is zoned Transit Oriented Higher Intensity Mixed-Use (City of El Cerrito 2014). This zoning is intended to provide “a vibrant, walkable, transit-oriented, higher-intensity area that allows retail commercial, residential, and public uses.” Existing properties within the City’s limits include a vacant lot, single family residential, and apartments.

**4.11.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Physically divide an established community?	Less Than Significant Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less Than Significant Impact

**4.11.3 Answers to CEQA Checklist Questions**

**a) Would the project physically divide an established community?**

***Less Than Significant Impact***

The proposed Project would improve existing roadways and extend San Mateo to Pierce Street. Currently the Saigon Seafood Harbor Restaurant parking lot and a single family residence abut a Public Storage building. The San Mateo extension would separate the residential use from a commercial use with a two lane roadway.

This improvement would not physically divide an established community because the residences on San Mateo have no direct access to the Public Storage building, and a two lane roadway provides access, unlike a freeway which may permanently separate residential areas from other uses. Therefore, construction of the San Mateo extension would have a less than significant impact related to physically dividing an established community.

**b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

***Less Than Significant Impact***

The Richmond portion of the Project area is zoned Regional Commercial, and the El Cerrito portion of the Project area is zoned Transit Oriented Higher Intensity Mixed-Use. The proposed Project would provide roadway and drainage improvements that are consistent with the current land use zoning and General Plan policies for both cities, as well as the San Pablo Avenue Specific Plan and the MTC Bay Area Plan 2050.

A segment of the new San Mateo Street extension would pass through the existing parking lot of a commercial property (Saigon Seafood Harbor Restaurant) located at 3150 Pierce Street. The lot currently provides 57 off-street parking spaces. The Project will reconfigure the parking lot to accommodate the San Mateo Street extension, resulting in a loss of 10 spaces; 47 off-street parking spaces would remain. The City of Richmond requires 5 parking spaces per 1,000 gross square feet of dining area (Richmond Code of Ordinances 15.04.607.040). The total square footage of the restaurant is 6,200 square feet, requiring 31 parking spaces if 100 percent of the building were used as dining area. The proposed Project would not reduce the number of parking spaces below the minimum required by the City. Therefore, the proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation.

## **4.12 MINERAL RESOURCES**

### **4.12.1 Environmental Setting**

Minerals are naturally occurring chemical elements or compounds, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat, and oil-bearing rock, but excluding geothermal resources, natural gas, and petroleum. Rock, sand, and gravel are also considered minerals when extracted by surface mining operations (City of Richmond 2012).

Mineral production in Contra Costa County has been largely limited to sand, gravel, and rock products. Mining for manganese, crude oil, and clay once occurred the area. The most important mineral resources that are currently mined in the County include crushed rock near Mt. Zion, on the north side of Mt. Diablo, in the Concord area; shale in the Port Costa area; and sand and sandstone deposits, mined from several locations, but focused in the Byron area of southeast County.

Mining for sandstone and crushed rock was until recently limited to one quarry on Canal Boulevard near the Port of Richmond and another at Point Molate. The Canal Boulevard quarry has been closed and remediated. The Point Molate quarry is focused on recycling and handling operations rather than extraction. No quarry operations currently operate or are anticipated in the future in either city.

### **4.12.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	No Impact

### **4.12.3 Answers to CEQA Checklist Questions**

**a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

***No Impact***

According to the State Mining and Geology Board and the Richmond General Plan, there are no state or regionally valuable mineral resources within the Project

boundary. The proposed Project would therefore not result in the loss of a known mineral resource.

**b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

***No Impact***

According to the State Mining and Geology Board, the Richmond General Plan, and the El Cerrito General Plan, there are no resource recovery sites associated with the Project; therefore, there would be no impact.

## 4.13 NOISE

### 4.13.1 Environmental Setting

Noise is defined as a sound or series of sounds that are intrusive, objectional, or disruptive to daily life. The primary sources of noise in the vicinity of the proposed Project include local traffic along Central Avenue, San Mateo Street, and San Luis Street; distant traffic along I-80; and occasional aircraft overflights.

A noise monitoring survey was performed by Illingworth and Rodkin at sensitive receptor locations along the Project alignment beginning on Tuesday, October 9, 2018, and concluding on Thursday, October 11, 2018. The results from the survey concluded that loudest noise levels resulting from 2040 build conditions would range from 48 to 64 dBA Leq[h] at residential areas and parks along the Project area.

The Caltrans Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects (Caltrans 2011) specifies the policies, procedures, and practices to be used by agencies that sponsor new construction or reconstruction of Federal or Federal-aid highway projects. The Protocol defines a noise increase as substantial when the predicted noise levels with project implementation exceed existing noise levels by 12 dBA Leq[h] or more.

A Noise Study Report (NSR) was updated in 2022 by NCE (NCE 2022g). Existing sound levels, 2040 No Build, and 2040 Build scenarios were evaluated for the Project. The NSR summarizes the noise monitoring results and provides an analysis of potential impacts with respect to noise. The NSR is available upon request.

### 4.13.2 CEQA Checklist Summary

Would the project result in:

CEQA Question	Impact Determination
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant Impact with Mitigation Incorporated
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

### 4.13.3 Answers to CEQA Checklist Questions

- a) **Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

***Less Than Significant Impact with Mitigation Incorporated***

Noise levels are measured to regulate ambient noise and protect people from exposure to excessive noise. Different land uses have different acceptability levels in terms of noise disturbance. For example, industrial uses have a higher noise threshold than residential uses. Noise standards provide a means of assessing exposure and compatibility based on specific uses.

The NSR provides a summary of applicable general plan policies and zoning ordinances for the cities of Richmond and El Cerrito. Based on the policy analysis the Project would not expose persons to or generate noise levels that would exceed applicable noise standards presented in the Richmond or El Cerrito General Plans or Municipal Codes (NCE 2022g).

Loudest-hour noise levels resulting from 2040 Build conditions would range from 48 to 64 dBA Leq[h] along the Project alignment. It is anticipated that future development associated with the Central Avenue Residential project would adhere to local standards, resulting in loudest-hour noise levels in noise sensitive areas of frequent human use of 58 dBA Leq[h] or less. Noise levels are calculated to increase by up to 2 dBA Leq[h] over Existing conditions under 2040 No Build conditions. Noise would increase up to 9 dBA Leq[h] over Existing under 2040 Build conditions. These operational noise level increases are not considered substantial because the Project would not result in an increase of 12 dBA Leq[h]. In accordance with 23 CFR 772, noise abatement is considered where noise impacts are predicted in areas of frequent human use that would benefit from a lowered noise level. No permanent traffic noise impacts are anticipated with development of the Project; therefore, no permanent noise abatement measures are required.

Construction activities would result in temporary increases to noise levels at adjacent noise-sensitive receptors. Project construction is anticipated to occur over a period of 6-months to 1-year. Construction activities would include demolition, earthwork, paving, concrete/rebar/formwork, utility trenching, and roadway striping. Pile driving is not anticipated for this Project. Construction noise would primarily result from the operation of heavy construction equipment and arrival and departure of heavy-duty trucks.

As indicated in Table 8-1 of the NSR, most construction phases would generate average noise levels that would exceed ambient daytime noise levels at adjacent land uses by 15 to 20 dBA Leq[h]. With the exception of short periods of heavy

demolition, construction noise levels would not be expected to exceed the quantitative noise limits established by local noise ordinances. Construction noise levels are anticipated to exceed the City of Richmond's 75 dBA Leq[h] weekday and 60 dBA Leq[h] weekend criteria when construction is located adjacent to receptors. The residence at 3221 San Mateo Street is scheduled to be removed, and that property used for the Project's new road segment. A residence is immediately adjacent, at 3211 San Mateo Street. Demolition or removal of the 3221 residence will likely create noise levels exceeding the City of Richmond Noise Ordinance because of the close proximity of 3211 San Mateo Street to the construction activity (i.e., less than 50 feet at times).

To reduce the potential for noise impacts resulting from Project construction, the following measures should be implemented during Project construction.

• **Mitigation Measure NOIS-1:**

- Construct a temporary noise barrier on the south side of 3211 San Mateo Street during demolition of the adjacent property (3221) and major construction activities, (e.g., grading and excavation for new utilities). This barrier should be designed to be sufficient to protect the residents from sound levels exceeding the City of Richmond Noise Ordinance.
- All construction equipment should conform to Section 14-8.02, Noise Control, of the latest Caltrans Standard Specifications.
- When feasible, noise-generating construction activities should be restricted to between 7:00 a.m. and 7:00 p.m. on weekdays, with no construction occurring on weekends or holidays.
- 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 air compressors or portable power generators are to be located as far as is practical from existing residences.
- Quiet construction equipment, particularly air compressors, are to be selected whenever possible.

***Finding: Implementation of Mitigation Measure NOIS-1 would reduce construction noise impacts on adjacent sensitive receptors to less than significant.***

**b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?**

***Less Than Significant Impact***

The proposed Project would not generate excessive groundborne vibration or groundborne noise levels. Vibration levels generated by construction activities would be perceptible indoors and may be considered annoying at times, causing irritating secondary vibration, such as a slight rattling of windows or doors. However, architectural damage to normal residential structures would not be anticipated and vibration levels would be well below those anticipated to cause structural damage. In addition, construction would occur during daytime hours only, thus reducing the potential for residential annoyance during typical periods of rest or sleep. The duration of vibration-generating construction activities at individual locations along the Project alignment would be limited as construction moves along the roadway alignment as progress occurs. Therefore, groundborne vibration or groundborne noise levels during Project construction would be less than significant.

**c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

***No Impact***

The nearest airport is about 8 miles away. The Project is not within any airport land use plan jurisdiction. Therefore, the Project will not expose construction workers to excessive noise levels from aircraft sources.

#### **4.14 POPULATION AND HOUSING**

##### **4.14.1 Environmental Setting**

As of 2021, the City of Richmond had an estimated population of 115,642 residents and an estimated housing stock of 42,082 dwelling units (California Department of Finance 2022). As of 2020 (no data available for 2021), the City of El Cerrito had an estimated population of 25,280 residents and an estimated housing stock of 10,880 dwelling units (California Department of Finance 2022). The Project area is surrounded by single family and multi-family residential, commercial, and light industrial uses.

##### **4.14.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than Significant Impact

##### **4.14.3 Answers to CEQA Checklist Questions**

**a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

***No Impact***

The Project scope is limited to improving traffic operations, reducing local congestion, and improving traffic safety. The Project would remove one residence and would not construct housing or businesses. No utilities would be expanded into new areas currently not receiving service. Therefore, the proposed Project have no impact on population growth either directly or indirectly.

**b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

***Less Than Significant Impact***

The Project proposes the removal of one residence, which is used as a rental property. The Contra Costa County Real Estate Division will be responsible for preparing a relocation plan and providing relocation assistance to the residents

upon acquisition of the property. The proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, thus the impact would be less than significant.

**4.15 PUBLIC SERVICES**

**4.15.1 Environmental Setting**

The Project is in an urban area served by existing infrastructure and public services.

**Fire Protection**

Fire protection in the Project area is provided by the Richmond Fire Department (RFD) and the El Cerrito-Kensington Fire Department. The RFD station closest to the Project site is Station #6, at 4801 Bayview Avenue, approximately 1.3 miles northwest of the Project area. The El Cerrito-Kensington Fire Department is located at 10900 San Pablo Avenue, approximately 1 mile northwest of the Project area.

**Police Protection**

Police protection, 911 emergency dispatch, and investigation services are provided to the Project area by the Richmond Police and El Cerrito Police Departments. Richmond is divided into three districts (Northern, Central, and Southern), with three smaller beats per district. The Project area is within Beat 3 in the Southern District. The main police station is at 1701 Regatta Boulevard, approximately 3.5 miles northwest of the Project site. The El Cerrito Police Department shares the building with the El Cerrito-Kensington Fire Department. Police dispatching is contracted with the Richmond Police Department.

**CEQA Checklist Summary**

Would the project result in:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Would the project result in substantial adverse physical impacts associated with the need and/or provision of new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services? i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? v) Other public facilities?	No Impact

#### 4.15.2 Answers to CEQA Checklist Questions

**a) Would the project result in substantial adverse physical impacts associated with the need and/or provision of new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services?**

**i) Fire protection?**

**ii) Police protection?**

**iii) Schools?**

**iv) Parks?**

**v) Other public facilities?**

***No Impact***

The Project would not increase dwelling units or road capacity in the vicinity and would not increase population or businesses; thus, the Project would not increase demand for public services such as schools, parks, or other public facilities such as libraries.

There are adequate fire and police services to protect the temporary construction site and construction workers without affecting emergency services ratios, response times, or other performance objectives. Therefore, the proposed Project would not require new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

## **4.16 RECREATION**

### **4.16.1 Environmental Setting**

The City of Richmond is served by an array of 86 parks and regional open spaces. The City owns and maintains 74 of those parks, including small pocket parks, play lots, neighborhood parks, ball fields, and joint-use parks. Additionally, there are seven Regional Parks and Open Spaces, and five joint-use parks in Richmond. In all, the City has over 6,500 acres of park and open space lands. The City also owns and operates a range of community recreational facilities including eight community centers, two senior centers, two aquatics facilities (including the historic Richmond Municipal Natatorium), and one indoor recreation complex. Private recreational facilities in Richmond include the Richmond Country Club, Marina Bay Yacht Harbor, Richmond Yacht Club Harbor, YMCA, Police Activities League, the Boys and Girls Club, and Red Rock Marina (City of Richmond 2012).

The City of El Cerrito operates 19 City-owned and maintained parks and open space facilities that include neighborhood parks, ball fields, playgrounds, joint-use parks, natural areas, and greenways, including four on school district property at school sites (City of El Cerrito 2019). Private recreational facilities include the Berkeley Country Club, Camp Herms Scout Camp, and Sunset View Cemetery. There is a total of 381.7 acres of combined recreation and open space facilities within the City of El Cerrito (City of El Cerrito 1999).

The closest recreational facility to the Project area is Central Park, which is located 0.01 miles to the north at the intersection of Central Avenue and Yolo Avenue mostly within the City of Richmond. Central Park covers 2.6 acres and includes a playground, baseball diamond, and lawns.

### **4.16.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No Impact
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact

### 4.16.3 Answers to CEQA Checklist Questions

**a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

***No Impact***

The Project is a road improvement project. The Project does not include recreational features or facilities or require construction or expansion of recreational facilities because the Project does not influence population growth. Population growth is the main driver for new or expansion of facilities; therefore, there would be no effect on recreation and no subsequent environmental impact from construction or expansion activities.

**b) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

***No Impact***

The Project does not include recreational facilities or require the construction or expansion of recreational facilities, such as trail biking or connectivity. The Project also would not induce population growth that would lead to an increased demand for recreational services or the need to construct or expand recreational facilities that might have an adverse physical effect on the environment. Therefore, there is no potential for the Project to require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

## **4.17 TRANSPORTATION**

### **4.17.1 Environmental Setting**

As described in the Project description (Section 3), the Project area includes portions of Central Avenue, San Mateo Street, and Pierce Street.

Central Avenue is a designated route of regional significance in the 2017 Countywide Comprehensive Transportation Plan. It serves as the primary connection between the El Cerrito Plaza BART station and the Interstate 80 (I-80) and Interstate 580 (I-580) freeways. It also serves as an important east-west route between commercial areas and local neighborhoods. The four closely spaced signalized intersections along Central Avenue between Jacuzzi Street and Pierce Street lack adequate storage capacity, resulting in high vehicle delays during peak travel times, especially on weekends.

The purpose of the Project is to improve traffic operations, reduce local congestion, and improve traffic safety. The Project is needed to alleviate heavy traffic congestion that occurs within the Central Avenue corridor during both peak weekday and weekend periods. The proposed Project represents Phase 2 of a two-phase Project to improve traffic operations at the I-80/Central Avenue Interchange.

The *Final Transportation Impact Assessment for the Central Avenue at I-80 Local Road Improvement Project* (TIA) documented an evaluation of the existing and cumulative level of service (LOS) operating conditions for the study intersections along Central Avenue for conditions with and without the Phase 2 (Fehr & Peers 2018). LOS is a description of quality of an intersection's operation, ranging from LOS A (indicating free flow traffic conditions with little or no delay) to LOS F (representing over-saturated conditions where traffic flows exceed design capacity, resulting in long queues and delays). The City of Richmond's General Plan policy is to maintain LOS D operations or better at all intersections. In El Cerrito, signalized intersections in the San Pablo Avenue Specific Plan area must maintain LOS E or better. All of the study intersections were determined to operate overall at acceptable LOS D or better conditions during both the weekday AM and PM peak hour. However, during the weekend peak hour, the Central Avenue/Pierce Street signalized intersection operates at unacceptable LOS E conditions. Two side-street stop controlled intersections have side-streets that operate at LOS F conditions (Central Avenue/San Mateo Street and Central Avenue/Belmont Avenue).

The TIA used traffic count data collected in 2017. The TIA was updated in August 2022 to compare traffic volumes collected in 2017 to new traffic counts to determine if the previous analysis from the TIA is still valid. Twenty-four-hour pneumatic tube counts were collected on Central Avenue between San Mateo Street and Carlson Boulevard from Tuesday, February 14 to Saturday, February 18, 2017 to determine the ADT volumes on Central Avenue for the original TIA. To compare

the previous ADT to the current year, pneumatic tubes were used to collect daily traffic counts on Central Avenue between Pierce Street and San Mateo Street on Wednesday, June 1 to Saturday, June 4, 2022. Note that only the Wednesday and Thursday count data from 2017 was used to make similar comparisons for the weekday for consistency. summarizes the count data and growth rates.

**Table 7. Average Daily Traffic Volumes Comparison (Repeat of Table 5)**

<b>Day of Week</b>	<b>ADT: Central Avenue between San Mateo and Carlson (2017)</b>	<b>ADT: Central Avenue between Pierce and San Mateo (2022)</b>	<b>Percent Change</b>
Typical Weekday (Wed. to Thurs.)	20,010	20,466	2.3%
Saturday	20,936	18,966	-9.4%

ADT = Average Daily Traffic Volumes

Source: Fehr & Peers 2022

Compared to the 2017 ADT volumes, the 2022 ADT volumes show an increase of 2.38 percent on weekdays and decrease of 9.4 percent on Saturdays. Given that weekday counts show a minor change of less than five percent and Saturday shows a decrease, Fehr & Peers concluded that the intersection analysis performed in 2018 and the original findings would remain applicable to the current year volumes.

**Transit Services**

The Alameda-Contra Costa Transit District (AC Transit) provides local and Transbay bus service near the Project area. There are three bus stops near the Project site:

- South side of Central Avenue between Pierce Street and San Mateo Street: AC Transit Route 80
- West side of Pierce Street just south of Central Avenue: AC Transit Route 80 and L
- East side of Pierce Street just south of Central Avenue: AC Transit Route L and LC

All of these bus stops serve transit routes traveling through the Central Avenue/ Pierce Street intersection.

**Existing Pedestrian and Bicycle Facilities**

Pedestrian facilities include sidewalks, crosswalks, and multi-use trails. Sidewalk is currently provided on both sides of Central Avenue between Pierce Street and San Mateo Street. Sidewalk is also provided on both sides of Pierce Street south of Central Avenue. However, there are locations where the effective width is less than four feet due to utility poles or other obstructions. San Mateo Street south of

Central Avenue provides some sidewalk on the west side and no sidewalk on the east side. Crosswalks are provided on all the legs of the Central Avenue/Pierce Street intersection. Crosswalks are not provided at the Central Avenue/San Mateo Street intersection.

There are currently no designated bicycle facilities on Central Avenue east of Pierce Street, along Pierce Street, or on San Mateo Street. However, the City of El Cerrito Active Transportation Plan identifies a future bicycle improvement (two-way cycle track) on Pierce Street south of Central Avenue.

#### **4.17.2 Regulatory Setting**

##### **State**

In December 2018, the California Natural Resources Agency certified and adopted the CEQA Guidelines update package. The CEQA Guidelines 2019 update added Section 15064.3 (SB 743), which describes the specific considerations for evaluating a project's transportation impacts. The section focuses on using vehicle miles traveled as a measure for transportation impacts.

##### **Local and Regional Transportation**

The following local and regional transportation guidance documents apply to the Project:

- The State mandates that general plans include a circulation element regulating the location and extent of transportation modes, accessways, and thoroughfares in the City (California Government Code Section 65302b). As required by State law, the circulation element correlates with the Land Use and Urban Design Element of the General Plan for the City of Richmond and the Transportation and Circulation Chapter of the General Plan section for the City of El Cerrito (City of Richmond 2012; City of El Cerrito 1999).
- The *Contra Costa Countywide Comprehensive Transportation Plan* lays out a vision for "our transportation future, the goals and strategies for achieving that vision, and the future transportation investments needed to promote a growing economy, advance technological changes, protect the environment, and improve our quality of life" (CCTA 2017).
- The *Plan Bay Area 2050* is a 30-year plan that establishes 35 strategies to improve housing, the economy, transportation, and the environment across the Bay Area's nine counties — Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma. This long-range plan, developed by the Bay Area's two regional planning agencies, the MTC and the Association of Bay Area Governments (ABAG), outlines a \$1.4 trillion vision for "a more equitable and resilient future for Bay Area residents." The

Plan identifies 12 transportation strategies; the strategies applicable to the proposed Project include:

- T1. Restore, operate and maintain the existing system. Commit to operate and maintain the Bay Area’s roads and transit infrastructure while reversing pandemic-related cuts to total transit service hours.
- T8. Build a Complete Streets network. Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths.
- The *City of Richmond Bicycle Master Plan* focuses on four primary goals, and a set of objectives to measure them (Fehr & Peers and Eisen Letunic 2011). Goal 1 is to expand the city’s bicycle routes and parking facilities into an extensive, well-connected, and well-designed network, and improve and maintain these facilities over time. The objective includes increasing the number of bikeway miles by 75 percent. Goal 3 is to make the streets safer for bicyclists, not only during the day but also at night, with the objective of reducing the number of reported bicycle fatalities and injuries by 25 percent (even as the number of bicyclists increases). Goal 4 is to incorporate the needs and concerns of cyclists in all transportation and development projects by adopting and implementing “Complete Streets” and “Routine Accommodation” policies, and bicycle-friendly design standards and guidelines for streets and developments.
- The *City of El Cerrito Active Transportation Plan* is a combined Bikeways Master Plan and Pedestrian Master Plan (City of El Cerrito Public Works and Community Development Departments and Fehr & Peers 2016). This Plan updates the Circulation Plan for Bicyclists and Pedestrians (2007), which established bicycle and pedestrian networks and project lists throughout the City.
- The *City of El Cerrito San Pablo Avenue Specific Plan* creates a framework for transforming San Pablo Avenue into a multimodal corridor that functions not just as a thoroughfare but as a place that provides a multitude of opportunities for living, working and community life (City of El Cerrito 2014). Within the document, Chapter 3 Complete Streets discusses street typologies, standards, and guidelines for Central Avenue and San Mateo Avenue, among others. This Project is within the *San Pablo Avenue Specific Plan* boundary. The City of El Cerrito is currently in the final draft stage of the San Pablo Avenue Specific Plan Update as well (City of El Cerrito 2022).

#### **4.17.3 CEQA Checklist Summary**

Would the project:

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

**4.17.4 Answers to CEQA Checklist Questions**

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

***Less Than Significant Impact***

The proposed Project would restore, maintain, and improve local circulation, improve sidewalk width and ADA access, provide Class III bike lanes on all roadway segments, and include other elements of complete streets projects such as safe and accessible transit stops, and frequent and safe crossings for pedestrians, including median islands, accessible pedestrian signals, and curb extensions. These elements are consistent with all local and regional transportation guidance documents applicable to the Project area.

The TIA concluded that roadway capacity would not change at existing intersections in or around the Project area once the proposed Project becomes operational. Although no longer a CEQA consideration in terms of impact on the environment, Richmond has a policy in their General Plan to maintain LOS D operations or better at all intersections, and El Cerrito requires LOS E or better in their portion of the Project area. The Project is not expected to degrade any of the study intersections to unacceptable service levels, but instead improve operations at several locations currently operating at unacceptable service levels. During the weekend peak hour, the traffic operations are anticipated to improve from unacceptable operations (LOS E or F) to acceptable operations (LOS D or better) at the following locations:

- Central Avenue/Pierce Street
- Central Avenue/San Mateo Street
- Central Avenue/Belmont Avenue

- Central Avenue/Santa Clara Avenue.

In addition, the Project is anticipated to have a minimal effect on system-wide vehicle hours of delay during the weekday AM peak hour. During the weekday PM and weekend peak hour, the Project is however expected to reduce the vehicle hours of delay by 33% and 24% during the weekday PM and weekend peak hour respectively under cumulative plus Project conditions. With implementation of the Project, the vehicle hours of delay during the weekend peak hour is anticipated to drop even further (37% compared to Cumulative No Project conditions). Therefore, the proposed Project would not result in a conflict with a plan, ordinance or policy addressing the circulation system.

**b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?**

***No Impact***

CEQA Guidelines § 15064.3(b) pertains to the use of VMT to analyze transportation impacts. OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (2018) provides technical recommendations regarding the assessment of VMT, non-binding thresholds of significance, potential exemptions, presumptions of less than significant CEQA impacts, and mitigation measures. Project types that would likely lead to a measurable and substantial increase in vehicle travel generally include the addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges.

Roadway projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, and repair projects designed to improve the condition of existing transportation assets (e.g., highways, roadways, bridges, culverts, tunnels, transit systems, and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadway shoulder enhancements to provide "breakdown space," dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety

- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Removal or relocation of off-street or on-street parking spaces
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way

The Project is not a land-use project and is designed to improve local circulation with no increase in roadway capacity.. Construction worker traffic would be minor and temporary. Therefore, the Project would not conflict or create inconsistencies with CEQA Guidelines section 15064.3, subdivision (b)(1).

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

***Less Than Significant Impact***

The Project would not substantially increase hazards due to a geometric design feature and would not develop incompatible uses. The turn restrictions at the Central Avenue/Pierce Street intersection as part of the Project would impact the delivery truck circulation on the south side of Central Avenue and in particular deliveries to the Pacific East Mall. As part of the Project, San Mateo Street between Central Avenue and Pierce Street has been designed with sufficient roadway width and turning radii to accommodate a typical package delivery truck. The new traffic signal at the Central Avenue/San Mateo Street intersection and the all-way stop control at the Pierce Street/San Mateo Street intersection would also minimize delivery truck delays.

The turn restrictions at the Central Avenue/Pierce Street (San Luis Street) intersection as part of the Project would result in some local redistribution of traffic on the north side and south side Central Avenue between Pierce Street (San Luis Street) and San Mateo Street. While traffic on Pierce Street (San Luis Street) is likely to remain the same or decrease, traffic on San Mateo Street just north and south of Central Avenue is likely to increase as traffic redistributes to access Central Avenue. Even with the potential increase in traffic on San Mateo Street, the roadway is anticipated to carry less than 3,000 vehicles per day, which is well below the roadway capacity of a minor collector road (Richmond) and consistent with a local street (El Cerrito) and would not present a safety issue.

The Project would alleviate heavy traffic congestion that occurs within the Central Avenue corridor during both peak weekday and weekend periods. Once operational,

the Project would provide increased safety and multi-modal transportation options by providing ADA-compliant crosswalks and sidewalks, Class III bike lanes, and a new bus stop along San Mateo Street. The Project proposes to provide sidewalks on both sides of San Mateo Street, including current locations that do not provide sidewalks. As part of the Project, the north/south crosswalks at the Central Avenue/Pierce Street intersection would be eliminated and new crosswalks would be provided on all legs of the Central Avenue/San Mateo Street intersection. At the new intersection of Pierce Street/San Mateo Street a crosswalk is proposed on the south and east legs of the intersection. The Project would likely result in some changes to pedestrian circulation as a result of eliminating the north/south crosswalks at the Central Avenue/Pierce Street intersection; however, the proposed crosswalk locations and new/improved sidewalk on Pierce Street and San Mateo Street should improve the overall pedestrian experience. These measures are expected to reduce existing hazards and safety issues in the Project area.

**d) Would the project result in inadequate emergency access?**

***Less Than Significant Impact***

The Project would not result in long-term adverse effects to emergency service access. Construction activities could result in temporary, minor delays for access of emergency vehicles to adjacent residences and businesses within the Project area. As a requirement of the Traffic Control Plan, the City or approved contractor would be required to coordinate with law enforcement and emergency service providers prior to the start of construction. The goal is to ensure construction activities do not impair response by law enforcement and emergency services providers. In addition, individual property owners would be notified that access to their properties would not be obstructed during Project construction.

## **4.18 TRIBAL CULTURAL RESOURCES**

### **4.18.1 Environmental Setting**

Ethnographic literature indicates that the region surrounding the proposed Project area was near the northwestern extent of the Ohlone or Costanoan people's precontact territory (Levy 1978). Their territory ranged from the San Francisco Peninsula in the north to Big Sur in the south and from the Pacific Ocean in the west to the Diablo Range in the east. Their vast region included the San Francisco Peninsula, Santa Clara Valley, Santa Cruz Mountains, Monterey Bay area, as well as present-day Alameda County, Contra Costa County, and the Salinas Valley.

The Ohlone language belongs to the Costanoan sub-family, a group of eight languages that were spoken by approximately 50 autonomous groups that occupied lands from the Carquinez Straight in Contra Costa County south into Monterey County. Villages were comprised of 50 to 500 members each, with an average of 200; members interacted freely in matters of marriages, trade, religious and other cultural practices (Levy 1978). The vicinity of the proposed Project area is within the area attributed to the Huchiun Costanoan (Millikin 1995).

Linguistic evidence suggests Ohlone people migrated from the San Joaquin-Sacramento River system and arrived in the San Francisco and Monterey Bay Areas around 2400 before the present (BP; Levy 1978). This migration is thought to have displaced or assimilated earlier Hokan-speaking populations. In the vicinity of the proposed Project, ancient shell mounds from the Newark and Emeryville areas suggest villages were established in those areas as early as 5900 BP (Stanger 1968).

The Ohlone people today belong to one of several geographically distinct groups. The Muwekma Ohlone Tribe has members from around the San Francisco Bay Area and is composed of descendants of the Ohlone from the San Jose, Santa Clara, and San Francisco missions. The Ohlone Costanoan Esselen Nation, consisting of descendants of intermarried Rumsen Costanoan and Esselen speakers of Mission San Carlos Borromeo, are centered within the Greater Monterey Bay Area. The Amah-Mutsun Tribe, located inland from Monterey Bay, are descendants of Mutsun Costanoan speakers of Mission San Juan Bautista. The Costanoan Rumsien Carmel Tribe of Pomona/Chino are descendants from Mission San Carlos and now reside in southern California.

### **4.18.1 Regulatory Setting**

#### **Native American Consultation**

In accordance with AB 52, as identified in the PRC Section 21080.3.1(b)(2) of CEQA and Section 106 of the NHPA, Native American tribes (tribes) identified by the

Native American Heritage Commission (NAHC) must be invited to consult on projects.

On June 13, 2018, a letter was sent to the NAHC requesting a search of their Sacred Lands database and a list of contacts that may have knowledge of cultural or tribal resources within or immediately adjacent to the Project area (Tremaine & Associates and NCE 2021). A response was received June 26, 2018, indicating that the Sacred Lands database search identified the presence of Sacred Native American sites within the Project area. The commission requested that several Native American cultural resource representatives be contacted (Table 8). As requested by the City, tribal representative inquiry letters were mailed on June 27, 2018, and follow-up phone calls were made to each individual identified by the NAHC on September 04, 2018.

Due to Project delays, updated consultation letters were sent to these previous tribes contacted in 2018 on January 20, 2021. After receiving an updated contact list from the NAHC on March 11, 2021, three additional tribes were also sent consultation letters (Table 8). These letters were sent March 16, 2021, and follow up phone calls occurred on March 24, 2021. Three tribes, the Northern Valley Yokuts Tribe, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Mutsun Band of Costanoan, have responded to date.

**Table 8. Native American Correspondence between June 2018 and March 2021**

Individual	Tribe Affiliation	Letter Result	Phone Call Results
Rosemary Cambra Charlene Nijmeh Monica Arellano	Muwekma Ohlone Indian Tribe of the SF Bay Area	Letter unclaimed. Email with updated Project information sent to Ms. Nijmeh on 1/20/2021. No response to date.	Contact made on 9/4/2018. Tribe provided recommendation in case of discovery of human remains or cultural resources artifacts and offered to consult if requested. Left message on 3/24/2021 for Ms. Nijmeh. No response to date. Ms. Arellano’s voice mailbox is full and a message could not be left on 3/24/2021.
Donald Duncan	Guidiville Indian Rancheria	Letter received 3/22/2021. Email containing letter sent on	On 3/24/2021 spoke to tribe administration who indicated if THPO did not respond to email, it most likely means they have no concerns with the Project.

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Individual	Tribe Affiliation	Letter Result	Phone Call Results
		3/16/2021. No response to letter or email to date.	
Andrew Galvan	The Ohlone Indian Tribe	Letter received (date unreadable). Email with updated Project information sent on 1/20/2021. No response to letter or email to date.	Call attempted 9/4/2018. Phone number provided by the NAHC is not valid. Left message on 3/24/2021. No response to date.
Corrina Gould	The Confederated Villages of Lisjan	Letter received 3/19/2021. Email containing letter sent on 3/16/2021. No response to letter or email to date.	Message left on 3/24/2021. Follow-up email sent on 4/2/2021. No response to date.
Katherine Perez Timothy Perez	North Valley Yokuts Tribe	Letter received 7/2/2018. Email sent to Ms. Perez with updated Project information sent on 1/20/2021. Ms. Perez replied indicating the Project area is sensitive and Native American monitors should be on site during ground disturbance activities.	Left message 9/4/2018. Left message on 3/24/2021 for Ms. Perez. No response to date. Mr. Perez's voice mailbox is full and a message could not be left on 3/24/2021.
Ann Marie Sayers Kanyon Sayers-Roods	Indian Canyon Mutsun Band of Costanoan	Letter received 7/9/2018. Email sent to Ms. Sayers with updated Project information sent on 1/20/2021 bounced back. Hard	Contact made 9/4/2018; however, Ms. Sayers requested a follow-up call from Jeremy Hall (NCE Cultural Resources Specialist). Mr. Hall called back 9/7/2018 and left a message. No response to date.

Individual	Tribe Affiliation	Letter Result	Phone Call Results
		copy letter was sent to Ms. Sayers on 1/25/2021. No return correspondence.	Spoke to Ms. Sayers on 3/24/2021. She recommended an archaeologist and Native American monitor be on-site during any type of ground disturbing activities including the XPI geotechnical boreholes. She indicated she would accept any tribe monitor from within the Ohlone territory be present and requested she be updated as the Project moves forward.  Left message on 3/24/2021 for Ms. Sayers-Roods.
Dee Ybarra	Rumsen Am:a Tur:ataj Ohlone	Letter received 3/18/2021.  Email containing letter sent on 3/16/2021. No response to letter or email to date.	Left message on 3/24/2021.
Irenne Zwierlein	Amah Mutsun Tribal Band of Mission San Juan Bautista	Letter received 7/7/2018.  Email with updated Project information sent on 1/20/2021. No response to date.	Contact made 9/4/2018; however, Ms. Zweirlein requested a follow-up call from Jeremy Hall (NCE Cultural Resources Specialist). Mr. Hall called back 9/7/2018 and left a message.  Spoke to Ms. Zwierlein on 3/24/2021. She recommended all workers be given cultural resource sensitivity training prior to ground disturbing activities. She would like to be notified of any Native American resources identified during the XPI or construction excavations. Ms. Zwierlein has no concerns regarding the XPI.

Individual	Tribe Affiliation	Letter Result	Phone Call Results
Raymond Hitchcock	Wilton Rancheria	Letter received 7/2/2018.	Left message 9/4/2018. No response to date.  Tribe no longer listed by NAHC for Project area and no additional follow-up calls conducted.
Antonio Ruiz		No return correspondence.	
Jesus Tarango		Emails with updated Project information sent to Mr. Ruiz and Mr. Tarango on 1/20/2021. No responses to date.	

**4.18.2 CEQA Checklist Summary**

Would the project:

CEQA Question	Impact Determination
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Less Than Significant Impact with Mitigation Incorporated
i. Listed or eligible for listing in CRHR, or in a local register of historical resources as defined in PRC § 5020.1(k), or	
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC § 5024.1. In applying the criteria set forth in subdivision (c) of PRC § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less Than Significant Impact with Mitigation Incorporated

**4.18.3 Answers to CEQA Checklist Questions**

**Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the**

landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in CRHR, or in a local register of historical resources as defined in PRC § 5020.1(k)?
- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC § 5024.1. In applying the criteria set forth in subdivision (c) of PRC § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

***Less Than Significant Impact with Mitigation Incorporated***

Native American consultation was conducted for the Project as described in above. As a result of consultation efforts, the Northern Valley Yokuts Tribe, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Mutsun Band of Costanoan stated concerns for adverse impacts to tribal cultural resources in the APE and requested a tribal monitor be present for any cultural subsurface exploration conducted as part of the XPI subsurface testing. Therefore, tribal monitors were present during the XPI investigation, Phase II borings, and geotechnical investigation. Two of the consulting Tribes were provided a draft copy of the XPI results for their review on May 4, 2022. Both tribes concurred with the XPI results demonstrating the APE has been disturbed and the Project would not have an impact on intact cultural deposits that comprise a part of P-07-003065.

As a federally funded Project, the City must comply with all mitigation measures as outlined in the final documentation submitted to and approved by SHPO. Those measures include an Environmentally Sensitive Area (ESA) Action Plan, Cultural Resources Sensitivity Training, Minor Phasing Approach to Identification, Evaluation, & Treatment, and strict protocols for the discovery of Human Remains and Associated Grave Goods. Caltrans and SHPO oversight would provide the necessary mitigation to ensure the Project would have a less than significant impact on tribal cultural resources. **Mitigation Measure CUL-1/TCR-1** requires that during construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural resources.

***Finding. Implementation of Mitigation Measure CUL-1/TCR-1 requires sufficient procedures, protocols, and oversight during construction to avoid and/or mitigate potential adverse effects on tribal cultural resources, which would ensure a less than significant impact on subsurface tribal cultural resources.***

**4.19 UTILITIES AND SERVICE SYSTEMS**

**4.19.1 Environmental Setting**

The Project is in an urban area served by existing infrastructure, utilities, and service systems. The Project is a transportation infrastructure improvement project with no need for water or sewer services, thus this section focuses on stormwater and construction waste.

All stormwater from the Project area passes first into the Richmond’s stormwater collection system and into local streams and channels, then ultimately ends up in San Francisco and San Pablo Bays. Section 402 of the CWA requires NPDES permits for stormwater discharges from municipal storm drain systems. The Water Quality Control Plan for the San Francisco Basin (Basin Plan) (San Francisco Regional Water Quality Control Board n.d.) is the San Francisco RWQCB’s planning document. The Water Board issues the municipal stormwater NPDES permits to address stormwater impairments and recommend actions. Stormwater discharges into the municipal separate storm sewer systems are regulated by the California RWQCB under the Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049 (California Regional Water Quality Control Board San Francisco Bay Region 2015).

Construction waste and demolition debris recovery and disposal for projects in Richmond are handled at the Golden Bear Transfer Station in North Richmond. Clean source-separated debris such as landscape materials, clean lumber, asphalt, dirt, and clean concrete, is recycled at the West Contra Costa County Sanitary Landfill Processing Facility in Richmond. The materials are used on-site or recycled in a separate section of the closed landfill. Mixed construction debris is accepted for recycling (Contra Costa County Waste Reduction & Recycling 2022).

**4.19.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate	No Impact

<b>CEQA Question</b>	<b>Impact Determination</b>
capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant Impact

**4.19.3 Answers to CEQA Checklist Questions**

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

***Less Than Significant Impact***

The Project provides infrastructure improvements that do not need water, sewer, natural gas, or telecommunications. The Project would construct minor improvements to the current storm drain system in the Project area. These include constructing approximately 311 feet of new storm drain from the south end of San Mateo street along the extension to the new intersection with Pierce Street, and reconfiguring the existing storm drain system at the new intersection with Pierce Street extending approximately 160 feet south to the existing drainage channel outfall. These areas are part of the APE defined for the Project, and these improvements have been considered as part of the Project assessed in each of the resource topics covered in this initial study. All construction mitigation measures identified for the various topics, such as cultural resources and hazards, would apply and would mitigate potential significant effects from construction to less than significant. Therefore, the construction of minor drainage improvements would have a less than significant environmental effect.

**b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

***No Impact***

The Project would not generate new demand for water. Any new landscaping as part of the Project would be rain-watered, and the Project design does not include an irrigation system.

**c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to**

**serve the project's projected demand in addition to the provider's existing commitments?**

***No Impact***

The Project would not generate any demand for wastewater.

**d) Would the project generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

***Less Than Significant Impact***

California law requires a 50 percent diversion of solid waste from landfills. The West Contra Costa Integrated Waste Management Authority, which includes Richmond and El Cerrito, met the 50 percent waste diversion goal in 2006, and continues to work to maintain this level of diversion (West Contra Costa Integrated Waste Management Authority n.d.). Construction waste will be off-hauled and disposed of off-site at local landfills. Demolition waste is estimated at: concrete 35,226 square feet, asphalt 18,151 square feet, clearing and grubbing 6,339 square feet, removing the structure 1,397 square feet, and 40 trees and root balls. In terms of volumetric off-haul there would be the following waste: cut (for grading) 1,035 cubic yards, concrete improvements (curb and gutter) 291 cubic yards, concrete improvements (driveway) 151 cubic yards, concrete improvements (sidewalk) 237 cubic yards, concrete improvements (ramp) 57 cubic yards, paving for all three streets 4,938 cubic yards, and paving for parking lots 696 cubic yards.

As noted above, mixed construction debris is accepted for recycling, and clean source-separated debris such as landscape materials, clean lumber, asphalt, dirt, and clean concrete would be recycled at the West Contra Costa County Sanitary Landfill Processing Facility in Richmond. The materials are used on-site or recycled in a separate section of the closed landfill. Milled asphalt concrete/Portland cement concrete will be recycled on site during construction if useable.

Short-term construction waste would be recycled to the extent feasible, consistent with State and local standards, and the Project would not result in operational solid waste generation once construction is complete. Therefore, the Project would not significantly impact local landfill capacity or otherwise impair the attainment of solid waste reduction goals.

## **4.20 WILDFIRE**

### **4.20.1 Environmental Setting**

The California Department of Forestry and Fire Protection (CAL FIRE) designates fire hazard severity zones for areas under state jurisdiction. For areas under local jurisdiction, CAL FIRE identifies areas that the department considers to be Very High Fire Hazard Severity Zones (VHFHSZs); the local jurisdiction must choose whether to adopt the CAL FIRE recommendations. The Project area is not within a state designated VHFHSZ or local designation of VHFHSZ for either the City of Richmond or the City of El Cerrito. However, the City has adopted the CAL FIRE-recommended local designation of VHFHSZ.

### **4.20.2 CEQA Checklist Summary**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

### **4.20.3 Answers to CEQA Checklist Questions**

**a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

***No Impact***

The Project area is not located within a state responsibility area or on lands classified as a very high fire hazard severity zone. The Project would improve fire response capabilities by reconfiguring the intersection and streets to improve traffic flow on Pierce Street, Central Avenue, San Mateo Street, and San Luis Street.

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

***No Impact***

The Project would improve traffic flow within the area in a relatively flat, urbanized area. The Project does not propose to construct or modify habitable structures within the Project area that could expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

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

***No Impact***

The proposed Project would construct street improvements in an urban area that is not located in a fire risk area and does not require the installation or maintenance of the types of infrastructure that could exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

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

***No Impact***

The Project improves traffic flow between the intersections and within the area. The Project area is mostly flat and the proposed roadway improvements are not a fire susceptible land use that could expose people or structures to post-fire risks.

**4.21 MANDATORY FINDINGS OF SIGNIFICANCE**

**4.21.1 CEQA Checklist Summary**

CEQA Question	Impact Determination
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant Impact with Mitigation Incorporated
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, or the effects of probable future projects.)	Less Than Significant Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Less Than Significant Impact

**4.21.2 Answers to CEQA Mandatory Findings of Significance Questions**

**a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

***Less Than Significant Impact with Mitigation Incorporated***

As discussed in Section 4.4, Biological Resources, Project construction could potentially impact resident and/or migratory birds but there is no sensitive habitat or species in the Project area. Implementation of **Mitigation Measure BIO-1** would reduce the potential to disturb migratory birds to less than significant levels by requiring pre-construction bird nesting surveys and avoidance measures. As mitigated, the Project would not have the potential to degrade the quality of the environment, would not substantially reduce the habitat of a fish or wildlife species, would not cause a fish or wildlife population to drop below self-sustaining levels, would not threaten to eliminate a plant or animal community, and would not reduce the number or restrict the range of rare or endangered plants or animals.

As discussed in Section 4.7, Geology and Soils, the Project area is situated atop the Orinda formation, which is fossiliferous and may contain paleontological resources.

**Mitigation Measure GEO-1** would ensure that paleontological resources are protected during construction by requiring the City to coordinate with a qualified paleontologist to determine if the Project area requires a detailed paleontological resource impact assessment. If the Project is determined to have high or undetermined potential for significant paleontological resources, the City would be required to implement an adequate program for mitigating the impact.

Cultural and Tribal Cultural Resources may be present in the Project area. The Sacred Lands Search indicated the Project had positive results. Construction could inadvertently damage tribal cultural resources if they are present. Inadvertently displacing, removing, or harming tribal cultural resources during construction would be a significant impact. Implementation of **Mitigation Measure CUL-1/TCR-1** would ensure that construction crews are sensitive to potential tribal cultural resources and understand the processes needed to protect them. The mitigation measure requires compliance with Caltrans procedures, protocols, and oversight developed in coordination with SHPO during construction to avoid and/or mitigate potential adverse effects on cultural and tribal cultural resources, which would ensure a less than significant impact on subsurface cultural and tribal resources.

As discussed in Section 4.13, Noise, the Project-generated construction noise could exceed local standards for a residence during demolition of the adjacent residential structure. **Mitigation Measure NOIS-1** would require temporary construction fencing and other measures to reduce noise at the sensitive receptor, reducing the impact to a less than significant level with mitigation.

As discussed in Section 4.9, Hazards and Hazardous Materials, **Mitigation Measure HAZ-1** would ensure that hazardous wastes exposed during construction are appropriately handled, characterized, and disposed of, which would protect construction workers, the public, and the environment from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and reduce impacts to less than significant with mitigation.

**b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, or the effects of probable future projects?)**

***Less Than Significant Impact***

The Project will not result in an increase in population or growth that would require new housing, facilities, or structures that would cause environmental degradation. The Project does not result in an exceedance for any criteria air pollutant for which the region is in non-attainment; therefore, there would be no cumulatively

considerable net increase in criteria pollutants. The Project would be consistent with local, state, and federal regulations pertaining to the protection and mitigation of impacts to sensitive resources, and compliance with the terms of permitting conditions would ensure that adverse impacts to resources are mitigated and would not result in cumulative impacts. All identified potentially significant impacts from construction and implementation would be reduced to less than significant with the mitigation measures that have been included in the Project.

**c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

***Less Than Significant Impact***

All potential impacts associated with construction and implementation of the Project identified in this IS/MND are either less than significant after mitigation or less than significant and do not require mitigation. No adverse effects on human beings, such as noise or hazards was identified. Additionally, implementation of BMPs and compliance with State and federal regulations protecting human and environmental health during construction, such as preparation of a SWPPP and Spill Prevention Plan, would be implemented. Therefore, the Project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly.

## **Section 5 Mitigation Monitoring and Reporting Plan**

CEQA requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on, and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring and Reporting Plan (MMRP) is designed to aid the City of Richmond in their implementation and monitoring of measures proposed in the IS for the proposed Project.

Table 9 provides details of the MMRP. The mitigation measures are taken from the IS and are assigned the same number as in the IS. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

The table consists of the following columns:

- Monitoring and Reporting Action – Listing of the Mitigation Measure, Conservation Measure, or Construction Control from the IS.
- Mitigation Activities – List of activities needed per Monitoring and Reporting Action
- Implemented By – Entities required to implement the action(s).
- Monitored By – Entity responsible for monitoring the action(s).
- Monitoring Schedule – Time(s) when monitoring will be conducted.
- Verification of Compliance – Entity that confirms monitored was completed and the date

**Table 9. Mitigation and Monitoring Plan**

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
BIO-1	<p>1. If trees, shrubs, or herbaceous vegetation need to be removed, their removal shall occur during the non-breeding season (August 16 - January 31 in this area) if possible to avoid impacts to nesting birds and their habitat. If vegetation removal or ground-disturbing activities with the potential to impact nesting birds or their habitat will be conducted during the breeding season (February 1 - August 15), a qualified biologist shall conduct pre-construction avian surveys. These surveys shall be conducted no more than 30 days prior to the initiation of activities that have the potential to impact migratory birds and their habitat. A copy of the survey shall be submitted to the City Engineer or equivalent prior to the start of construction activities.</p> <p>2. If nesting birds are detected within the Project area during the survey, consultation with the CDFW shall be conducted to establish avoidance or minimization measures that will protect nesting birds during construction. An</p>	<p>Project Contractors shall hire a qualified biologist to conduct preconstruction surveys as described. Project Contractors shall prepare construction plans that incorporate preconstruction surveys and buffer zones. If required, avoidance procedures shall be implemented.</p>	<p>Project Contractors</p> <p>City of Richmond Capital Projects Division and Biologist</p>	<p>No more than 14 days before start or restart of construction during the months of February through August.</p>	<p>Verified by:</p> <p>Date:</p>

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MITIGATION MONITORING AND REPORTING PLAN

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Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
	<p>avoidance/minimization plan shall be prepared by a qualified biologist and submitted to the City Engineer or equivalent and CDFW for review and approval prior to the start of construction activities. A suitable activity-free buffer shall be established around all active nests. The precise dimensions of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in-place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. The avoidance or minimization plan shall be submitted to the City Engineer or equivalent for review and approval prior to the start of construction activities.</p>				
CUL-1/TCR-1	<p>During construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural and tribal cultural resources.</p>	<p>Project Contractor City of Richmond Capital Projects Division and Archaeologist</p>	<p>City of Richmond Capital Projects Division</p>	<p>During all ground moving activities</p>	<p>Verified by:  Date:</p>

Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
GEO-1	<p>The City shall retain a professional qualified paleontologist to review the Paleontological Resource Potential Maps and determine if the Project area contains the potential for paleontological resources. The City shall coordinate for a "request for opinion" from a qualified professional paleontologist, state paleontological clearinghouse, or an accredited institution with an established paleontological repository housing paleontological resources from the region of interest. In areas determined to have high or undetermined potential for significant paleontological resources, an adequate program for mitigating the impact shall include:</p> <ul style="list-style-type: none"> <li>a. Monitoring by a qualified paleontological resources monitor during excavations in previously undisturbed rock</li> <li>b. Salvage of unearthened fossil remains and/or traces (e.g., tracks, trails, burrows)</li> <li>c. Screen washing to recover small specimens, if applicable</li> <li>d. Preparation of salvaged fossils to a point of being ready for curation</li> </ul>	Project Contractor City of Richmond Capital Projects Division and Paleontologist	City of Richmond Capital Projects Division	During all deep excavation activities	Verified by:  Date:

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MITIGATION MONITORING AND REPORTING PLAN

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Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
	<p>e. Identification, cataloguing, curation, and provision for repository storage of prepared fossil specimens</p> <p>f. A final report of the findings and their significance</p> <p>To assure compliance at the start of the Project, a statement that confirms the site’s paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the City of Richmond and contractor(s) before any ground disturbance begins.</p>				
HAZ-1	<ul style="list-style-type: none"> <li>The contractor is responsible for offsite disposal of soils. Soils shall require profiling and waste characterization within six months of removal and stockpiling for disposal facility acceptance. All soil spills generated at the Site shall be disposed of by the contractor and transported by a licensed waste hauler to an appropriately licensed waste disposal facility.</li> <li>Soil stockpiles shall be controlled, covered, and demarcated by the contractor when not in active use.</li> </ul>	Project Contractor City of Richmond Capital Projects Division	City of Richmond Capital Projects Division	During all ground moving activities	Verified by:  Date:

Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
	<ul style="list-style-type: none"> <li>• Worker protection and training shall be required by the City of the contractor in advance of and during construction to mitigate potential health concerns related to exposure of metals and petroleum hydrocarbons.</li> <li>• The contractor shall comply with all regulatory requirements associated with any discharge to the POTW.</li> <li>• The contractor shall prepare a soil and groundwater management plan (SGMP) that addresses the above mitigation requirements. The SGMP shall generally address soil and groundwater excavation, dewatering, disposal, stockpiling, and transportation. The SGMP shall explicitly address groundwater dewatering and dewatering discharge, handling and disposal of soil and groundwater, onsite soil management, onsite dewatering storage (if any), offsite soil disposal, profiling of soil and groundwater, transportation routes, and dust mitigation controls.</li> </ul>				
NOIS-1	<ul style="list-style-type: none"> <li>• Construct a temporary noise barrier on the south side of 3211 San Mateo Street during demolition of the</li> </ul>	Project Contractor	City of Richmond Capital Projects	Prior to final inspection of the site by	Verified by:  Date:

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
	<p>adjacent property (3221) and major construction activities, (e.g., grading and excavation for new utilities). This barrier should be designed to be sufficient to protect the residents from sound levels exceeding the City of Richmond Noise Ordinance.</p> <ul style="list-style-type: none"> <li>• All construction equipment should conform to Section 14-8.02, Noise Control, of the latest Caltrans Standard Specifications.</li> <li>• When feasible, noise-generating construction activities should be restricted to between 7:00 a.m. and 7:00 p.m. on weekdays, with no construction occurring on weekends or holidays.</li> <li>• All construction equipment powered by internal combustion engines shall be properly muffled and maintained.</li> <li>• Unnecessary idling of internal combustion engines is prohibited.</li> <li>• All stationary noise-generating construction equipment such as air compressors or portable power generators are to be located as far as is practical from existing residences.</li> </ul>		Division	the City of Richmond.	

**CENTRAL AVENUE AT INTERSTATE 80 (I-80) LOCAL ROAD IMPROVEMENT PROJECT**

MITIGATION MONITORING AND REPORTING PLAN

RICHMOND, CA

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
	<ul style="list-style-type: none"><li>• Quiet construction equipment, particularly air compressors, are to be selected whenever possible.</li></ul>				

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**PUBLIC REVIEW DRAFT**



**Initial Study/Mitigated Negative Declaration**

**Central Avenue at Interstate 80 (I-80) Local  
Road Improvement Project**

Richmond, CA

November 2022



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COMMUNITY DEVELOPMENT DEPARTMENT

450 CIVIC CENTER PLAZA, RICHMOND, CA 94804

PHONE: (510) 620-6706 FAX: (510) 620-6858

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**CITY OF RICHMOND  
30-DAY NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE  
DECLARATION**

**NOTICE IS HEREBY GIVEN** that the City of Richmond intends to adopt a Mitigated Negative Declaration (MND) for the following described project in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Richmond's Guidelines and Procedures for Implementation of CEQA.

Project Title	Central Avenue at Interstate 80 (I-80) Local Road Improvement Project
Project Applicant	City of Richmond Public Works Department, 450 Civic Center, Plaza, Richmond 94804. (510) 231-3008
Project Location	I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito, Contra Costa County, California. The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through two private properties to Pierce Street.
Assessor Parcel No.	510-053-001, 510-053-002, 510-053-031, 510-053-040, 510-053-005, 510-052-007, 510-053-019, 510-053-025, 510-053-032, 510-053-033, 510-053-034 and 510-053-006
Lead Agency	City of Richmond

**Project Description:**

The Central Avenue at Interstate 80 (I-80) Local Road Improvement Project (project) has been designed by the City of Richmond (City) to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue. The project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

The project is located along the east of the I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito, Contra Costa County, California. The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through private properties to Pierce Street.

The Project is a resurfacing, restoration, and rehabilitation project that includes the following features:

- New and removed traffic signals
- New and replacement street lighting
- San Mateo Street realignment and new connection to Pierce Street
- Roadway widening
- Street parking reconfiguration
- Striping and signage reconfiguration
- Joint utility pole (power and telecom) undergrounding and relocation, as needed (with local funds)
- Subsurface utility adjustments

- Storm drain utility improvements (if needed)
- Bus stop relocation
- Parking lot reconstruction
- Class III bike route
- Landscaping and bioretention
- Concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter
- Americans with Disabilities Act (ADA)-compliant curb ramps

The basis for proposing a Mitigated Negative Declaration is the finding that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the cities of Richmond and El Cerrito have hereby agreed to implement each of the identified mitigation measures, which would be adopted as part of the Mitigation Monitoring and Reporting Plan.

**Review and Comment Period:** Comments on the MND shall be sent in writing and must be received by **5:00 p.m. on Friday, December 9, 2022** at the following address or email:

Hector Rojas, Planning Manager  
City of Richmond Community Development Department, Planning Division  
450 Civic Center Plaza  
P.O. Box 4046 Richmond, CA 94804  
Hector\_Rojas@ci.richmond.ca.us

**Report Availability:** A copy of the Initial Study and MND is available for review online at <https://www.ci.richmond.ca.us/DocumentCenter/View/63384>.

Copies are also available for review at the City of Richmond, **Community Development Department**, City Hall, 450 Civic Center Plaza, Richmond, CA, 94804, Monday through Thursday, 8:30 AM to 4:00 PM and Friday, 8:30 AM to 12:00 PM.

**Start of Public Review:** November 8, 2022

**End of Public Review:** December 8, 2022

**Central Avenue at Interstate 80 (I-80) Local Road  
Improvement Project**

**Richmond, CA**

**Initial Study/Mitigated Negative Declaration**

**Prepared for:**

**City of Richmond**

Engineering Services Department  
450 Civic Center Plaza  
Richmond, CA 94804

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### MITIGATED NEGATIVE DECLARATION

The City of Richmond, California, a municipal corporation, does hereby prepare, declare, and publish this Mitigated Negative Declaration for the following described project:

**Project Name: Central Avenue at Interstate 80 (I-80) Local Road Improvement Project**

**Project Location:** The project is located just east of the I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito, Contra Costa County, California. The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through private properties to Pierce Street.

**Project Description:** The project has been designed by the City of Richmond (City) to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue. The project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

**Findings:** The City of Richmond has reviewed the project and, on the basis of the whole record before it, has determined that there is no substantial evidence that the project, with mitigation measures as identified in the attached Initial Study, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the City's independent judgment and analysis as Lead Agency. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Sections 21000, et seq., Public Resources Code of the State of California).

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

This Mitigated Negative Declaration has been prepared pursuant to Title 14, Section 15070 of the California Code of Regulations; the Local Environmental Regulations adopted by the cities of Richmond and El Cerrito, the El Cerrito Municipal Code, and the Richmond Municipal Code.

Copies are also available for review at the City of Richmond, **Community Development Department**, City Hall, 450 Civic Center Plaza, Richmond, CA, 94804.

Director of Community Development, City of Richmond,  
California, a municipal corporation

Dated: November 7, 2022

***If you need this document presented in an alternative format,***

***please contact:***

Lina Velasco

(510) 620-6841

Lina\_Velasco@ci.richmond.ca.us

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## **Executive Summary**

The City of Richmond proposes the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project (Project) to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue.

### **PROJECT DESCRIPTION**

The Project objectives would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

### **Project Features**

This is a resurfacing, restoration, and rehabilitation project that includes the following features:

- New and removed traffic signals
- New and replacement street lighting
- San Mateo Street realignment and new connection to Pierce Street
- Roadway widening
- Street parking reconfiguration
- Striping and signage reconfiguration
- Joint utility pole (power and telecom) undergrounding and relocation, as needed (with local funds)
- Subsurface utility adjustments
- Storm drain utility improvements
- Bus stop relocation
- Parking lot reconstruction
- Class III bike route
- Landscaping and bioretention
- Concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter
- Americans with Disabilities Act (ADA) improvements

### **POTENTIAL IMPACTS**

Based on the environmental evaluation performed for this Initial Study, the proposed Project would have:

- **No Impact** on Agriculture and Forestry Resources, Energy, Mineral Resources, Public Services, and Recreation.
- **Less Than Significant Impact** on Aesthetics, Air Quality, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Population and Housing, Transportation, Utilities and Service Systems, and Wildfire.
- **Less Than Significant Impact with Mitigation Incorporated** on Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources.

### MITIGATION MEASURES

The City of Richmond has agreed to implement the following mitigation measures to reduce Project impacts to a “Less than Significant” level:

- **Mitigation Measure BIO-1:**
  1. If trees, shrubs, or herbaceous vegetation need to be removed, their removal shall occur during the non-breeding season (August 16 - January 31 in this area) if possible to avoid impacts to nesting birds and their habitat. If vegetation removal or ground-disturbing activities with the potential to impact nesting birds or their habitat will be conducted during the breeding season (February 1 - August 15), a qualified biologist shall conduct pre-construction avian surveys. These surveys shall be conducted no more than 30 days prior to the initiation of activities that have the potential to impact migratory birds and their habitat. A copy of the survey shall be submitted to the City Engineer or equivalent prior to the start of construction activities.
  2. If nesting birds are detected within the Project area during the survey, consultation with the CDFW shall be conducted to establish avoidance or minimization measures that will protect nesting birds during construction. An avoidance/minimization plan shall be prepared by a qualified biologist and submitted to the City Engineer or equivalent and CDFW for review and approval prior to the start of construction activities. A suitable activity-free buffer shall be established around all active nests. The precise dimensions of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in-place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. The avoidance or minimization plan shall be submitted to the City Engineer or equivalent for review and approval prior to the start of construction activities.

- **Mitigation CUL-1/TCR-1:** During construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural and tribal cultural resources.
- **Mitigation GEO-1:** The City shall retain a professional qualified paleontologist to review the Paleontological Resource Potential Maps and determine if the Project area contains the potential for paleontological resources. The City shall coordinate for a “request for opinion” from a qualified professional paleontologist, state paleontological clearinghouse, or an accredited institution with an established paleontological repository housing paleontological resources from the region of interest.

In areas determined to have high or undetermined potential for significant paleontological resources, an adequate program for mitigating the impact shall include:

- a. Monitoring by a qualified paleontological resources monitor during excavations in previously undisturbed rock
- b. Salvage of unearthed fossil remains and/or traces (e.g., tracks, trails, burrows)
- c. Screen washing to recover small specimens, if applicable
- d. Preparation of salvaged fossils to a point of being ready for curation
- e. Identification, cataloguing, curation, and provision for repository storage of prepared fossil specimens
- f. A final report of the findings and their significance

To assure compliance at the start of the Project, a statement that confirms the site’s paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the City of Richmond and contractor(s) before any ground disturbance begins.

- **Mitigation Measure HAZ-1:**
  - The contractor is responsible for offsite disposal of soils. Soils shall require profiling and waste characterization within six months of removal and stockpiling for disposal facility acceptance. All soil spills generated at the Site shall be disposed of by the contractor and transported by a licensed waste hauler to an appropriately licensed waste disposal facility.

- Soil stockpiles shall be controlled, covered, and demarcated by the contractor when not in active use.
- Worker protection and training shall be required by the City of the contractor in advance of and during construction to mitigate potential health concerns related to exposure of metals and petroleum hydrocarbons.
- The contractor shall comply with all regulatory requirements associated with any discharge to the POTW.

The contractor shall prepare a soil and groundwater management plan (SGMP) that addresses the above mitigation requirements. The SGMP shall generally address soil and groundwater excavation, dewatering, disposal, stockpiling, and transportation. The SGMP shall explicitly address groundwater dewatering and dewatering discharge, handling and disposal of soil and groundwater, onsite soil management, onsite dewatering storage (if any), offsite soil disposal, profiling of soil and groundwater, transportation routes, and dust mitigation controls.

- **Mitigation Measure NOIS-1:** The Project shall install a sound barrier with a minimum height of 6 feet relative to the residential yard elevations along the portions of property fronting the new San Mateo Street extension at 3221 and 3211 San Mateo Street. The sound barrier shall be constructed using a solid material with no gaps in the face of the wall. Suitable materials for sound wall construction shall have a minimum surface weight of 3 pounds per square foot, such as 1-inch-thick wood, ½-inch laminated glass, masonry block, concrete, or 1-inch-thick metal. The sound barrier shall be constructed by the City of Richmond or approved contractor and shall be completed prior to final inspection of the site by the City of Richmond.

**List of Abbreviations**

Abbreviation	Definition
AB	Assembly Bill
ADA	Americans with Disabilities Act
ADI	Area of Direct Impact
ADL	aerially deposited lead
ADT	Average Daily Traffic
APE	Area of Potential Effect
APN	Assessor's Parcel Number
ASR	Archaeological Survey Report
BAAQMD	Bay Area Air Quality Management District
BMP	best management practice
BP	before the present
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAM-17	CAM-17 Metals
CARB	California Air Resources Board
CCR	California Code of Regulations
CCTA	Contra Costa Transportation Authority
CDFG	California Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database

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Abbreviation	Definition
CNPS	California Native Plant Society
CRHR	California Register of Historical Resources
CWA	Clean Water Act
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FIRM	Flood Insurance Rate Map
GHG	greenhouse gases
HREC	Historical Recognized Environmental Condition
HRER	Historical Resources Evaluation Report
HSC	Health and Safety Code
LOS	level of service
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation Monitoring and Reporting Plan
MND	Mitigated Negative Declaration
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NSR	Noise Study Report

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Abbreviation	Definition
PM	particulate matter
POTW	publicly owned treatment works
PRC	Public Resources Code
REC	Recognized Environmental Condition
RFD	Richmond Fire Department
ROG	reactive organic gases
ROW	right-of-way
RWQCB	Regional Water Quality Control Board
SER	Standard Environmental Reference
sf	square foot/feet
SOI	Secretary of the Interior
SSD	Stege Sanitary District
SSMP	Sewer System Management Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TMDL	Total Maximum Daily Load
TOHIMU	Transit Oriented Higher Intensity Mixed-Use
TPH	total petroleum hydrocarbon
USFWS	United States Fish & Wildlife Service
USGS	United States Geological Survey
VHFHSZ	Very High Fire Hazard Severity Zone
VIA	Visual Impact Assessment
VMT	vehicle miles traveled
WEAP	Worker Environmental Awareness Program

**Section 1 Project Information**

*Type of Information*

*Project Details*

<b>1. Project title:</b>	Central Avenue at Interstate 80 (I-80) Local Road Improvement Project
<b>2. Lead agency name and address:</b>	City of Richmond Engineering Services Department 450 Civic Center Plaza Richmond, CA 94804
<b>3. Contact person and phone number:</b>	Lina Velasco Director of Community Development (510) 620-6841
<b>4. Project location:</b>	The Project limits are Central Avenue from east of I-80 Caltrans right-of-way (ROW) to the intersection with San Mateo Street, San Mateo Street from Central Avenue to the future proposed intersection with Pierce Street, Pierce Street from Central Avenue to the future proposed intersection with San Mateo Street, and a new connector street as an extension of San Mateo Street through two commercial private properties, to Pierce Street, in the cities of Richmond and El Cerrito.
<b>5. Project sponsor's name and address:</b>	City of Richmond 450 Civic Center Plaza Richmond, CA 94804
<b>6. General Plan designations:</b>	Regional Commercial Mixed-Use (City of Richmond 2012) Transit Oriented Higher Intensity Mixed-Use (TOHIMU)(City of El Cerrito 2014)
<b>7. Zoning:</b>	Regional Commercial (CR) (Richmond) TOHIMU (El Cerrito)
<b>8. Description of project:</b>	Increase spacing between signalized intersections east of I-80, relocate traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue, convert Pierce Street at Central Avenue to "right in, right out" access, and extending

*Type of Information*

*Project Details*

	<p>San Mateo Street to connect with Pierce Street. Project elements include new and removed traffic signals, San Mateo Street realignment and new connection to Pierce Street, roadway widening, street parking reconfiguration, striping and signage reconfiguration, joint utility pole (power and telecom) undergrounding and relocation as needed, subsurface utility adjustments, bus stop relocation, parking lot reconstruction, class III bike route, landscaping and bioretention, storm drain utility improvements, new and replacement street lighting, and concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter improvements.</p>
<p><b>9. Surrounding land uses and setting:</b></p>	<p>Highly urbanized area with a mix of single-family and multi-family residences, commercial and light industrial uses, and community parkland (City of El Cerrito 2014)</p>
<p><b>10. Other public agencies whose approval is required:</b></p>	<p>California Department of Transportation City of El Cerrito Contra Costa Transportation Authority</p>
<p><b>11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?</b></p>	<p>On June 13, 2018, a letter was sent to the Native American Heritage Commission (NAHC) requesting a search of their Sacred Lands database and a list of contacts that may have knowledge of cultural or tribal resources within or immediately adjacent to the proposed Project area. A response was received on June 26, 2018, indicating that the Sacred Lands database search did reveal the presence of Native American cultural resources within or immediately adjacent to the proposed Project area. The NAHC requested that six tribe representatives be contacted. Tribe inquiry letters were mailed on June 27, 2018, and follow-up phone calls</p>

*Type of Information*

*Project Details*

	<p>were made to all individuals identified by the NAHC on September 4, 2018.</p> <p>Given a hiatus in the Project, updated consultation letters were sent to these six tribes on January 20, 2021. After receiving an updated contact list from the NAHC on March 11, 2021, three additional tribes were also sent consultation letters. These letters were sent on March 16, 2021, and follow-up phone calls occurred on March 24, 2021.</p> <p>Four tribes, The Confederated Villages of Lisjan, the Northern Valley Yokuts Tribe, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Mutsun Band of Costanoan, have responded to date. See Section 4.18, Tribal Cultural Resources, for details.</p>
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## Section 2 Introduction

### 2.1 FOCUS OF THE ENVIRONMENTAL REVIEW

#### 2.1.1 California Environmental Quality Act

The City of Richmond has prepared this Draft Initial Study (IS) and Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) for the proposed I-80/ Central Avenue Interchange Improvement -Local Roads Portion Project (Project). This Public Review IS/MND is an informational document, provided to help the public and decision-makers understand the potential effects the Project may have on the environment, and how potential adverse effects may be mitigated. The Notice of Intent to Adopt a Mitigated Negative Declaration provides notice to interested agencies and the public that it is the City's intent to adopt an MND and, pending public review, expects to determine from this study that the proposed Project would not have a significant effect on the environment. This Public Review Draft IS/MND is subject to modification based on comments received by interested agencies and the public.

#### 2.1.2 California Department of Transportation

The City of Richmond is Lead Agency and the California Department of Transportation (Caltrans) is a Responsible Agency under CEQA. Caltrans has been designated the National Environmental Policy Act (NEPA) lead by the Federal Highway Administration for administering federal funds and must approve all technical studies and environmental documents to meet federal statutory requirements before the Project can proceed. Caltrans provides guidance for implementing regulations, as well as recommended report content and format, in the *Standard Environmental Reference* (SER; Caltrans n.d.-a) at: <http://www.dot.ca.gov/ser/>. This guidance was used to develop supporting technical studies for CEQA topic analyses for the proposed Project.

### 2.2 REQUIRED PERMITS AND ADDITIONAL APPROVALS

#### 2.2.1 Permits

The Project would obtain or comply with the following permits:

- Encroachment Permit (El Cerrito)
- Encroachment Permit (Caltrans)
- Temporary Construction Easement (Various Property Owners)

#### 2.2.2 Responsible Agencies

- City of El Cerrito

- Caltrans
- Contra Costa Transportation Authority

2.3 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

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

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

\_\_\_ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

\_\_\_ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

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

Lina Velasco

Digitally signed by Lina Velasco
DN: cn=Lina Velasco, o=City of Richmond, ou=Community Development, email=Lina\_Velasco@ci.richmond.ca.us, c=US
Date: 2022.11.03 15:40:28 -07'00'

11/3/2022

Signature

Date

Lina Velasco

Director of Community Development

Name

Title

### **Section 3 Project Description**

The City of Richmond proposes the Central Avenue at Interstate 80 (I-80) Local Road Improvement Project, Contra Costa County, California, Federal Aid #STPL 5137(050) (Project) in order to improve traffic operations and increase spacing between signalized intersections east of I-80 on Central Avenue.

#### **3.1 PROJECT LOCATION**

The proposed Project is located just east of the I-80/Central Avenue Interchange in the cities of Richmond and El Cerrito (Figure 1). The Project limits start at the intersection of Central Avenue and San Luis Street/Pierce Street (including an approximately 30-foot-long segment north along San Luis Street) and extend along Central Avenue approximately 230 feet past the Central Avenue/San Mateo Street intersection (including an approximately 30-foot-long segment north along San Mateo Street). The Project limits extend south from the intersection of Central Avenue and San Mateo Street approximately 425 feet. Continuing from the current southern terminus of San Mateo Street, the Project limits extend approximately 320 feet to the west, through a residential parcel and a commercial parking lot and form a new intersection at Pierce Street. Lastly, the Project limits extend approximately 150 feet south from the newly created intersection at San Mateo Street and Pierce Street to and approximately 450 feet from the same intersection to the Pierce Street/Central Avenue intersection.

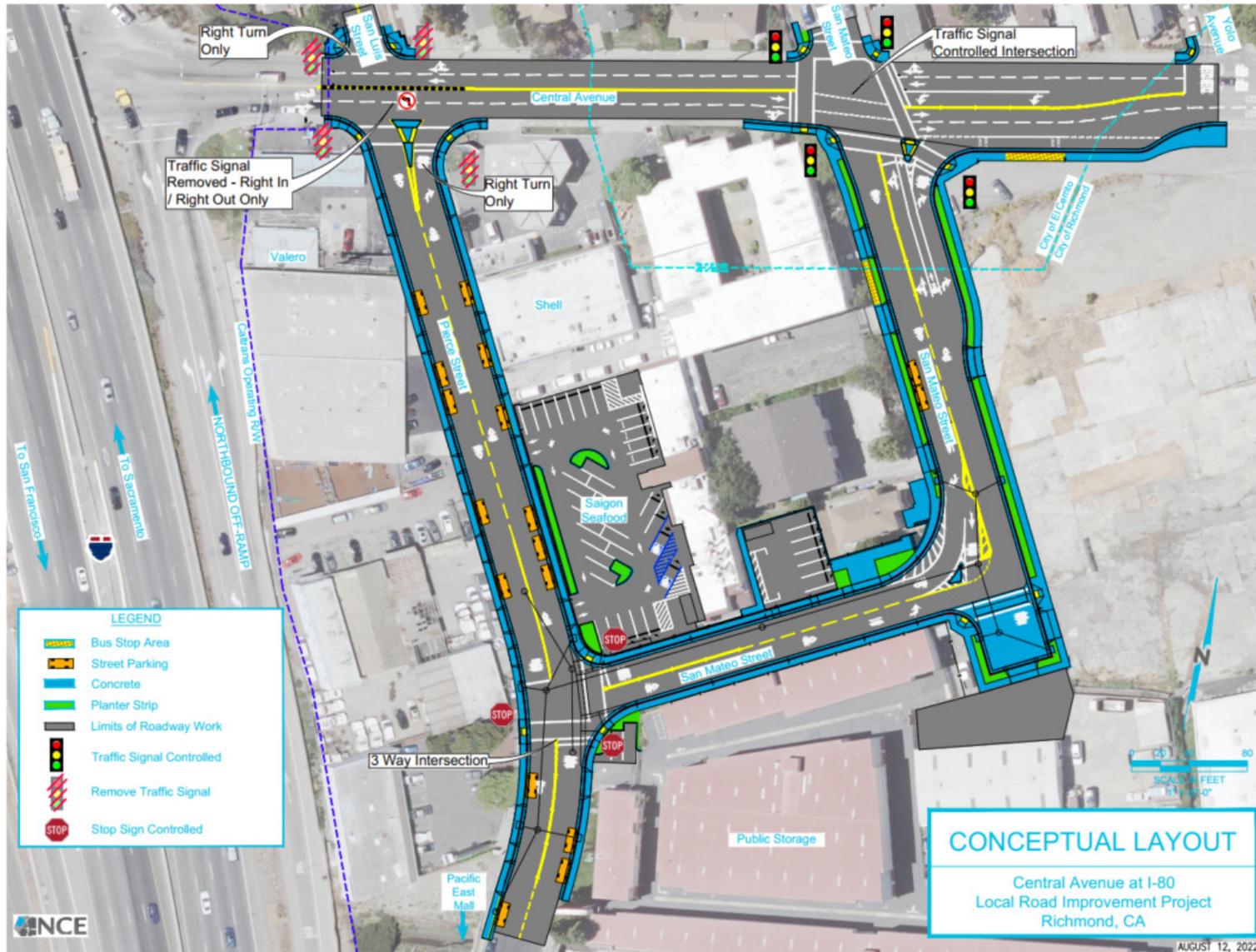
The Project limits are shown in Figure 2. This layout is the basis for the construction documents currently being prepared.

#### **3.2 BACKGROUND**

In 2003, the City of El Cerrito received a Traffic Engineering Technical Assistance Program grant from the Metropolitan Transportation Commission to prepare a traffic operations study for Central Avenue between San Pablo Avenue and I-80 to identify improvements that could be implemented to improve corridor operations. Through work led by the West Contra Costa Transportation Advisory Committee, the cities of El Cerrito and Richmond and the local community initiated the I-80/Central Avenue project and advocated for its inclusion on Contra Costa County's Ballot Measure J. Additionally, the El Cerrito City Council worked to obtain a federal earmark for the project.



**Figure 1. Project Vicinity Map**



**Figure 2. Project Conceptual Layout**

A Feasibility Study was conducted by the Contra Costa Transportation Authority (CCTA) in July 2009 (CCTA 2009a), which included three build alternatives as potentially viable (Alternatives 7A, 10, and 12) and analyzed a No Build Alternative. From that study, CCTA recommended two project phases for implementation:

- Phase 1 – Near Term Improvements, to redirect left turns from westbound Central Avenue onto I-80 westbound to the adjacent I-580 eastbound on ramp at Rydin Road during peak hours and to install traffic signals at the I-580 ramps.
- Phase 2 – Local Roads Realignment (the proposed Project discussed in this document), to increase spacing between the signalized intersections east of I-80 by connecting Pierce Street and San Mateo Street, converting Pierce Street access at Central Avenue to “right-in”, “right-out”, and relocating the traffic signal at Pierce Street/Central Avenue to the San Mateo Street/Central Avenue intersection.

Together, both phases will alleviate congestion and improve traffic safety along Central Avenue (CCTA 2009). The environmental review for the Phase 1 – Near Term Improvements project was completed in 2012. Project construction and implementation was completed in 2018 and it is currently operational.

### **3.3 PROJECT OBJECTIVES**

The Project objectives are to improve traffic operations and increase spacing between signalized intersections east of I-80. This would be accomplished primarily by relocating traffic signals from Pierce Street at Central Avenue to San Mateo Street at Central Avenue; converting Pierce Street at Central Avenue to "right in, right out" access; and extending San Mateo Street to connect with Pierce Street.

### **3.4 EXISTING CONDITIONS**

The Project site encompasses three roadways and portions of adjacent properties.

- Central Avenue is a 1.7-mile-long, east-west arterial roadway. The four-lane road has no shoulders from I-80 (Caltrans ROW) east toward San Mateo Street. There are sidewalks on both sides of Central Avenue and no existing medians within the Project area. Central Avenue has a posted speed limit of 30 miles per hour (mph) west of Pierce Street and 25 mph east of Pierce Street.
- San Mateo Street is a 32-foot-wide, two-lane local street that extends from Carlson Boulevard in the north, and dead-ends approximately 380 feet south of Central Avenue into a commercial property. There are northbound and southbound two-way stop signs at its intersection with Central Avenue. The posted speed limit on San Mateo Street is 25 mph. There are existing

driveway encroachments and sidewalks on both sides of the street north of Central Avenue, and only on the western side of the street south of Central Avenue. Parking is allowed on both sides of the street.

- Pierce Street is a 35-foot wide, two-lane collector roadway and commercial frontage road along I-80 that begins at Central Avenue south of San Luis Street. Pierce Street extends south to Buchanan Street and is currently signalized at Central Avenue. The posted speed limit on Pierce Street is 35 mph. There are sidewalks and on-street parking on both sides of the street. North of Central Avenue, Pierce becomes San Luis Street and extends north to Van Fleet Avenue. San Luis Street is a 22-foot-wide, two-lane residential roadway with a 30 mph speed limit. There are existing driveway encroachments, and on-street parking on both sides of the street.

The Project area is located inland approximately 1 mile from the San Francisco Bay. The area surrounding the Project is fully developed and urbanized, consisting of high-density residential, commercial, and light industrial uses. There are bus stops on both sides of Pierce Street approximately 100 feet south of the intersection with Central Avenue.

Surrounding land uses include a 2.6-acre community park (Central Park) located approximately 300 feet east of the Central Avenue/San Mateo Street intersection in the City of Richmond. On the eastern boundary of San Mateo Street is a vacant lot that formerly housed multiple industrial/commercial operations including a lumber mill, a machine shop, and an auto repair shop. The facilities ended operation in 2007; this site has a current application in to the City of Richmond for a medium-density residential development. To the south is a Public Storage facility and businesses at the current terminus of San Mateo Street. A channelized tributary of the historic Cerrito Creek meanders from the southern terminus of San Mateo along the east side of the commercial properties to border the southern boundary of the Public Storage complex. East of Pierce is commercial abutting the I-80 off-ramp, and north of Central is single family residential.

Within the boundaries of the roadways, there are two single family residences and two multi-family residential developments on the west side of San Mateo Street, and the Saigon Seafood Harbor Restaurant, a Shell Station, and other commercial uses on the east side of Pierce Street.

### **3.5 PROJECT FEATURES**

The Project is a resurfacing, restoration, and rehabilitation project that includes street improvements within the City of Richmond (74,371 square feet [sf]), City of El Cerrito (28,519 sf), and Caltrans ROW (1,363 sf). Combined with non-street improvement areas (23,990 sf) such as parking lots, conforms, and some landscaping, the total Project area is 128,243 sf. The Project includes

improvements on 12 partial or entire Assessor Parcel Numbers (APNs) within the cities of Richmond and El Cerrito. The Project would require a total ROW acquisition of 24,470 sf. (see Section 3.5.2, below for a complete discussion).

The proposed Project features are identified on previous Figure 2. The Project includes the following features:

- New and removed traffic signals
- New and replacement street lighting
- San Mateo Street realignment and new connection to Pierce Street
- Roadway widening
- Street parking reconfiguration
- Striping and signage reconfiguration
- Joint utility pole (power and telecom) undergrounding and relocation, as needed (with local funds)
- Subsurface utility adjustments
- Storm drain utility improvements (if needed)
- Bus stop relocation
- Parking lot reconstruction
- Class III bike route
- Landscaping and bioretention
- Concrete flatwork such as sidewalk, curb ramps, driveway aprons, and curb and gutter
- Americans with Disabilities Act (ADA)-compliant curb ramps

### **3.5.1 Project Elements by Roadway Section**

The Project scope involves subsurface construction that will include excavation and grading, relocation of soil, potential dewatering activities, and parking, street, and streetscape improvements on four roadway segments, as follows:

#### Central Avenue

- Relocate the current traffic signal at Central Avenue/San Luis Street/Pierce Street (four-way intersection) to Central Avenue/San Mateo Street (4-way intersection).
- Convert the Central Avenue/San Luis Street/Pierce Street intersection to a two-way, stop-controlled intersection, with "right in" and "right out" access only.

- North-south access across Central Avenue would be prohibited.
- Traffic traveling southbound on San Luis Street would be restricted to right-turn-only access onto westbound Central Avenue by installing a small, raised island.
- Traffic traveling northbound on Pierce Street would be restricted to right-turn-only access onto eastbound Central Avenue by installing a raised pedestrian island.
- Eastbound traffic from San Luis Street would be rerouted to the new signal at San Mateo Street.
- Westbound Pierce Street traffic would be rerouted to the new signal at San Mateo Street via the new San Mateo extension.
- Install improvements on Central Avenue from the western Project limits to the centerline of Yolo Avenue, including:
  - Center divider at the Pierce Street/San Luis Street intersection
  - Street resurfacing
  - Pavement striping and markings and traffic signs
  - ADA-compliant curb ramps at Pierce Street/San Luis Street and San Mateo Street intersections, and on the northwest corner of Central and Yolo Avenue
  - Curb, gutter, and sidewalk improvements on the south side of Central Avenue
  - Bus stop area on the south side of Central Avenue east of San Mateo Street
  - Utility adjustments, as needed

#### San Mateo Street (Existing) and New San Mateo Street Extension Connecting to Pierce Street

- Install the following improvements on San Mateo Street (existing):
  - Street lighting
  - Street resurfacing
  - Pavement striping and markings and traffic signs
  - Class III bike route
  - ADA-compliant curb ramps
  - Curb and gutter improvements

- Sidewalks and planter strips
  - Bus stop and shelter (if needed)
  - On- and off-street parking reconfiguration
  - Driveway aprons
  - Undergrounding electrical and telecom utilities
  - Storm drain utility improvements
  - Utility adjustments, as needed
  - Landscaping and bioretention/rain gardens
- Construct a new two-lane roadway connecting Pierce Street to the current terminus of San Mateo Street. This street would be approximately 285 feet long and 42 feet wide measuring to the back of opposite sidewalks. Both the existing and new segments of San Mateo Street would require right-of-way (ROW) acquisition to accommodate road widening and construction of the roadway extension.
  - The parcels requiring partial ROW acquisition are located on eight privately owned parcels identified by the following assessor parcel numbers (APNs):
    - El Cerrito: 510-053-025 and 510-053-019
    - Richmond: 510-053-002, 510-053-005, 510-053-007, 510-053-032, 510-053-033, and 510 053-040
  - The parcels requiring full ROW acquisition are located on two privately owned parcels identified by the following assessor parcel numbers (APNs):
    - Richmond: 510-053-06 and 510-053-034

The proposed Project would demolish one residential structure, extend new parking into the backyard area of a second residential property, and reconfigure the parking lot. There are approximately 50 existing stalls; however, the existing parking lot configuration and specifically parking stall sizes may not conform to current municipal code requirements. If existing stalls were modernized to conform with existing code requirements the estimate may be below 50 stalls. With the Project reconfiguration the post-Project parking counts will be 40 off-street parking stalls, and up to 3 on-street parking spaces. Therefore, the proposed Project will generate a net loss of approximately 7 parking spaces compared to existing conditions.

- Install a new three-way, stop-controlled intersection at San Mateo Street (new portion) and Pierce Street with the following improvements:
  - Street resurfacing

- Pavement striping and markings and traffic signs
- ADA-compliant curb ramps
- Northbound improvements on San Mateo Street at Central Avenue would include construction of a right turn lane and a raised pedestrian island. Parking for up to two (2) vehicles will be available on the existing segment of San Mateo Street.

#### Pierce Street

- Install the following improvements on Pierce Street between Central Avenue to 150 feet south of San Mateo Street (new):
  - Street lighting
  - Street resurfacing
  - Pavement striping and markings and traffic signs
  - Class III bike route
  - ADA-compliant curb ramps
  - Curb and gutter improvements
  - Sidewalks and planter strips
  - On- and off-street parking reconfiguration
  - Driveway aprons
  - Undergrounding electrical and telecom utilities
  - Utility adjustments, as needed
  - Landscaping and bioretention/rain gardens
  - Extend storm drain to outfall at the creek channel

#### Saigon Seafood Harbor Restaurant Parking Lot

- Resurface pavement
- Restripe parking lot to provide 32 standard parking spots and two handicap parking spots
- Install Planter strips
- Lighting
- Fencing
- Utility adjustments, as needed

#### Proposed Saigon Seafood Harbor Restaurant Back Parking Lot

- Stripe six parking spots

- Stripe loading area
- Trash Receptables area
- Lighting
- Fencing
- Utility adjustments, as needed

Ground disturbances within the Project area will range according to Project elements. The majority of impacts (those related to roadway rehabilitation / grading / paving) will be between one and six feet deep, with the exception of the new San Mateo extension that may include impacts to a depth of four to eight feet deep. Deeper impacts will occur related to underground utility relocation (up to 12 feet), the installation of approximately 16 streetlights (up to 12 feet), five traffic signal poles (up to 15 feet), and demolition with associated cleanup of a private residence at 3221 San Mateo Street (up to 8 feet).

### **3.5.2 Right-of-Way Acquisitions**

As noted above, the Project would require ROW acquisitions (herein referred to as ROW Takes) along San Mateo Street and for the road extension to Pierce Street. Table 1 identifies the parcels included within the Project area and the anticipated takes by parcel number, size, and percentage of the site to be acquired.

The South ROW Take comprises the northern boundary of the Public Storage facility (formerly called Lockaway Storage), southern portion of the Saigon Seafood Harbor Restaurant parking lot, the Residence 1 property, and most of the back yard of the Residence 2 property. This is to accommodate the San Mateo extension to Pierce Street and allow construction of a back parking area to allow continued loading for the restaurant and replace some parking to keep the business viable.

The East ROW Take is on the vacant lot (Former Lumber Yard Property) adjoining the Project area to the east. This includes a strip of land along the Central and San Mateo frontages to accommodate the curb, sidewalk, and gutter, right turn lane, and bus stop.

The North Take area would remove a small area of vegetation belonging to the apartment complex on the southwest corner of Central Avenue and San Mateo Street to allow for a slight relocation of the sidewalk and ADA curb ramp.

The Contra Costa County Real Estate Division will work with local landowners regarding acquisition of these ROW areas. This process is anticipated to take two years, from early 2023 through early 2025.

**Table 1. Estimated Right-of-Way Take Summary**

Region	Property Description	APN	ROW Acquisition (sf)	Parcel Area (sf)	Percent Acquisition (%)
South ROW Take	Saigon Seafood Harbor Restaurant	510-053-031	0	0	0
South ROW Take	Saigon	510-053-001	0	0	0
South ROW Take	Saigon	510-053-002	2,167	6,418	34
South ROW Take	Saigon	510-053-034	3,209	3,209	100
South ROW Take	Public Storage	510-053-040	204	8,926	2.3
South ROW Take	Public Storage	510-053-005	1,217	4,235	29
South ROW Take	Residence #1	510-053-006	5,392	5,392	100
South ROW Take	Residence #2	510-053-007	2,887	9,627	30
North ROW Take	Apartment Complex	510-053-019	106	12,892	0.82
East ROW Take	Vacant Lot	510-053-025	3,774	7,954	47
East ROW Take	Vacant Lot	510-053-032	3,140	72,946	4.3
East ROW Take	Vacant Lot	510-053-033	2,374	31,066	7.6
<b>Total</b>	--	--	<b>24,470</b>	<b>162,665</b>	<b>15</b>

**Notes:**

APN = Assessor Parcel Number

ROW = right-of-way

sf = square feet

**Table 2. Estimated Street Improvements Summary**

<b>Street</b>	<b>City of Richmond (sf)</b>	<b>City of El Cerrito (sf)</b>	<b>Caltrans ROW (sf)</b>
Central Ave.	13,550	20,277	1,334
San Luis St.	2,099	0	29
San Mateo St. (existing)	18,674	8,242	0
San Mateo St. (proposed)	11,853	0	0
Pierce St.	28,195	0	0
<b>Subtotals</b>	<b>74,371</b>	<b>28,519</b>	<b>1,363</b>
<b>Total</b>	<b>--</b>	<b>--</b>	<b>104,253 sf</b>

For discussion purposes, ROW Takes have been divided into South (Saigon Seafood Harbor Restaurant and commercial/residential structures), North (apartment complex), and East (vacant lot). Areas proposed for acquisition are identified on Figure 3.

**3.5.3 Construction Schedule**

The construction phase is scheduled to begin in June 2025 and end in June 2027, with an estimated 23 weeks of working days or approximately 6 months.

**3.5.4 Construction Staging and Storage**

Construction staging and storage areas would be either located in-place within work areas, within the contractor’s personal equipment storage facility, or within the City of Richmond’s corporation yard. No materials shall be stored in the City of El Cerrito public ROW.

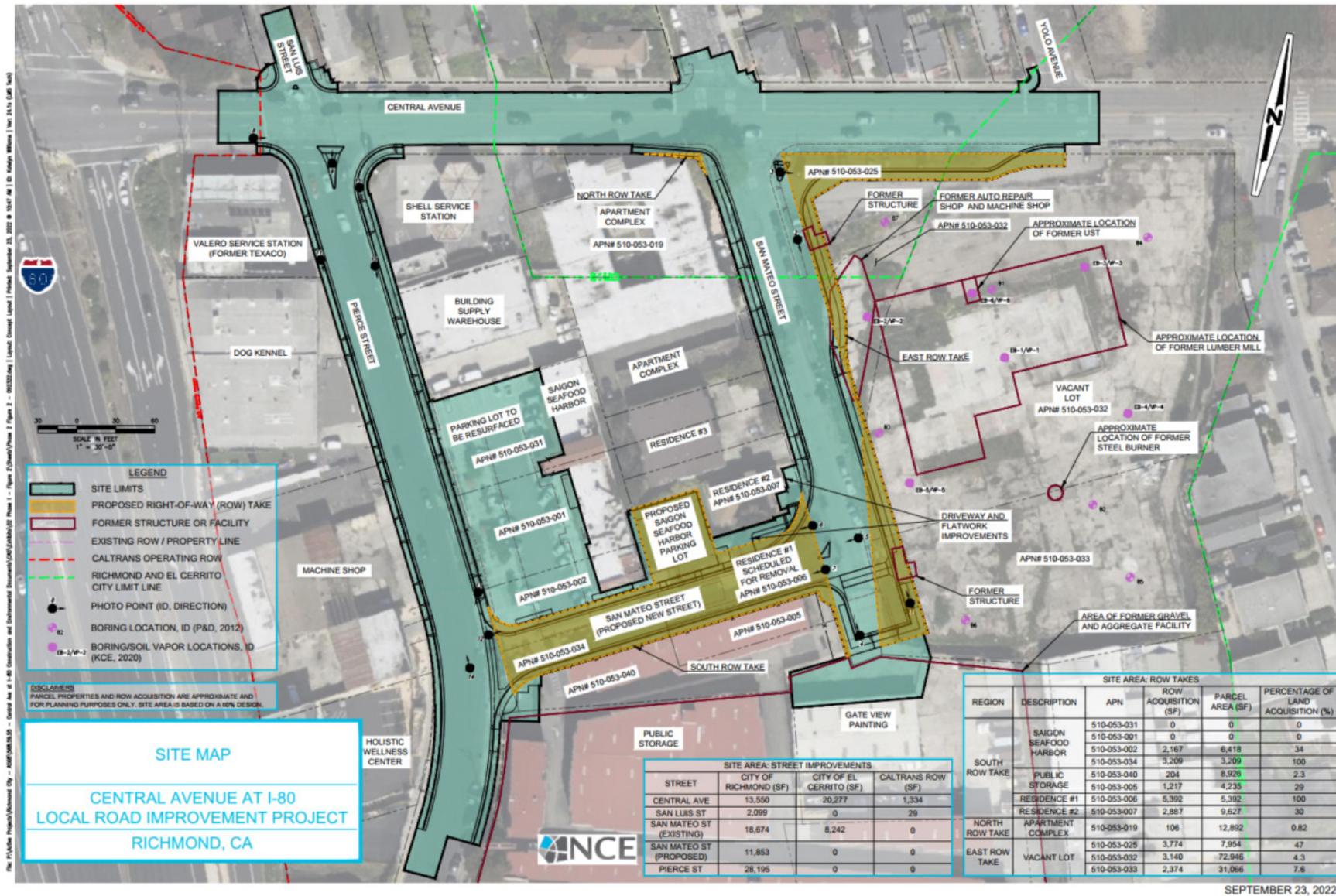
**3.5.5 Equipment and Labor Force**

Various types of equipment would be needed for the construction of the Project elements along the corridor. Small or medium-sized dozers would be used to clear the work area of vegetation and to move soil.

Construction of the roadway would require an excavator, crane, pavement milling machine, a compactor, a grader, asphalt pavers, and rollers to compact the asphalt pavement. Various smaller equipment would be needed like a skip loader, back-hoe, water truck, street sweeper, trucks, and lifting equipment to complete the numerous tasks of this Project.

**CENTRAL AVENUE AT INTERSTATE 80 (I-80) LOCAL ROAD IMPROVEMENT PROJECT**  
 PROJECT DESCRIPTION

RICHMOND, CA



**Figure 3. Site Map of Proposed Project with ROW Takes**

A skilled labor force would be required to complete this Project, including equipment operators, steel workers, carpenters, concrete finishers, asphalt paving crews, truck drivers, laborers, and landscape contractors.

### **3.6 CONSTRUCTION CONTROLS**

The Project is required to comply with local, state, and federal regulations pertaining to protection of human health, safety, and environment. In addition, the Project must meet Project-specific permit conditions established by regulatory agencies (see Section 2.3).

The following required conservation measures and construction controls from local, state, and federal agencies have been incorporated into the Project design. In general, the City follows the Caltrans *Construction Site Best Management Practices Manual* (Caltrans 2017).

#### **3.6.1 Air Quality**

The following basic construction controls shall be implemented to minimize impacts to air quality during construction, as required by the Bay Area Air Quality Management District CEQA Guidelines Update (Bay Area Air Quality Management District 2017a):

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-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. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. 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.

8. 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 Air District's phone number shall also be visible to ensure compliance with applicable regulations.

In addition, Caltrans' Standard Specifications in Section 14-9 (2015) require the contractor to comply with all applicable air quality laws and regulations. Specific actions include:

- Post a publicly visible sign with large font, providing 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. BAAQMD's nuisance response phone number shall also be visible to ensure compliance with applicable regulations.
- Idling times shall be minimized either by shutting equipment off when not in use, or, reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage in large font shall be provided for construction workers at all access points for this requirement.
- Construction equipment and vehicles will be properly tuned and maintained. All construction equipment will use low sulfur fuel as required by CA Code of Regulations Title 17, Section 93114.
- Water or a dust palliative will be applied to the site and equipment as often as necessary to control fugitive dust emissions.
- Soil binder will be spread on any unpaved roads used for construction purposes, and on all Project construction parking areas.
- Equipment and materials storage sites will be located as far away from residences and parks as practicable. Construction areas will be kept clean and orderly.
- Track-out reduction measures will be used at Project access points to minimize dust and mud deposits on roads affected by construction traffic. Dust and mud that are deposited on paved, public roads due to construction activity and traffic will be promptly and regularly removed to reduce PM emissions.
- To minimize spreading dust into the wider community, all transported loads of soils and wet materials will be covered before transport, or adequate freeboard will be provided.

- To the extent feasible, construction traffic will be scheduled and routed to reduce congestion during peak travel times.
- As soon as practical after grading, the contractor will install mulch or plant vegetation to reduce windblown PM on spoils piles and areas not subject to near-term paving.

### 3.6.2 Geology and Soils

The Hydrology and Water Quality controls section below outlines erosion and sediment BMPs that would minimize impacts to geology and soils during construction.

### 3.6.3 Hazards and Hazardous Materials

The Construction General Permit requires that a Spill Prevention Plan be developed along with the Project-specific Stormwater Pollution Prevention Plan (SWPPP) to detail site-specific BMPs to prevent accidental spills from impacting water and land resources. The plan must outline response protocols and information for contacting the San Francisco Bay Regional Water Quality Control Board (RWQCB) and other responsible agencies. Additionally, spill containment and absorbent materials must be kept on-site at all times, and petroleum products and hazardous waste must be removed from the Project area and disposed of at an appropriate location.

### 3.6.4 Hydrology and Water Quality

Construction activities that disturb one acre or more of land, and construction on smaller sites that are part of a larger project, must comply with a California State Water Resources Control Board (SWRCB) Construction General Permit (Order 2009-0009-DWQ) that regulates stormwater leaving construction sites. Site owners must notify the state, prepare, and implement a SWPPP and monitor the effectiveness of the plan. The SWPPP must outline measures that will protect hydrology and water quality resources, including groundwater, from negative impacts during construction.

Construction site stormwater BMPs would follow the *Construction Site Best Management Practices Manual* (Caltrans 2017) to control and minimize the impacts of construction related activities. Some of these controls are also outlined in Section 3.6.1 as mitigations for air quality. The following BMPs, at a minimum, would be implemented at the site during construction:

1. Temporary erosion and sediment control BMPs to prevent the transport of earthen materials and other construction waste materials from disturbed land areas, stockpiles, and staging areas during periods of precipitation or runoff (such as silt fence, erosion control fabric, fiber rolls).

2. Tracking controls (such as designated ingress and egress areas) and designated staging areas outside of drainage areas.
3. Revegetation of all disturbed areas, including staging with native species only.
4. Temporary BMPs to prevent wind erosion and sediment transport of disturbed areas, such as use of water for dust control and covering of stockpiles.
5. Construction boundary fencing to limit land disturbance to areas not planned for construction.

### **3.6.5 Traffic During Construction**

For activities within a public ROW, a Temporary Traffic Control Plan and Pedestrian Control Plan conforming with the California Manual on Uniform Traffic Control Devices must be prepared and submitted for review and approval prior to issuance of applicable encroachment permits. Reviewing agencies would include Caltrans, El Cerrito, and Richmond for their respective ROWs.

## Section 4 Environmental Evaluation

The following sections evaluate the potential adverse impacts of the Project in compliance with CEQA. Appendix G of the CEQA Guidelines (California Association of Environmental Professionals 2022) provides a sample checklist with a series of questions designed to enable the lead agency, and Caltrans, to identify Project impacts for 20 environmental topics; this IS generally follows this checklist.

Except where a specific threshold has been adopted by a public agency and is specified in the sections below, such as an air quality threshold, Appendix G of the CEQA Guidelines are used as thresholds of significance for the CEQA checklist questions.

Potential environmental impacts are described as follows:

- **Potentially Significant Impact:** An environmental impact that could be significant and for which no feasible mitigation is known. If any potentially significant impacts are identified in this Checklist, an EIR must be prepared.
- **Less than Significant Impact with Mitigation Incorporated:** An environmental impact that requires the implementation of mitigation measures to reduce that impact to a less than significant level.
- **Less than Significant Impact:** An environmental impact may occur; however, the impact would not exceed significance thresholds.
- **No Impact:** No environmental impacts would result from implementation of the Project.

**4.1 AESTHETICS**

**4.1.1 Environmental Setting**

The Project is located in a highly urbanized area consisting primarily of paved local roadways (Central Avenue, San Mateo Street, Pierce Street, and San Luis Street). The Project area is surrounded by a mix of single-family residential homes and apartments as well as an assortment of commercial and light industrial buildings. The I-80/Central Avenue Interchange is approximately 200 feet west of Pierce Street and obstructs views west of the Project area. There is a 2.5-acre vacant property located along the east side of San Luis Street with a current land use entitlement allowing for construction of up to 172 multi-family apartment-type unit

There are utility poles obstructing sidewalks along the roadways and landscaping is very sparse in the Project area. There are approximately 47 trees of varying type and size sporadically located along Central Avenue and San Mateo Street. Also, there are a small number of ornamental landscape trees and shrubs in front of a commercial property along Pierce Street.

Existing nighttime light sources in the Project area include street lighting along Central Avenue, San Mateo Street, Pierce Street, San Luis Street, and other adjacent roadways, as well as security lighting from the surrounding residences and commercial buildings.

A Visual Impact Assessment (VIA) was prepared for this Project and is available upon request (Vallier & Associates 2018).

**4.1.2 CEQA Checklist Summary**

Except as provided in Public Resources Code Section 21099, would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway?	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant Impact

<b>CEQA Question</b>	<b>Impact Determination</b>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Less Than Significant Impact

**4.1.3 Answers to CEQA Checklist Questions**

Except as provided in Public Resources Code Section 21099:

**a) Would the project have a substantial adverse effect on a scenic vista?**

***No Impact***

Review of the Caltrans Vista Points dataset for Contra Costa County identified the Bird Roosting Island Vista Point west of the Project area along Central Avenue (Caltrans 2015). However, the Project area and designated vista point are separated by the I-80 Interchange and are not within visual proximity of one another.

There will be no significant change in vertical features that could block views within the area from any of the Project roadways. There is existing street lighting that will be relocated within the new roadway alignment but will not significantly alter any views. All other changes will occur at ground level and will provide visual improvements.

Based on the VIA, no scenic vistas were identified within the proposed Project setting (Vallier & Associates 2018). Views southward from Pierce Street to Albany Hill would be unaffected by the Project. Therefore, the Project would have no impact on a scenic vista.

**b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

***No Impact***

No notable scenic resources were identified within the Project setting. Review of the Caltrans Scenic Highway Mapping System for Contra Costa County did not identify any officially designated scenic highways in the immediate vicinity of the Project area that would be impacted as a result of the proposed Project (Caltrans n.d.-a) Because the Project is not located within a designated state scenic highway, there would be no impact.

Based on the VIA, no scenic resources of note, nor any historic buildings, were identified within the Project setting (Vallier & Associates 2018). There are no local or state scenic roadways in the Project viewshed. Therefore, the Project would have no impact on a scenic resource.

**c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

***Less Than Significant Impact***

The Project is in an urban area and would create minor levels of visual change within a setting of viewer sensitivity ranging from moderate (residents) to low (others). In general, visual changes due to the proposed Project would be relatively minor, including construction of new curbs, new paving and striping, relocation of traffic signals from the Pierce/San Luis intersection to the Central/San Mateo intersection, associated widening at the Central/San Mateo intersection to accommodate new turn lanes, a new bus stop at the southeast corner of the intersection, and a new short roadway extension between two existing roadways. These comparatively minor visual changes would be consistent with the existing roadway-dominated character of the Central Avenue streetscape. Visual changes proposed for Pierce and San Mateo Streets, including new streetlights, potential undergrounding of utilities, and road extension would also be consistent with their existing character. An existing residence at 3221 San Mateo Street would be removed to accommodate the new proposed roadway alignment. This generally low level of visual change would occur within a setting of viewer sensitivity and response that ranges from moderate (residences) to low (others).

The Project is located primarily within the City of Richmond, with portions of two parcels in the City of El Cerrito. Within Richmond, the Project is located in an area designated in the General Plan for Regional Commercial Mixed-Use. No applicable policies that would pertain specifically to aesthetics or scenic quality of the Project were identified in the Richmond General Plan or Zoning Ordinance.

The El Cerrito portion of the Project is in the Transit Oriented Higher Intensity Mixed-Use General Plan designation and zoning district (City of El Cerrito 2014). The applicable land use only includes the northwest corner of the apartment complex at San Mateo and Central Avenue, and the zoning does not indicate any specific aesthetic or scenic quality-related requirements applicable to the proposed Project.

Although the Community Development and Design Element of the El Cerrito 1999 General Plan articulates various broad goals for urban design in the city, no policies regarding aesthetics, scenic quality, or urban design that would specifically pertain to the proposed Project were identified. More specific land use and urban design goals and policies in the Plan are described in Design and Development Guidelines, in reference to specific priority development areas, but the proposed Project does not fall within any of these plan areas. The City of El Cerrito San Pablo Avenue

Specific Plan contains view standards in Section 2.05.02.03 to “acknowledge existing key natural and scenic views of Mount Tamalpais, the Golden Gate Bridge, Albany Hill, the East Bay Hills and the San Francisco Skyline, and to leverage context-sensitive design and minimize the impact of new development on these views” (City of El Cerrito 2014). The proposed Project does not fall within any of these natural and scenic views. Similarly, no specific zoning ordinances relating to the aesthetic/visual aspects of the Project were identified for either Richmond or El Cerrito. Neither Richmond nor El Cerrito identify scenic roadways or highways in their General Plans.

Thus, the Project would not conflict with applicable local zoning, general plan, or other regulations relating to scenic quality. The impact would be less than significant.

The VIA did note a potential nuisance concern regarding the northern wall of the Public Storage building that the sidewalk of the San Mateo Street extension would abut. There is concern that this wall would provide an attractive nuisance for graffiti. While not required to mitigate an impact under CEQA, it is recommended that the City adopt the following minimization and avoidance measure:

**Avoidance Measure 1:** In the event of future graffiti on the exposed walls, the City shall work with the property owners to coordinate repainting the affected wall with graffiti-resistant paint (per ASTM D6578/D6578M-13) or work with the property owners and arts community to paint a mural in that location.

**d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

***Less Than Significant Impact***

The Project would not adversely affect day or nighttime views in the area. The Project would relocate the current traffic signal at Central Avenue and San Luis/Pierce Street to the Central Avenue/San Mateo Street intersection. This would not result in an overall increase in lighting.

There will be 13 streetlights protected, 20 new streetlights added, three parking lights removed, and two new parking lights added into the Project area. New pedestrian lighting would be installed along both the existing and proposed segments of San Mateo Street similar in character and intensity to the existing lighting. These light standards would be typical of urban residential neighborhoods and would represent a potential improvement in nighttime safety for the residences on this street. The potential for intrusive night lighting within nearby homes would be minimized by the canopies of new street tree plantings proposed along San Mateo Street in this segment.

Street lighting associated with the traffic signal at Central Avenue and San Luis/Pierce Street would be relocated to the intersection of Central Avenue and San

Mateo Street. This lighting would be essentially similar in character and intensity to the existing lighting at Central Avenue and San Luis/Pierce Street, thus no new net glare or lighting-associated adverse impacts are anticipated in this segment of Central Avenue.

Overall, no substantial new sources of light or glare are proposed, and no significant adverse effects on day or nighttime views is anticipated.

**4.2 AGRICULTURAL AND FORESTRY RESOURCES**

**4.2.1 Environmental Setting**

The Project site is located in a highly urbanized area of the cities of Richmond and El Cerrito. The Project area is zoned for commercial and residential uses (see Section 4.11, Land Use & Planning). The area has not been used historically for agricultural or timberland production.

There are no agriculture or forestry land uses on or near the Project site. The Contra Costa County Important Farmland 2018 Map depicts that the majority of farmland of regional or state importance in the east regions of Contra Costa County (California Department of Conservation 2018).

**4.2.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code (PRC) § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	No Impact

**4.2.3 Answers to CEQA Checklist Questions**

**a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to**

**the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

***No Impact***

As discussed in the Environmental Setting section, the Project is not located in an area of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency (California Department of Conservation 2019a). Additionally, the Project does not propose features that would result in a change in land use; therefore, the Project would have no impact on farmland, nor would it convert farmland to non-agricultural use.

**b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

***No Impact***

There are no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) in the Project vicinity therefore, there are no Williamson Act contracts in the vicinity (California Department of Conservation 2016). Because there are no agricultural zoning designations and no Williamson Act contracts associated with the Project, there would be no impact.

**c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code (PRC) § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?**

***No Impact***

There are no forestland or timberland land uses or zoning designations in the Project vicinity. The nature of the Project has no impact on land development or conversion of land use. Therefore, the Project does not have potential to conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.

**d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

***No Impact***

There are no forestland or timberland land uses or zoning designations in the Project vicinity. The nature of the Project has no impact on land development or conversion of land use. Therefore, the Project does not have potential result in the loss of forest land or conversion of forest land to non-forest use.

**e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

***No Impact***

Refer to responses a-d. There is no potential for this infrastructure Project to result in a conversion of land and there is no farmland or forest land associated with the Project; therefore, there would be no impact on Farmland or agricultural uses.

## **4.3 AIR QUALITY**

### **4.3.1 Environmental Setting**

The topography of a region can substantially impact air flow and resulting pollutant concentrations. California is divided into 15 air basins with similar topography and meteorology to better manage air quality throughout the state. Each air basin has a local air district that is responsible for identifying and implementing air quality strategies to comply with ambient air quality standards.

The Project is located within the San Francisco Bay Air Basin, which includes Marin, Napa, San Mateo, Contra Costa, Alameda, Santa Clara, and parts of Sonoma and Solano counties. Air quality regulation in the San Francisco Air Basin is administered by the Bay Area Air Quality Management District (BAAQMD).

Climate, weather, and terrain influence local air quality. Factors such as the amount of sunlight, wind and rain all have strong influences. Winds can transport ozone (O<sub>3</sub>) and O<sub>3</sub> precursors from regionally, contributing to air quality problems downwind of sources. Furthermore, mountains can act as a barrier that prevents pollution from dispersing. Recent large fires in the Sierra Nevada have shown how winds can spread pollution. In one example from 2021, fire smoke from the Lake Tahoe region was clearly visible from space and traveled 100s of miles into central Utah. Hence, emissions generated in Richmond don't only affect the city – pollution can travel, mix with other pollutants, and impact those downwind.

Richmond, like much of the coastal East Bay, enjoys a mild Mediterranean climate year-round. The average highs range from 57 to 73°F and the lows are generally between 43 to 56°F year-round. Richmond usually enjoys an "Indian Summer", and September is, on average, the warmest month, while January is usually the coldest month. The highest recorded temperature in Richmond was 112°F in September 2022 while the coldest was 24°F in January 1990. The rainy season begins in late October and ends in April or May.

### **4.3.2 Regulatory Setting**

Both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common air pollutants. These standards are prescribed levels of pollutants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. The federal and State ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, federal and State standards differ in some cases.

## **Federal Regulations**

The EPA is responsible for enforcing the federal Clean Air Act and the 1990 amendments to it, as well as the National Ambient Air Quality Standards (NAAQS) that the EPA establishes. These standards identify levels of air quality for six criteria pollutants, which are considered the maximum levels considered safe, with an adequate margin of safety, to protect public health and welfare. The six criteria pollutants are ozone, carbon monoxide nitrogen dioxide, sulfur dioxide, particulate matter (respirable particulate matter with an aerodynamic diameter of 10 micrometers (PM<sub>10</sub>) and fine particulate matter with an aerodynamic diameter of 2.5 micrometers (PM<sub>2.5</sub>), and lead.

## **State Regulations**

CARB oversees air quality planning and control throughout California. It is primarily responsible for ensuring implementation of the 1989 amendments to the California Clean Air Act, responding to the federal Clean Air Act Amendment requirements, and regulating emissions from motor vehicles and consumer products within the state. In general, California Ambient Air Quality Standards (CAAQS) are more stringent than federal standards. This is particularly true for ozone and PM<sub>10</sub>.

Transportation projects may create temporary increases in emissions or a “hot-spot.” Under the transportation conformity regulations (40 Code of Federal Regulations [CFR] 93.123(c)(5)), construction-related activities that cause temporary increases in emissions are not required to conduct a “hot-spot” analysis. These are exempted from special analysis if they occur only during the construction phase and last 5 years or less at any individual site.

### ***Federal and State Air Quality Attainment Status***

Air quality conditions in the Bay Area are compared against the NAAQS and the state level (California Ambient Air Quality Standards). The attainment status is classified for each pollutant.

Under the NAAQS, the Bay Area is classified as nonattainment for the one-hour and 8-hour ozone standard. The area is also classified as nonattainment for PM<sub>2.5</sub>. Although the EPA issued a final rule in 2013 to determine that the Bay Area attains the 24-hour PM<sub>2.5</sub> national standard, the Bay Area continues to be designated as “nonattainment” for the 24-hour PM<sub>2.5</sub> NAAQS standard until BAAQMD submits a “redesignation request” and a “maintenance plan” to EPA, and EPA approves the proposed redesignation. The Bay Area is designated attainment for nitrogen dioxide, carbon monoxide, lead and sulfur dioxide. While BAAQMD monitoring data show the region meets the PM<sub>10</sub> NAAQS, the area is technically designated “unclassified.” At the state level, the area is designated nonattainment for ozone, PM<sub>2.5</sub> and PM<sub>10</sub> and considered “attainment” for all other criteria air pollutants (CARB 2018b).

## **Local Regulations**

### ***Air Quality Management District***

The BAAQMD adopted the 2017 Clean Air Plan (BAAQMD 2017b) to plan for and achieve compliance with the federal and State ozone standards. The 2017 plan updates the 2010 Clean Air Plan pursuant to air quality planning requirements. To fulfill state ozone planning requirements, the 2017 Plan includes a wide range of control measures designed to decrease emissions of harmful air pollutants, such as particulate matter, ozone (measured as reactive organic gases [ROG] and nitrogen oxides [NOx]), and toxic air contaminants; decrease greenhouse gas (GHG) emissions; and decrease emissions of CO<sub>2</sub> by reducing fossil fuel combustion (BAAQMD 2017b).

The BAAQMD has published their *CEQA Guidelines* (BAAQMD 2010), which are used in this analysis to evaluate air quality impacts of projects; while these guidelines have been updated to reflect current Supreme Court opinions, they are currently being further updated. The Guidelines provide BAAQMD-recommended procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. The control measures identified in the 2017 Plan (BAAQMD 2017b) are identified in the Guidelines as recommendations and/or mitigation measures.

### ***Bay Area Plan 2050***

In October 2021, the Association of Bay Area Governments and the Metropolitan Transportation Commission adopted the Bay Area Plan 2050. The plan looks at strategies to improve housing, transportation, climate change adaptation and economic development. The planning involved modeling various future scenarios and involved over 8,000 citizens, businesses, and other affected groups. The modeling involved levels called "Horizons" and "Futures."

According to the document, "The 35 strategies included in Plan Bay Area 2050 proved effective across multiple Futures or respond to challenges that remained unaddressed after the conclusion of the Horizon effort."

The following two transportation strategies apply to this Project:

T6. Improve interchanges and address highway bottlenecks. Rebuild interchanges and widen key highway bottlenecks to achieve short- to medium-term congestion relief.

T8. Build a Complete Streets network. Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths

***Thresholds of Significance***

In June 2010, BAAQMD adopted thresholds of significance to assist in the review of projects under CEQA. These thresholds were designed to establish the level at which BAAQMD believe air pollution emissions would cause significant environmental impacts under CEQA.

Table 3 presents the significance thresholds used in this analysis, including annual emissions for operational emissions and daily standards for short-term construction-related emissions. A project with daily emission rates below these thresholds is considered to have a less than significant effect on air quality (BAAQMD 2010).

***Table 3. BAAQMD Thresholds of Significance for Construction-Related Criteria Air Pollutants and Precursors (BAAQMD 2017b)***

<b>Criteria Air Pollutant</b>	<b>Construction Thresholds - Average Daily Emissions (lbs/day)</b>	<b>Operational Thresholds - Average Daily Emissions (lbs/day)</b>	<b>Operational Thresholds - Annual Average Emissions (tons/year)</b>
ROG	54	54	10
NO <sub>x</sub>	54	54	10
PM <sub>10</sub>	82 (Exhaust)	82	15
PM <sub>2.5</sub>	54 (Exhaust)	54	10
Carbon Monoxide	Not Applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	Not Applicable

Note: ROG = reactive organic gases, NO<sub>x</sub> = nitrogen oxides, PM<sub>10</sub> = coarse particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM<sub>2.5</sub> = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less.

**CUMULATIVE IMPACTS**

If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions. If the Project’s expected emissions fall below

the de minimus threshold, additional analysis to assess cumulative impacts is unnecessary.

**HEALTH EFFECTS**

Ozone, PM<sub>10</sub> and PM<sub>2.5</sub> emissions can cause adverse health impacts. High concentrations of ozone have the potential to irritate lungs, and long-term exposure may cause lung tissue damage and cancer. Typical sources of low-altitude ozone are almost entirely formed from ROG/volatile organic compounds and NO<sub>x</sub> in the presence of sunlight and heat. Common precursor emitters include motor vehicles and other internal combustion engines, solvent evaporation, boilers, furnaces, and industrial processes (CARB 2018b).

Particulate matter PM<sub>10</sub> (respirable particulate matter) and PM<sub>2.5</sub> (fine particulate matter) can irritate the eyes and respiratory tract and decrease lung capacity. Both are associated with increased cancer, heart disease, and mortality and contribute to haze and reduced visibility (CARB 2018a).

If emissions generated from project construction do not exceed the applicable BAAQMD thresholds for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>, the emission of criteria pollutants for which the area is non-attainment would not be associated with adverse health impacts.

**4.3.3 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less Than Significant Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant Impact

**4.3.4 Answers to CEQA Checklist Questions**

**a) Would the project conflict with or obstruct implementation of the applicable air quality plan?**

***Less Than Significant Impact***

Because the Project receives partial federal funding it must comply with special regulations for air quality impacts from transportation projects. The Project must conform to both regional and local plans.

The MTC prepares and updates transportation plans; the current plan is Bay Area Plan 2050. This plan includes a variety of projects, of which this Project is one. The MTC conducts regional air modeling to confirm that projects and actions would not inhibit air district efforts to achieve clean air. Thus, the MTC plan (under which this Project falls) is harmonized with the BAAQMD Clean Air Plan.

Projects that create new traffic volumes or that increase vehicle miles travelled would usually contribute to more pollution. Hence, they might be considered to have a significant impact on efforts to achieve the NAAQS and CAAQS. This Project does not increase miles travelled or create more trips. Its sole function is to reduce congestion and promote more efficient vehicle travel..

**b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

***Less Than Significant Impact***

The Project region is non-attainment for federal ambient air quality standards for ozone and PM<sub>2.5</sub>, and state ambient air quality standards for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>.

The BAAQMD has established that if the Project’s expected emissions fall below the de minimus threshold, additional analysis to assess cumulative impacts is unnecessary.

Extensive modeling was conducted in 2018 using current and forecast traffic volumes to estimate vehicle emissions. These are shown in below.

**Table 4. I-80 Central Avenue Summary of Operational Emissions 2018**

<b>Scenario/ Analysis Year</b>	<b>CO Pounds per day/tons per year</b>	<b>PM<sub>10</sub> Pounds per day/tons per year</b>	<b>PM<sub>2.5</sub> Pounds per day/tons per year</b>	<b>NOx Pounds per day/tons per year</b>
Existing No Project	15.45 / 2.82	0.84 / 0.15	0.36 / 0.07	4.32 / 0.79
Existing Plus Project	14.46 / 2.64	0.78 / 0.14	0.34 / 0.06	4.05 / 0.74
2040 No Project	9.19 / 1.68	1.07 / 0.19	0.44 / 0.08	1.89 / 0.35
2040 Plus Project	9.21 / 1.68	1.05 / 0.19	0.43 / 0.08	1.82 / 0.33

Source: Illingworth & Rodkin 2019

As can be seen, these emissions are substantially lower than BAAQMD significance thresholds.

Additionally, Fehr and Peers conducted traffic counts in August 2022 to verify the counts made in 2018. Traffic volumes changed slightly as shown in Table 5. Average Daily Traffic Volumes Comparison below. Thus, the Build 2040 option traffic volumes might increase by the same percentages.

**Table 5. Average Daily Traffic Volumes Comparison**

<b>Day of Week</b>	<b>ADT: Central Avenue between San Mateo and Carlson (2017)</b>	<b>ADT: Central Avenue between Pierce and San Mateo (2022)</b>	<b>Percent Change</b>
Typical Weekday (Wed. to Thurs.)	20,010	20,466	2.3%
Saturday	20,936	18,966	-9.4%

ADT = Average Daily Traffic Volumes  
 Source: Fehr & Peers 2022

As shown, average traffic volumes have increased between 2017 and 2022 on one part of Central Avenue and decreased on another segment. Looking at the worst increase, 2%, if this change holds for 2040, emissions will likely increase by about 2%. This does not materially change the Project’s compliance with BAAQMD Significance Thresholds. For example, the district’s PM2.5 threshold is 54 lbs/day. The 2040 Build project is expected to create approximately 0.43 lbs/day PM2.5. A 2% increase of 0.43 lbs well below the 54 lbs/day Significance Threshold. The same holds true for the other criteria pollutant emissions modeled. Therefore, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

**c) Would the project expose sensitive receptors to substantial pollutant concentrations?**

***Less Than Significant Impact***

BAAQMD defines sensitive receptors to include residential dwellings, including apartments, houses, and condominiums; schools, colleges, and universities; daycare centers and hospitals, and senior-care facilities. Most of the surrounding area is developed with residential and commercial uses.

Project impacts related to increased community risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of toxic air contaminants or by introducing a new source of contaminants with the potential to adversely affect existing sensitive receptors in the Project vicinity. The Project would not introduce new sensitive receptors, nor would it introduce a new permanent toxic air contaminant source. However, construction activity would generate dust and equipment exhaust on a temporary basis that could affect nearby sensitive receptors.

Since no new traffic will be created by the Project, exposure to sensitive receptors was analyzed for the construction period. Air modeling was conducted to estimate construction emissions. In the model, Project completion was assumed to require about 7 months, or 160 days. Estimated emissions are shown in the Table 6:

**Table 6. Construction Emissions for the Build Alternative 2018**

<b>Scenario</b>	<b>ROG</b>	<b>NOx</b>	<b>PM<sub>10</sub> Exhaust</b>	<b>PM<sub>2.5</sub> Exhaust</b>	<b>CO<sub>2e</sub> (metric Tons)</b>
Total construction emissions (tons)	0.32 tons	3.37 tons	0.16 tons	0.15 tons	444.20 (metric tons)
<b>Average daily emissions (pounds)<sup>1</sup></b>	4.0 lbs/day	42.1 lbs/day	2.0 lbs/day	1.9 lbs/day	6,120.5 lbs/day

Note: <sup>1</sup>Assumes 160 workdays

Source: Illingworth & Rodkin

All emissions are below the Thresholds of Significance. For all proposed projects, BAAQMD recommends the implementation of all Basic Construction Controls (BAAQMD 2010) whether or not construction-related emissions exceed applicable thresholds of significance. These controls are specified in Section 3.6.1. Therefore, the Project does not result in exposing sensitive receptors to substantial pollutant concentrations.

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

***Less Than Significant Impact***

Disturbance to naturally occurring asbestos during construction is a concern in parts of California. According to information presented in the Department of Conservation Division of Mines and Geology map, naturally occurring asbestos is not indicated in the Project footprint or in the vicinity of the Project (California Department of Conservation 2011).

Road construction and building demolition typically creates dust and diesel exhaust. The house at 2021 San Mateo Street will be demolished and grading, digging for utilities, and paving will occur. These activities have a potential to create dust and exhaust fumes that are an annoyance to sensitive receptors. Additionally, dust can soil homes, cars, and businesses. Dust and exhaust the construction controls are specified in Section 3.6.1. These include standard BAAQMD construction controls as well as Caltrans' Standard Specifications in Section 14-9 (2015). The construction controls specified in Section 3.6.1 would ensure construction emissions are less than significant.

## **4.4 BIOLOGICAL RESOURCES**

### **4.4.1 Environmental Setting**

The Project area consists primarily of existing roadway and developed surfaces including parking lots and buildings, with some minor areas of landscaping and previously developed land. An NCE Scientist walked the entire Project area on June 22, 2018 to assess the potential for special status plant and animal species or their habitats to occur within the Project area. An NCE Scientist walked the entire revised Project area again on September 14, 2022, to identify and map all trees within and adjacent to the Project area. The diameter at breast height (dbh) was measured for each tree and it was noted whether the tree was native or non-native. No suitable habitat was identified within the Project area for any of the special status species. There are 47 trees within or near the Project area.

### **4.4.2 Regulatory Setting**

#### **Federal**

##### ***Endangered Species Act***

The federal Endangered Species Act (FESA) protects plants and wildlife that are listed as endangered or threatened by the U.S. Fish & Wildlife Service (USFWS). Section 9 of the FESA prohibits the taking of endangered wildlife, where taking is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (50 CFR 17.3). This statute also governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law.

Under Section 7 of the FESA, federal agencies are required to consult with the USFWS and/or National Oceanic and Atmospheric Administration–National Marine Fisheries Service if their actions, including permit approvals or funding, could adversely affect a federally listed species (including plants) or its critical habitat.

##### ***Migratory Bird Treaty Act (MBTA)***

The Migratory Bird Treaty Act (MBTA) makes it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds. The law applies to the removal of nests (such as swallow nests on bridges) occupied by migratory birds during the breeding season.

##### ***Executive Order 13112 – Invasive Species***

Executive Order 13112 requires federal agencies to combat the introduction or spread of invasive species in the United States. Invasive species are defined as “any species, including its seeds, eggs, spores, or other biological material capable

of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health.”

Federal Highway Administration guidance issued August 10, 1999, directs the use of the invasive species list, maintained by the California Invasive Species Council, to define the invasive plants that must be considered as part of the National Environmental Policy Act analysis of a proposed project within California.

## **State**

### ***California Endangered Species Act***

Pursuant to the California Endangered Species Act (CESA) and Section 2081 of the CDFG Code, an Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) is required for projects that could result in the “take” of a State listed threatened or endangered species. Under CESA, “take” is defined as an activity that would directly or indirectly kill an individual of a species proposed for listing (called “candidates” by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations.

### ***California Native Plant Protection Act***

The Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900-1913) was created in order to “preserve, protect and enhance rare and endangered plants in this State.” The NPPA is administered by CDFW; they have the authority to designate native plants as “endangered” or “rare” and to protect endangered and rare plants from take. CESA provided further protection for rare and endangered plant species, but the NPPA remains part of the CDFG Code.

## **Local – Tree Removal**

### ***City of Richmond Municipal Code***

The Municipal Code’s Tree Preservation Standards (15.04.840.050) state that the Director of the Department of Public Works shall review all projects, both new development and additions or renovations to existing properties, to ensure their compliance with the provisions of the Urban Forest Management Plan and related city or any other specific ordinances and guidelines. Landmark trees and major groves will be preserved as required by the Director of the Department of Public Works and this Code.

Chapter 10.8 Trimming, Pruning, Care, Planting, Removal and Moving of Trees, Shrubs or Plants. Section 10.08.030 requires permits be obtained prior to cutting,

removing, or interfering with any tree, shrub or plant upon any street, park, pleasure ground, boulevard, alley, or public place located in the City of Richmond.

***City of Richmond General Plan***

The Conservation, Natural Resources and Open Space Element of the General Plan includes the following policies aimed at protecting natural resources considered “vital to the City and surrounding region because they provide a biologically diverse environment for people” (City of Richmond 2012).

Policy CN1.2 – *Local Native Plant Species* promotes the use of locally propagated native plant and tree species, including removal and control of invasive exotic plant species.

***City of Richmond Urban Greening Master Plan***

The City’s Urban Greening Master Plan is structured around five core goals and identifies policies and actions to achieve these goals (Vallier Design Associates, MacNair & Associates, and LSA Associates 2017). Goal 1 seeks a net zero loss of trees. The Plan supports greening efforts in all areas of the City, although is primarily focused on planting street trees and additional landscaping.

***El Cerrito Municipal Code***

The Public Tree and Shrub Ordinance (13.28.020) states that “the City of El Cerrito City Council finds and declares that the urban forest, including existing and future public trees located within the City of El Cerrito, are a valuable and distinctive natural resource. The Urban Forest of the City augments the economic base through the provision of resources, community character, and enhancement of the living environment. These resources are a major infrastructure element, offering many benefits to the city, county, and region.”

13.28.070 Pruning and Removing Trees and Shrubs in Public Places, Including Street Trees and Shrubs. “Any Person may submit a request for the City to Prune or remove a Public Tree, and this request shall be considered and prioritized for action based on public safety, Tree health, and other criteria maintained by the Director.”

***El Cerrito General Plan***

The Community Development and Design Element of the General Plan addresses land use, community design, housing, and growth management (City of El Cerrito 1999). The section on land use contains the future land use plan map and a description of the land use categories used in the plan. This includes policies, such as CD3.12 – Landscape Species. Indigenous and drought-tolerant species that reduce water usage and are compatible with El Cerrito’s climate are encouraged.

***El Cerrito Urban Forest Management Plan***

The Urban Forest Management Plan describes the benefits a successful urban forest can provide, outlines the elements necessary for an urban forest to provide those benefits and provides the goals and strategies necessary for El Cerrito’s urban forest to reach this standard of performance (Vallier Design Associates and MacNair & Associates 2007). Goal 1 is the establishment and maintenance of a citywide commitment to a healthy, growing urban forest in the City of El Cerrito. The Plan requires street tree planting and maintenance as a condition of all development and renovation projects, including tree planting and staking, irrigation, and maintenance.

***El Cerrito Urban Greening Plan***

The Urban Greening Plan defines community priorities to make a sustainable, vibrant urban environment (MIG and the City of El Cerrito Community Development Department 2015). It contains Objective 2: Greener Gateways, such as Central Avenue in this Project, that reinforces community identity and sense of place by creating distinct gateways that improve and highlight natural elements, reinforcing the community’s commitment to environmental sustainability.

**4.4.3 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife (CDFW) or U.S. Fish & Wildlife Service (USFWS)?	Less Than Significant Impact with Mitigation Incorporated
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact with Mitigation Incorporated

<b>CEQA Question</b>	<b>Impact Determination</b>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less Than Significant Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

**4.4.4 Answers to CEQA Checklist Questions**

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife (CDFW) or U.S. Fish & Wildlife Service (USFWS)?**

***Less Than Significant Impact with Mitigation Incorporated***

A query of federally listed wildlife species for the United States Geological Survey (USGS) 7.5-minute quadrangle encompassing the Project area was obtained from the USFWS’s Sacramento Endangered Species Office IPaC website on June 26, 2018 (USFWS n.d.). Additional information about the distribution of special status species with the potential to occur within the Project area was compiled from the CDFW California Natural Diversity Database (CNDDDB) for occurrences of special status species within a 1-mile radius of the proposed Project alignment (CDFW n.d.); from aerial photographs of the Project area; and from USGS 7.5-minute quadrangle maps of the Project area. Information on the distribution of special status species with potential to occur in the Project region also was compiled from published literature. The CNDDDB (CDFW n.d.), California Native Plant Society (n.d.), and IPaC (USFWS n.d.) databases were reviewed a second time in April 2022 to confirm if any special status plant and animal species were removed or added for the Project area. Results of these queries are discussed below.

The database searches identified five federally endangered wildlife species with the potential to be present within the Project area. The official list is provided within the *Biological Resources Evaluation* (NCE 2022b), provided upon request.

Reconnaissance-level field surveys of the Project area were conducted on June 26, 2018 and September 14, 2022. These surveys focused on identifying the presence of special status species or their habitat within the Project vicinity.

Based on a reconnaissance-level survey, background research of occurrence records for special status species, and the lack of suitable habitat present, it is unlikely that any special status species occur within the Project area.

However, the Project area and adjacent lands contain trees which may provide habitat for migratory birds. Migratory birds are protected under the MBTA, and birds of prey are also protected in California under provisions of the State Fish and Game Code, Section 3503.5. Both make it illegal to “take” protected species except under the terms of a permit. It is possible that nesting habitat could be disturbed during construction due to tree removal, noise, and vibrations from construction equipment. This would be a potentially significant impact on migratory birds and/or birds of prey.

Implementation of **Mitigation Measure BIO-1** would reduce potentially significant impacts to migratory birds and/or birds of prey to less than significant.

- **Mitigation Measure BIO-1:**

1. If trees, shrubs, or herbaceous vegetation need to be removed, their removal shall occur during the non-breeding season (August 16 - January 31 in this area) if possible to avoid impacts to nesting birds and their habitat. If vegetation removal or ground-disturbing activities with the potential to impact nesting birds or their habitat will be conducted during the breeding season (February 1 - August 15), a qualified biologist shall conduct pre-construction avian surveys. These surveys shall be conducted no more than 30 days prior to the initiation of activities that have the potential to impact migratory birds and their habitat. A copy of the survey shall be submitted to the City Engineer or equivalent prior to the start of construction activities.
2. If nesting birds are detected within the Project area during the survey, consultation with the CDFW shall be conducted to establish avoidance or minimization measures that will protect nesting birds during construction. An avoidance/minimization plan shall be prepared by a qualified biologist and submitted to the City Engineer or equivalent and CDFW for review and approval prior to the start of construction activities. A suitable activity-free buffer shall be established around all active nests. The precise dimensions of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in-place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. The avoidance or minimization plan shall be submitted to the City Engineer or equivalent for review and approval prior to the start of construction activities.

***Finding: Implementation of Mitigation Measure BIO-1 would protect nesting migratory birds and reduce potentially significant impacts to migratory birds to less than significant.***

**b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?**

***No Impact***

Sensitive natural communities are those that are listed in the CDFW's California Natural Diversity Database due to the rarity of the community in the state or throughout its entire range. No sensitive natural communities or riparian habitats were identified within or adjacent to the Project area (NCE 2022b). Thus, the proposed Project would have no impact on any riparian habitats or sensitive natural communities.

**c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

***No Impact***

No wetlands were identified within or adjacent to the Project area (NCE 2022b). Thus, the proposed Project would have no impact on any state or federally protected wetlands.

**d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

***Less Than Significant Impact with Mitigation Incorporated***

There are no established migratory corridors associated with the Project. Construction could temporarily interrupt movement of native resident or migratory wildlife species through the Project site, but not significantly as it is already a roadway barrier.

As discussed above, the Project area may contain migratory bird and bird of prey nesting habitat. With the implementation of **Mitigation Measure BIO-1**, migratory species utilizing the Project area for nesting would be protected against significant impacts.

***Finding. Implementation of Mitigation Measure BIO-1 provides sufficient species protection during construction to mitigate potential adverse effects on resident or migratory species to less than significant.***

**e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

***Less Than Significant Impact***

The Project area contains 47 trees, many of which would need to be removed during construction. The Project would be required to demonstrate consistency with

the City of Richmond and El Cerrito Municipal Code regarding trees by obtaining a tree removal permit prior to cutting, removing, or interfering with any tree, shrub or plant upon any street, park, pleasure ground, boulevard, alley, or public place. The Project would comply with the conditions of the tree removal permits and would therefore not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Protection for trees and shrubs not scheduled for removal in construction areas would also be implemented within the Project area as part of typical construction management protocols. Landscape improvements would use native plants. Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources.

**f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

***No Impact***

There are no known Habitat Conservation Plans, Natural Community Conservation Plans, nor any other approved local, regional, or state habitat conservation plans associated with the Project area. Therefore, the Project would not conflict with an adopted conservation plan.

## **4.5 CULTURAL RESOURCES**

### **4.5.1 Environmental Setting**

Project screening for cultural and historic resources as part of the proposed Project was conducted by NCE in 2018, 2021, and 2022. Screening efforts consisted of an archival review, Native American tribal consultation, an intensive pedestrian survey, and recordation of any identified resources. An associated Archaeological Survey Report (ASR) (Tremaine and Laitinen 2022), Extended Phase I (XPI; Tremaine and Page-Schmit 2022a), and Historical Resources Evaluation Report (HRER; Brunzell 2022) were prepared to detail results of the screening efforts. The ASR describes the cultural context of the Project area in detail, documenting the prehistory of the region, along with background on the ethnography, and historic period. The HRER was prepared consistent with Caltrans' regulatory responsibilities under Section 106 of the National Historic Preservation Act (NHPA; 36 CFR Part 800). The cultural resources investigation reports are available upon request.

Key objectives of the HRER and ASR included establishing the Area of Potential Effect (APE) and Area of Direct Impact (ADI), and identifying prehistoric, ethnohistoric, and/or historic-period archaeological resources within or immediately adjacent to the APE. A 3.3-acre ADI was established for this Project and includes all areas subject to ground-disturbing activities associated with the proposed Project. The Area of Indirect Impact (AII) was generally established as the legal parcels adjacent to where potential direct impacts would occur. Most of the surface in the APE has been previously disturbed from utility placement, roadway construction, or commercial development.

### **4.5.2 Regulatory Setting**

#### **Federal**

The National Historic Preservation Act (NHPA; 1966) defined the role and responsibilities of the federal government in historic preservation and established the National Register of Historic Places. The NHPA directs agencies to identify and manage historic properties under their control, to undertake actions that would advance the Act's provisions and avoid actions contrary to its purposes, to consult with others while carrying out historic preservation activities, and to consider the effects of their actions on historic properties.

#### **State**

##### ***California Register of Historical Resources***

The CRHR is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The CRHR helps government agencies identify and evaluate California's historical resources

and indicates which properties are to be protected, to the extent prudent and feasible, from substantial adverse change (PRC §5024.1(a)). Any resource listed in, or eligible for listing in, the CRHR must be considered during the CEQA process.

### **Caltrans**

Projects on the Caltrans State Highway System must comply with federal and state environmental laws and regulations designed to protect cultural resources significant in American archaeology, architecture, history, culture, and engineering. Caltrans' SER contains provisions for the discovery of previously unidentified cultural resources. Chapter 2 of the SER, Section 2.4.4 "Post-Review Discoveries," offers guidance to assist Caltrans personnel in planning for the possibility of unexpected discovery of cultural resources and of unexpected effects on known historic properties (revised 2015). Chapter 3 of the SER outlines procedures that shall be followed if human remains are discovered during any Caltrans activity, in accordance with Section 7050.5 of the California HSC. Chapter 5 outlines procedures that shall be followed if previously unidentified archaeological resources are encountered during construction.

PRC §5097.5 prohibits excavation or removal of any "... archaeological... or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. PRC § 5097.5 states that any unauthorized disturbance or removal of archaeological or historical or sites located on public lands is a misdemeanor.

### **Local**

The Historic Resources Element is an optional element that Richmond has elected to include in its General Plan (City of Richmond 2012). The element is consistent with State of California Government Code which authorizes local jurisdictions to adopt additional elements to those required by State law when they relate to the physical development of the jurisdiction (Code section 65303). *Policy HR1.1 Preservation of Diverse Resources* directs the City to protect, preserve and enhance the diverse range of historic, cultural and archaeological sites and resources in the City for the benefit of current and future residents and visitors.

Within the El Cerrito General Plan, Chapter 7, "Resources and Hazards," Goal R2 directs the City to *Protect and rehabilitate architectural, historical, cultural, and archaeological resources that are of local, state, or federal significance* (City of El Cerrito 1999).

### 4.5.3 CEQA Checklist Summary

Would the project:

CEQA Question	Impact Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines § 15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?	Less Than Significant Impact with Mitigation Incorporated
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	Less Than Significant Impact

### 4.5.4 Answers to CEQA Checklist Questions

**a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines § 15064.5?**

***No Impact***

A records search was conducted through the California Historic Resource Information System. Architectural Historian Kara Brunzell reviewed aerial photographs and historic maps to determine the location of historic-period buildings or structures within the area of potential effects (APE). Five parcels within the APE contain at least one non-exempt building constructed before 1976, including residential and commercial parcels. The five properties were each individually evaluated for eligibility to the NRHP and CRHR. The resources were also evaluated following Section 15064.5 (a)(2)-(3) of the CEQA Guidelines, using criteria outlined in Section 5024.1 of the California Public Resources Code.

The historic-period resources were documented on the appropriate Department of Parks and Recreation (DPR) 523 series forms. DPR 523 A (Primary) and B (Building, Structure, and Object) forms were used to document the commercial/industrial buildings and residential properties. None of the resources surveyed are recommended eligible for listing on the NRHP or CRHR. Therefore, the proposed Project would cause no change in the significance of a historical resource.

**b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?**

***Less Than Significant Impact with Mitigation Incorporated***

Ground disturbances within the ADI will range according to project elements. The majority of impacts (those related to roadway rehabilitation/grading/paving) will be between one and six feet deep, with the exception of the new San Mateo extension

that may include impacts to a depth of four to eight feet deep. Deeper impacts will occur related to underground utility relocation (up to 12 feet), the installation of approximately 20 streetlights (up to 12 feet), two parking lights (up to 12 feet), five traffic signal poles (up to 15 feet), and demolition with associated cleanup of a private residence at 3221 San Mateo Street (up to 8 feet).

A records search conducted on July 3, 2018 indicated one previously recorded site (P-07-003065; a shell mound) within the APE. On December 27, 2018, a pedestrian archaeological survey was conducted of the APE. The objective of the survey was to identify and record cultural resources within the proposed Project area. Hardscape (paved streets, sidewalks, buildings, and parking lots) covered most of the proposed Project area. As such, there was only a limited opportunity to examine exposed ground within softscaped areas.

During the field survey, a sparse number of shell fragments were observed and recorded in five locations within the residential neighborhood along Central Avenue and San Mateo Street. An XPI study was subsequently conducted to determine the presence or absence of subsurface cultural deposits associated with the prehistoric campsites located within the APE (Tremaine & Associates and NCE 2021). The XPI determined that the Central Avenue section of the Project has been heavily modified over the past century, cutting along the base of the hillslope on the north side of the street to construct the roadway. Any cultural deposits that might have once been in the vicinity of P-07-003065 have likely been destroyed. One boring during the XPI recorded a high acid content that could indicate a historic deposit, but no other evidence could confirm presence.

The planned roadway extension between Pierce and San Mateo Streets remains untested, however, due to a lack of access. This section will be cut into the high ground that once was situated directly adjacent to the historic Cerrito Creek before it was channelized. Sampling could not be completed within the property at 3221 San Mateo Street or the parking lot of the Saigon Seafood Harbor Restaurant, which would resolve presence-absence in this vicinity. There remains a possibility, while low, that this untested portion of the ADI may impact cultural resources.

The Project has the potential to affect one archaeological site (P-07-003065). Pursuant to Section 106 PA Stipulation IX.B, an assessment of effects was conducted. Caltrans proposes No Adverse Effect without Standard Conditions, pursuant to Stipulation X.B.1(c) (Tremaine and Page-Schmit 2022b). Conditions proposed to avoid adverse effects include archaeological monitoring in the immediate vicinity of site P-07-003065 and a minor phased approach where testing could previously not take place. These conditions are outlined in a Post-Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans (Tremaine and Page-Schmit 2022c). Review and approval of the phased approach and mitigation

measures is in progress with Caltrans and SHPO and must be completed prior to the Project moving into the ROW acquisition phase.

As a federally funded Project, the City must comply with all mitigation measures as outlined in the final documentation submitted to and approved by SHPO. Those measures include an Environmentally Sensitive Area (ESA) Action Plan, Cultural Resources Sensitivity Training, Minor Phasing Approach to Identification, Evaluation, & Treatment, and strict protocols for the discovery of Human Remains and Associated Grave Goods. Caltrans and SHPO oversight would provide the necessary mitigation to ensure the Project would have a less than significant impact on tribal cultural resources.

- **Mitigation CUL-1/TCR-1:** During construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural and tribal cultural resources.

***Finding: Implementation of Mitigation Measure CUL-1/TCR-1 requires sufficient procedures, protocols, and oversight during construction to avoid and/or mitigate potential adverse effects on cultural resources, which would ensure a less than significant impact on subsurface cultural resources.***

**c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?**

***Less Than Significant Impact***

Based on the prehistoric and historic uses of the area and the prior ground disturbance within the APE, and minimal construction depths, human remains are not expected to be discovered during construction activities. Please see further discussion in Section 4.18, Tribal Cultural Resources. As noted in discussion "b" above, a process for identification, evaluation, and determination of effects, including unanticipated discoveries is required by Caltrans in compliance with Section 106. This includes measures for appropriately managing the unanticipated discovery of human remains. Therefore, with compliance with State law and **Mitigation Measure CUL-1/TCR-1**, the potential for the Project to disturb human remains is less than significant.

## 4.6 ENERGY

### 4.6.1 Environmental Setting

The City of Richmond relies on clean energy sources, waste reduction practices, sustainable buildings, and innovative land use planning to reduce energy impacts. The use of progressive measures has resulted in significant reductions in fossil fuel use as well as cost savings and emission reductions (City of Richmond 2012). Existing energy uses associated with the Project are traffic, parking, and streetlights.

### 4.6.2 CEQA Checklist Summary

Would the project:

CEQA Question	Impact Determination
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

### 4.6.3 Answers to CEQA Checklist Questions

**a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

***Less Than Significant Impact***

Energy for the Project would primarily be required during construction and would not require additional capacity on a local or regional scale. One traffic signal will be relocated and upgraded to LED; thus, no net new energy would be required. Two new parking lights will be added to San Mateo and the Saigon Seafood Harbor Restaurant Parking Lot, all utilizing LED lighting; LED fixtures use 50% to 75% less energy than traditional high-pressure sodium vapor fixtures. The existing fixtures will be upgraded with LED. BAAQMD construction BMPs, would reduce use of fossil fuels and increase energy efficiency of construction vehicles. Because energy use would be temporary during construction and operational lighting would be energy efficient, and both would comply with BAAQMD efficiency requirements and the City’s fossil fuel reduction goals, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The impact would be less than significant.

**b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

***No Impact***

The Project would not conflict or obstruct the goals and policies of the City of Richmond's Energy and Climate Change Element of the General Plan (City of Richmond 2012). The Project would also not conflict or obstruct the City of El Cerrito's R1 Goal to protect natural resources and clean air and water in the General Plan (City of El Cerrito 1999). Implementing BMPs to reduce fossil fuel use by construction vehicles would be consistent with these goals and policies. Because the Project will conform with the Goals and Policies of the Energy and Climate Change Element of the City of Richmond's General Plan and R1 of El Cerrito's General Plan, the Project would have no impact on plans for renewable energy or energy efficiency.

## **4.7 GEOLOGY AND SOILS**

### **4.7.1 Environmental Setting**

The Project area lies near the edge of the San Francisco Bay. The Project area is characterized as flat, asphalt-paved areas, with a grade of elevation of 24 feet above mean sea level (msl). The elevation increases from the southern end of the site to the northern end of the site.

A geotechnical investigation was conducted at the proposed Project area; the Geotechnical Report prepared for the Project is available upon request (Cal Engineering & Geology 2022).

#### **Geologic Setting**

The Project area is located in the eastern portion of the San Francisco Bay Area, which lies within the Coast Ranges geomorphic province. The San Francisco Bay is generally a northwest-trending wide depression that is bounded by similarly trending ridges that comprise the Berkeley Hills to the east and the San Francisco and Marin Peninsulas to the west. This bay trough and ridge structure was formed as a result of a combination of faulting and warping related to the San Andreas Fault system whereby the bay is underlain by a down dropped or tilted block (California Division of Mines and Geology 1969).

The oldest and most widespread rocks in the San Francisco Bay Area are composed of the Jurassic-Cretaceous age Franciscan Formation. The Franciscan Formation can be fault-contacted with other Mesozoic sedimentary rocks and is then in turn overlain by Tertiary- and Quaternary-age sedimentary and volcanic rock units. Within the San Francisco region, many of the valleys have been in-filled with quaternary-age sediments (e.g., alluvium and bay deposits) and include marine and non-marine clays, silts, sands, and gravels.

The Project area lies at the lower reaches of the Richmond Hills and is underlain by deposits of alluvium associated with San Pablo Creek. Below the alluvium is the Orinda Formation (Miocene Age), encountered at approximately 9 feet at each boring, consisting of poorly consolidated sedimentary rock including conglomerate, sandstone, siltstone, and claystone (Graymer, Jones, and Brabb 1994; Dibblee 1980).

#### **Seismicity and Faulting**

The Project area is within a seismically active region, and historically numerous moderate to strong earthquakes related to the San Andreas system of faults have occurred in this region. Active faults are considered to be those that have moved during the past 11,000 years. Generally, only active faults are considered in evaluating seismic risk for building construction. The nearest active fault is the

active Hayward fault, a designated Alquist-Priolo Fault located approximately 1.8 miles to the east of the Project area. Other major faults that could cause significant shaking in the Project area are the Chabot, Miller Creek, Moraga, Pinole, South Hampton, and Wildcat Fault. The Geotechnical Report concluded that the potential for ground rupture due to primary faulting at the site is low (Cal Engineering & Geology 2022).

### **Liquefaction**

Liquefaction can occur when wet or saturated cohesionless soils temporarily lose strength due to the buildup of excess water pressure during events such as earthquakes. Soil most susceptible to liquefaction is loose, clean, saturated, uniformly graded sand. The *Susceptibility Map of the San Francisco Bay Area* identifies the liquefaction risk in the Project area as 'Very High' to the west, and 'moderate' and 'low' to the east and south. However, the Geotechnical Report concluded that due to the absence of elevated groundwater conditions and the clayey nature of the surficial soils, the potential for liquefaction at the site is low (Cal Engineering & Geology 2022).

### **Groundwater**

The Project area is located in the East Bay Plain Groundwater Basin. The basin is separated into two groundwater basins, the San Pablo Basin and the San Francisco Basin. The San Francisco Basin is further divided into seven sub-areas. The Project area is located in the Richmond sub-area at the southern end of the San Pablo Basin. Groundwater data collected during subsurface investigations adjacent to the Project area suggest that depth to groundwater ranges from 3 to 15 feet below ground surface (bgs) and that groundwater flow is generally to the south (Cardno Eri 2013).

### **Soils**

Soil types found in Richmond include Tierra Loam, Millsholm Loam, Los Osos Clay Loam, and Clear Lake Clay. The predominant drainage class of these soils, which is a measure of the expected natural frequency and duration of wet periods, are moderately well drained or better (City of Richmond 2012).

There is one Natural Resource Conservation Service's Soil Survey soil mapped in the Project area (Natural Resources Conservation Service, United States Department of Agriculture n.d.). The soil unit that can be found in the Project area is classified as Clear Lake clay, 0 to 15 percent slopes, MRLA 15-Central California Coast Range. MLRAs are used in statewide agricultural planning. This soil type is described to have poor drainage with high water runoff.

The Geotechnical Report revealed that the surficial soils near the proposed improvements consist mostly of lean clay and silty lean clay along Pierce Street and

have been interpreted as alluvium. The soils along San Mateo Street consist of an uneven mix of poorly graded sand, lean clay, silty lean clay, lean to fat clay, and fat clay. These soils are interpreted to be artificial fill underlain by alluvium.

**4.7.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Could the project directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less Than Significant Impact
ii. Strong seismic ground shaking?	Less Than Significant Impact
iii. Seismic-related ground failure, including liquefaction?	Less Than Significant Impact
iv. Landslides?	Less Than Significant Impact
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant Impact with Mitigation Incorporated

### 4.7.3 Answers to CEQA Checklist Questions

**a) Would the project directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:**

**i Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

***Less Than Significant Impact***

The Project area is not within an Alquist-Priolo Earthquake Fault Zone (California Department of Conservation 2019b) that designates a known active fault (fault that is defined to be active if it has ruptured or shows evidence of displacement in the Holocene or the last 11,000 years). Therefore, the Project area is not susceptible to fault rupture as defined by the California Geologic Survey (formerly the California Division of Mines and Geology), and the potential for fault rupture at the Project area is low.

**ii. Strong seismic ground shaking?**

***Less Than Significant Impact***

The primary geologic hazard in the Project area is the potential for moderate to strong ground shaking associated with nearby faults discussed in the prior section on seismicity and faulting. Factors determining the characteristics of earthquake ground motion at the Project area would depend upon the magnitude of the earthquake, distance from the zone of energy release, travel path, topographic effects, subsurface materials, and rupture/source mechanism.

The proposed roadway construction has been designed to accommodate anticipated ground motions in accordance with appropriate seismic design criteria. No buildings are proposed as a part of the Project; therefore, there is no potential to expose people or structures from substantial adverse effects due to seismic ground shaking. Therefore, potential impacts associated with seismic shaking are considered less than significant.

**iii. Seismic-related ground failure, including liquefaction?**

***Less Than Significant Impact***

The USGS Susceptibility Map for the San Francisco Bay Area shows a low to very high susceptibility for liquefaction throughout the Project area (Western Geographic Science Center 2021). The Geotechnical Report concluded that due to the absence of elevated groundwater conditions and the clayey nature of the surficial soils, the potential for liquefaction at the site is low (Cal Engineering & Geology 2022). Thus, potential impacts related to risk of loss, injury or death related to liquefaction would be considered less than significant.

**iv. Landslides?**

***Less Than Significant Impact***

The Project site and surrounding area are relatively flat, and seismically related landslides are not likely to occur. Seismically induced landslides result from the rapid movement of large masses of soil on unstable slopes during an earthquake. The USGS has developed Seismic Hazard Zone Maps that delineate areas potentially at risk for seismically induced landslides. The Project area is outside the USGS hazard areas.

**b) Would the project result in substantial soil erosion or the loss of topsoil?**

***Less Than Significant Impact***

The proposed Project would not result in substantial soil erosion or topsoil loss. The Project would implement erosion and sediment BMPs as outlined in Section 3.6 that would prevent significant soil loss or erosion during construction, including use of native revegetation to stabilize disturbed areas. Implementation of the Project SWPPP would further reduce potential for erosion and topsoil loss during construction.

**c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

***Less Than Significant Impact***

Lateral spreading is a type of ground instability that results in ground displacements when liquefaction of a soil layer causes insufficient strength for lateral stability. This phenomenon can occur when either the ground surface or the soil layer subject to liquefaction is sloped or an open slope face or stream channel adjacent to a potentially liquefiable soil layer.

The predominant soil type in the area is known as Clear Lake Clay. The Geotechnical Report concluded that given the nature of the bedrock encountered and the topographic nature of the site, the potential for lateral spreading to occur at the site is very low. Therefore, Project impacts would be less than significant.

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

***Less Than Significant Impact***

Clear Lake Clay soils have a high expansion potential with estimated linear extensibility values ranging from 6.0 to 8.9 percent (Natural Resources Conservation Service, United States Department of Agriculture n.d.). However, the Project does not include any habitable structures and general design elements for

ground stability would be incorporated. Therefore, the potential for direct or indirect risks to life or property from soil expansion are less than significant..

**e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

***No Impact***

The Project would have no impact on septic tanks or alternative wastewater disposal systems. The East Bay Municipal Utility District provides water and sewer service within the Project area and is a reviewing agency for the Project. The East Bay Municipal Utility District will provide direction to the City involving any utility adjustments related to water or sewer prior to Project construction or implementation.

**f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

***Less Than Significant Impact with Mitigation Incorporated***

The Northwest Information Center records search revealed there are no previously recorded or existing paleontological resources identified within the Project area or mitigation site. No unique geological resources were identified during review of geologic resources within the Project boundary.

However, results from the Geotechnical Report indicate that the Orinda Formation, a terrestrial sedimentary sequence consisting of fluvial conglomerates, underlies the Project area. The Orinda Formation is fossiliferous, and the University of California Paleontology Museum database includes entries for the following vertebrates from these Miocene deposits:

- Gomphotherium (primitive elephantid)
- Hipparion, Nannipus, and Pliohippus (primitive horses)
- Barbourofelis (a member of the primitive cat family Nimravidae)
- Cranioceras (deer-like artiodactyl)
- Ticholeptus (an oreodont; an extinct group of pig-like grazing animals)
- Desmostylus (an extinct sea-cow morphologically similar to a hippopotamus)

Tedford and others (2004) assign most of the Orinda Formation vertebrate material to the middle Clarendonian Land Mammal Age, or about 11 to 12 million years ago.

Unlike the other Franciscan units, the melanges contain relatively abundant fossils, mainly Buchia, radiolarians, and dinoflagellates (Clarke Blake Jr. and Jones 1974). Ground disturbances within the ADI will range according to Project elements. The majority of impacts (those related to roadway rehabilitation/grading/paving) will be

between one and six feet deep, with the exception of the new San Mateo extension and demolition that may include impacts to a depth of four to eight feet deep. However, deeper impacts will occur related to underground utility relocation (up to 12 feet), the installation of approximately 20 streetlights (up to 12 feet), two parking lights (up to 12 feet), and five traffic signal poles (up to 15 feet). These depths could damage paleontological resources. Destruction of such resources would be a potentially significant impact.

**Mitigation Measure GEO-1** would ensure that paleontological resources are protected during construction by requiring the City to coordinate with a qualified paleontologist to determine if the Project area requires a detailed paleontological resource impact assessment.

- **Mitigation Measure GEO-1:** The City shall retain a professional qualified paleontologist to review the Paleontological Resource Potential Maps and determine if the Project area contains the potential for paleontological resources. The City shall coordinate for a "request for opinion" from a qualified professional paleontologist, state paleontological clearinghouse, or an accredited institution with an established paleontological repository housing paleontological resources from the region of interest.

In areas determined to have high or undetermined potential for significant paleontological resources, an adequate program for mitigating the impact shall include:

- a. Monitoring by a qualified paleontological resources monitor during excavations in previously undisturbed rock
- b. Salvage of unearthed fossil remains and/or traces (e.g., tracks, trails, burrows)
- c. Screen washing to recover small specimens, if applicable
- d. Preparation of salvaged fossils to a point of being ready for curation
- e. Identification, cataloguing, curation, and provision for repository storage of prepared fossil specimens
- f. A final report of the findings and their significance

To assure compliance at the start of the Project, a statement that confirms the site's paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the City of Richmond and contractor(s) before any ground disturbance begins.

***Finding: Implementation of Mitigation Measure GEO-1 would ensure that paleontological resources are protected during construction, which would reduce the potential for impacts to a less than significant level.***

## **4.8 GREENHOUSE GAS EMISSIONS**

The term 'greenhouse gas' describes atmospheric gases that absorb solar radiation and subsequently emit radiation in the thermal infrared region of the energy spectrum, trapping heat in the Earth's atmosphere. Greenhouse gases of concern include carbon dioxide, methane, nitrous oxide, and fluorinated gases. Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of GHGs have a broader, global impact.

GHGs differ by the amount of heat each traps in the atmosphere, known as global warming potential. Carbon dioxide is the most significant GHG, so amounts of other gases are expressed relative to carbon dioxide, using a metric called "carbon dioxide equivalent" (CO<sub>2</sub>e). The global warming potential of carbon dioxide is assigned a value of 1, and the warming potential of other gases is assessed as multiples of carbon dioxide. Generally, estimates of all GHGs are summed to obtain total emissions for a project or given time period, usually expressed in metric tons or million metric tons CO<sub>2</sub>e.

### **4.8.1 Environmental Setting**

The proposed Project is primarily located in the City of Richmond in Contra Costa County, although a portion in the northeast corner is in the City of El Cerrito. The primary sources of GHGs within City (City of Richmond 2016) include:

- Commercial/Industrial Energy (approximately 33%)
- Transportation on road (approximately 39%)
- Residential Energy use (approximately 17%)
- Transportation off road (approximately 4%)
- Solid waste (approximately 7%)
- Water (approximately <1%)

### **4.8.2 Regulatory Setting**

#### **Federal**

The EPA has no regulations or legislation enacted specifically addressing GHG emission reductions and climate change at the project-level. In addition, the EPA has not issued explicit guidance or methods to conduct project-level GHG analysis.

#### **State**

The State of California has taken several legislative steps including Assembly Bills (AB) and Senate Bills (SB) to reduce increases in GHG emissions. CARB is the lead agency in the development of reduction strategies for GHGs in California (CARB

2017). California’s GHG reduction requirements aim to reduce vehicle miles traveled (VMT), thereby improving air quality by reducing GHG emissions from automobiles.

**Local**

In 2007, the Richmond and El Cerrito signed the *U.S. Conference of Mayors Climate Protection Agreement*, committing the City of Richmond and the City of El Cerrito to reduce GHG emissions to meet or surpass the Kyoto Protocol targets (United States Conference of Mayors 2016). The Richmond City Council subsequently initiated a citywide GHG emissions inventory. This inventory establishes a baseline for emissions, identifies sources of energy use, and provides a foundation for developing relevant policies. The El Cerrito City Council subsequently accepted the City’s 2005 baseline GHG emissions inventory and adopted GHG emissions reduction targets of 15% below 2005 levels by 2020 and 30% below 2005 levels by 2035 (City of El Cerrito n.d.).

Recently approved State legislation (AB 32 and SB 375) and new air emissions standards adopted by CARB lay the foundation for local policy development on energy and climate change in Richmond and El Cerrito. Richmond’s Energy and Climate Change Element of the General Plan includes goals, policies, and actions to position the City for sustainable, physical, and economic development (City of Richmond 2012). El Cerrito’s General Plan, Chapter 7, Resources and Hazards, includes Goal R1.4, “Air Quality,” and Goal R1.5, “Clean Energy Sources,” to manage locally generated pollutants and support the development of new sources of energy (City of El Cerrito 1999).

**4.8.3 CEQA Checklist Summary**

Would the project:

CEQA Question	Impact Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant Impact

**4.8.4 Answers to CEQA Checklist Questions**

**a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

***Less Than Significant Impact***

The Project would result in short-term, temporary increases in GHG emissions during construction due to equipment and vehicle use. For a construction period of 160 working days, heavy equipment such as excavators, haul trucks, and worker commutes would generate exhaust. Emissions from construction equipment powered by gasoline and diesel engines would include carbon dioxide and nitrous oxide. These compounds are described as CO<sub>2</sub>e, as discussed above.

Based on the air quality emissions analysis (Section 4.3, Table 3) estimated total Project construction CO<sub>2</sub>e would be 14 metric tons, which is significantly less than the BAAQMD's annual 1,100 metric tons significance threshold for operational emissions. However, BAAQMD only provides thresholds for land use operational emissions, and not for construction emissions. Best management practices are recommended for reducing construction emissions.

Because the Project does not propose a new, long-term operational source of GHGs, Project effects would be considered less than cumulatively significant. BMPs identified by the air district as being effective in minimizing GHG emissions include using alternative fuel (e.g., biodiesel, electric) construction vehicles/equipment for at least 15 percent of the fleet; using local building materials of at least 10 percent; and recycling or reusing at least 50 percent of construction waste or demolition materials.

The purpose of the Project is to reduce congestion and improve traffic flow. This will in turn reduce fuel consumption, albeit a small amount, and modest CO<sub>2</sub>e emission reductions will occur compared to the no-project alternative.

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

***Less Than Significant Impact***

Given that emissions would be short term (over the course of 160 days), increases in GHGs that could be attributed to the Project would not interfere with adopted goals and policies to reduce GHGs. The GHG emissions generated during construction would not be considered significant and would not limit the State's ability to attain the reduction targets identified in AB 32, the Scoping Plan, or SB 32. Additionally, implementation of the Project would not conflict with any of the GHG emission policies within the City of Richmond and El Cerrito's Climate Action Plans. Therefore, the proposed Project does not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

## **4.9 HAZARDS AND HAZARDOUS MATERIALS**

### **4.9.1 Environmental Setting**

The proposed Project is located in an area with a history of high-density residential, commercial, and light-industrial uses. In the past, industrial uses within and around the Project area have included fueling stations, automotive repair facilities, a lumber yard, a machine shop, and a gravel and aggregate operation. As discussed in the Project Description, current uses adjacent to the proposed Project include single- and multi-family residences, two service stations, a building supply warehouse, a restaurant, a storage facility, a painting contractor, a holistic wellness center, and a vacant lot.

NCE conducted an initial Phase 1 Environmental Site Assessment (ESA) of the Project area in 2019. Subsequent design modifications changed the ROW Take areas and Project limits, necessitating an update to the Phase I ESA. The updated Phase I ESA (NCE 2022c) identified and confirmed, to the extent feasible, the potential for Recognized Environmental Conditions (RECs), or Historical Recognized Environmental Conditions (HREC) in connection with the Project area and adjoining properties. RECs/HRECS result from past improper use, manufacturing, storage, and/or disposal of hazardous or toxic substances. The Phase I ESA concluded the following:

- The Valero and Shell Service Stations at the southwestern and southeastern corners of the Central Avenue/Pierce Street intersection, respectively, qualify as RECs/HRECs. The parcels have documented historical releases of petroleum hydrocarbons to both soil and groundwater. Regulatory cases were filed by the San Francisco Bay RWQCB and No Further Action letters were issued for these cases in 2014. Nevertheless, Project construction requires excavation and potential dewatering, and the potential remains for residual hydrocarbon impacts to exist below the Project area. These residual hydrocarbons could be encountered during excavation, grading, trenching, and construction activities.
- The vacant lot to the east of the Project area (former lumber yard property) was the location of multiple industrial operations, including a lumber mill, a machine shop, and an auto repair shop. At least one diesel underground storage tank associated with historical operations was located on the property. Previous soil and groundwater investigations suggest that petroleum hydrocarbon-impacted soil and groundwater remain at the property. The documented contamination of soil and/or groundwater at the property meets the definition of a REC/HREC. Previous investigations do not provide sufficient data to fully characterize the release, and there is a

potential for impacts to the portion of the East ROW Take during Project construction activities.

- The general commercial and industrial nature of the area, including facilities such as the gravel and aggregate operation, suggests that the presence of other sources of contaminated soil and or groundwater on and/or beneath the Project area cannot be ruled out.
- Based on Project area age, historical use, and associated traffic volume, aerially deposited lead (ADL) is potentially present in Project area soils and adjoining areas. This is supported by results of a previous subsurface investigation (P&D 2012), although previous investigations do not provide sufficient data analysis to assess the potential impact of ADL on Project area conditions. The source of ADL was historically from automobiles, specifically tetraethyl lead in gasoline, which was banned in the 1970s.

NCE conducted a Phase II investigation to further examine the nature and extent of soil and groundwater contamination at the Project area. A Phase II Findings Report (NCE 2022d) was prepared to transmit analytical results from groundwater and soil sampling, and to evaluate potential impacts to worker safety, Project construction activities, and proposed South, North, and East ROW takes. The investigation evaluated constituents of concern identified in prior investigations; specifically, ADL, CAM-17 Metals, total petroleum hydrocarbons (TPHs), and volatile organic compounds. The Phase II investigation concluded the following:

- Concentrations of metals above expected background generally occur throughout the Project area and no specific source was identified. The presence of elevated metals concentrations within the proposed ROW takes does not appear to be definitively associated with specific activities.
- Petroleum hydrocarbons associated with the Valero and Shell Stations historical releases are present in soil within the smear zone that generally occurs below 7.0 to 9.5 feet bgs. Soil with petroleum hydrocarbon impacts may also occur at any depth throughout the Project area due to the general industrial use of the Project area and surrounding area.
- ADL was found to occur in exposed shallow soils and shall require specific worker protection, soil management, and disposal provisions. ADL may also be present in shallow surface soils that were inaccessible at the time of the 2022 Phase II NCE investigation.
- Discharge associated with construction dewatering activities, if necessary, will likely contain elevated concentrations of CAM-17 Metals. This may require waste profiling, special discharge permits, and possibly treatment to allow water discharge into the publicly owned treatment works (POTW).

The Phase I and Phase II Environmental Site Assessments are available upon request.

**4.9.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less Than Significant Impact with Mitigation Incorporated
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact
d) Be 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 the environment?	Less Than Significant Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

**4.9.3 Answers to CEQA Checklist Questions**

**a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

***Less Than Significant Impact***

The Project’s use of hazardous materials is limited to fuels, imported materials, and other maintenance related chemicals to run equipment machinery during construction; there are no long-term operational activities related to the Project. New concrete and asphalt materials would be used to construct the new roadway extension, resurface the existing roadways, and construct curb, gutter, and

sidewalk improvements. Demolition materials would be disposed of as construction waste. The residential demolition may expose asbestos containing materials and lead based paint. Demolition of such materials and appropriate disposal are highly regulated by the state and federal government, and routine transport to an appropriate landfill would pose no significant hazard to the public.

Transport and use of hazardous materials are anticipated to be minimal. The use, storage, and management of fuels and other vehicle-related chemicals as well as construction materials would be managed according to the on-site SWPPP. For example, the SWPPP requires that equipment fueling and maintenance, if performed at the job site, must be performed in a designated area utilizing secondary containment with a spill kit nearby. Rinsing of concrete tools and chutes would also be performed according to the SWPPP, including utilizing concrete washouts and/or requiring that wastewater be kept within the concrete truck and hauled offsite for recycling.

Therefore, the Project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.

**b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

***Less than Significant Impact with Mitigation Incorporated***

The Project scope involves excavation and grading, relocation of soil, and potential dewatering activities. Construction in the East ROW Take will require the demolition of residential structures that may contain asbestos-containing materials or other hazardous building materials. As identified in the Phase II investigation, there is the potential to encounter ADL, CAM-17 and TPH impacted soil and groundwater at levels potentially hazardous during Project construction activities. This would be a potentially significant impact.

• ***Mitigation Measure HAZ-1:***

- The contractor is responsible for offsite disposal of soils. Soils shall require profiling and waste characterization within six months of removal and stockpiling for disposal facility acceptance. All soil spills generated at the Site shall be disposed of by the contractor and transported by a licensed waste hauler to an appropriately licensed waste disposal facility.
- Soil stockpiles shall be controlled, covered, and demarcated by the contractor when not in active use.

- Worker protection and training shall be required by the City of the contractor in advance of and during construction to mitigate potential health concerns related to exposure of metals and petroleum hydrocarbons.
- The contractor shall comply with all regulatory requirements associated with any discharge to the POTW.
- The contractor shall prepare a soil and groundwater management plan (SGMP) that addresses the above mitigation requirements. The SGMP shall generally address soil and groundwater excavation, dewatering, disposal, stockpiling, and transportation. The SGMP shall explicitly address groundwater dewatering and dewatering discharge, handling and disposal of soil and groundwater, onsite soil management, onsite dewatering storage (if any), offsite soil disposal, profiling of soil and groundwater, transportation routes, and dust mitigation controls.

***Finding: Implementation of Mitigation Measure HAZ-1 would ensure that hazardous wastes exposed during construction are appropriately handled, characterized, and disposed of, which would protect construction workers, the public, and the environment from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and reduce impacts to less than significant.***

**c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

***No Impact***

There are no schools located within one-quarter mile of the Project area. The nearest school is Fairmont Elementary School, located approximately 0.4 miles northeast of the Project area. As discussed above, there is no long-term operational use of hazardous materials. The potential for the release of hazardous materials during construction would be mitigated through implementation of **Mitigation Measure HAZ-1**. For a discussion on air quality, see Section 4.3.

**d) Would the project be 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 the environment?**

***Less Than Significant Impact***

This checklist question refers specifically to the Department of Toxic Substance Control "Cortese List" which is no longer being issued. There are two identified properties listed under HIST CORTESE including: 1) Lockaway Storage at 3230 Pierce Street, and 2) TEXECO Station - 5430 Central Avenue. As discussed in the

setting section above, the Phase I and Phase II ESAs determined the Project area is impacted by sites listed on GeoTracker and other governmental data bases. GeoTracker is the SWRCB's database system used to track and archive compliance data related to sites that impact, or have the potential to impact, water quality in California (State Water Quality Control Board n.d.). This tool is used to evaluate community risk or Projects.

While soil in the Project area has some levels of petroleum contamination, there are no active cases open with the RWQCB on these properties. Levels of various compounds discovered in samples taken during the Phase II investigation are consistent with similar sites all over the Bay Area. All excavated areas will be paved over with new asphalt or concrete, and soils will be essentially sealed from movement through the air. **Mitigation Measure HAZ-1** will protect the public, construction workers and the environment from unintended releases during construction. Therefore, the impact of listed hazardous materials sites would be less than significant.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

***No Impact***

The nearest airport, Oakland International Airport, is located approximately 8 miles south of the Project area. The Project area is not located within a comprehensive land use planning area, and the Project does not involve habitable improvements that would be sensitive to airport operations.

**f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

***Less Than Significant Impact***

Once constructed, the Project may have a beneficial impact on local emergency response or evacuation plans by reducing congestion on the Central Avenue corridor. Project construction would occur within public road rights-of way along Central Avenue and Pierce Streets and for the new connection between San Mateo Avenue and Pierce Street. Emergency response vehicles use both Central Avenue and Pierce Street. During the construction phase of the Project, Central Avenue, Pierce Street, San Mateo Avenue, and nearby side streets could be partially blocked by construction activities, equipment, and crews but would remain open to all emergency vehicles and for evacuation traffic. The Project would implement temporary traffic control measures in accordance with the Manual for Uniform Traffic Control Devices, Chapter 6, where necessary during all construction activities (see Section 3.XVII, Transportation & Traffic).

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

***No Impact***

The Project proposes to improve traffic flow between two intersections. Roadway access will be provided at all times. The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

## **4.10 HYDROLOGY AND WATER QUALITY**

### **4.10.1 Environmental Setting**

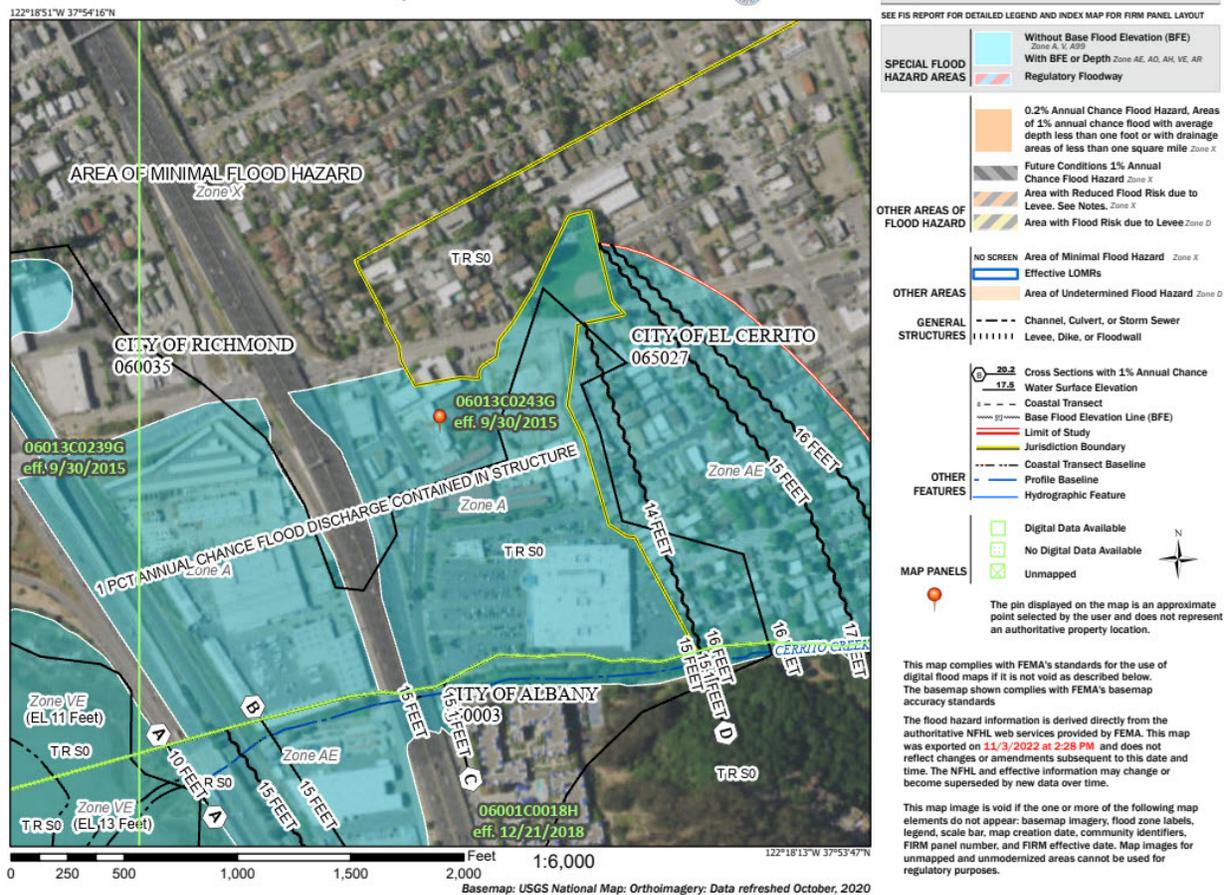
Contra Costa County is one of nine Bay Area counties with streams that are tributaries to the San Francisco Bay. The only hydrologic feature in the immediate vicinity of the Project area is a tributary to Cerrito North Creek. The tributary flows in an open concrete-lined channel from the southwest corner of Central Avenue and Belmont Avenue to the commercial properties located near the southern terminus of San Mateo Street. The creek channel then turns south and eventually flows along the southern edge of a storage facility to Pierce Street, where it is conveyed beneath Pierce Street in a culvert. The nearest significant body of water is the San Francisco Bay, which is located approximately 0.3 miles west of the site.

The Federal Emergency Management Agency (FEMA) publishes Flood Insurance Rate Maps (FIRMs) that delineate flood hazard zones for communities. Most of the Project area, including San Mateo and Pierce streets, is located within a FEMA-designated Zone A (FIRM Panel 06013C0243G, 09/30/2015) (.). The Zone A designation applies to areas identified on the FIRM as Special Flood Hazard Areas, which are areas that will be inundated by a flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. The segment of Central Avenue in the Project area is located in a FEMA-designated Zone X, which is a designation given to an area of minimal impact, also shown in .

A Location Hydraulic Study Form was conducted for the Project (NCE 2022e). The elevations of the site will not be changed significantly and will not increase fill within the floodplain. The Project will include the reconfiguration of approximately 105,000 square feet of roadway and other impervious area. Of this approximately 25,500 square feet is regulated for storm water mitigation under State and County guidelines. To treat stormwater runoff from the regulated area, 1,020 square feet of infiltrating bioswales will be constructed.

A Floodplain Encroachment Report was conducted for the Project (NCE 2022f). The Project area is within Zone A, without base flood information, of Cerrito Creek. It is a wide backwater area upstream of the Creek's discharge into the Bay. The site is within an existing densely developed commercial/residential area. The Zone AE of the Cerrito Creek channel adjacent to the Zone A covering the site has a base flood Q100 of 2,940 cubic feet per second and a water surface elevation for a 100-yr flood of 15 feet (North American Vertical Datum of 1988).

**National Flood Hazard Layer FIRMette**



**Figure 4. National Flood Layer FIRMette**

**4.10.2 Regulatory Setting**

**Federal**

**Clean Water Act and NPDES Permit**

Section 402 of the Clean Water Act (CWA) requires National Pollutant Discharge Elimination System (NPDES) permits for stormwater discharges from municipal storm drain systems. The Water Quality Control Plan for the San Francisco Basin (Basin Plan is the San Francisco RWQCB’s planning document (San Francisco Bay RWQCB n.d.). Stormwater discharges into the municipal separate storm sewer systems are regulated by the California RWQCB under the Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049 (San Francisco Bay RWQCB 2015).

Section 303(d) of the CWA authorizes the EPA to assist jurisdictions in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum levels of each pollutant allowed in a

waterbody and serves as the starting point or planning tool for restoring water quality. In California, the State and regional water boards assess water quality monitoring data for the state’s surface waters every 2 years to determine if they contain pollutants at levels that exceed protective water quality standards. Water bodies and pollutants that exceed these standards are placed on the state’s 303(d) List. The determination is governed by the Water Quality Control Policy for developing California’s Clean Water Act Section 303(d) List. Currently, the 2018 303(d) list is in effect.

***Federal Emergency Management Agency***

FEMA implements the National Flood Insurance Program. Per Section 60.3(d)(3) of the National Flood Insurance Program regulations regarding floodplain management, the placement of fill, new construction, substantial improvements, and other development within the adopted regulatory floodway cannot result in any increase in flood levels during occurrences of the base flood discharge (100-year event).

**State**

***Statewide Construction General Permit***

Because the proposed Project would disturb more than 1 acre, it is subject to the statewide Construction General Permit Order 2009-0009-DWQ, which regulates stormwater leaving construction sites. Under this order, site owners must notify the state and implement a SWPPP prepared by a Qualified SWPPP Developer. The SWPPP must outline measures that would protect hydrology and water quality resources, including groundwater, from negative impacts during construction through implementation of BMPs and monitoring the effectiveness of BMPs. This permit is administered by the State Water Resources Control Board and overseen by the RWQCB.

**4.10.3 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less Than Significant Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No Impact

<b>CEQA Question</b>	<b>Impact Determination</b>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. result in substantial erosion or siltation on- or off-site;	Less Than Significant Impact
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less Than Significant Impact
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less Than Significant Impact
iv. impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant Impact

**4.10.4 Answers to CEQA Checklist Questions**

**a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

***Less Than Significant Impact***

The proposed Project would not violate any water quality standards or waste discharge requirements. Construction would be carried out in accordance with the state Construction General Permit. Appropriate best management practices (BMPs), including erosion, sediment and non-stormwater controls would be implemented to protect water quality at all times, as specified in Section 3.6.4 and the Construction General Permit. These controls would reduce potential water quality impacts during Project construction activities to a less than significant level by minimizing erosion and sedimentation and transport to receiving water bodies.

**b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

***No Impact***

The Project does not propose any groundwater withdrawals and would have no adverse impact on groundwater recharge. The Project will be designed to maintain on-site infiltration of stormwater by incorporation of green infrastructure

(bioretention swales and rain gardens), which in turn benefits groundwater recharge. There would be no impacts to groundwater resulting from Project construction and implementation.

**c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i) Result in substantial erosion or siltation on or off-site?**

***Less Than Significant Impact***

The proposed Project would implement construction BMPs as specified in Section 3.6.4 and the Construction General Permit and would not result in substantial erosion or siltation. Site-specific BMPs may include source control measures, site design elements, and post-construction treatment measures.

**ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

***Less Than Significant Impact***

The Project would not substantially increase the rate or amount of surface runoff. The Project would include new green infrastructure design elements that do not currently exist in or around the immediate Project area. Installation of green infrastructure is anticipated to have beneficial results by increasing the capacity of surface runoff on- and off-site through bioretention swales, rain gardens, and storm drain improvements.

**iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

***Less Than Significant Impact***

The Project would not create or contribute runoff water that would exceed storm drain capacity or increase pollutants. Project plans provide additional on-site spaces for bioretention swales, rain gardens, and other new green infrastructure design elements that would increase capacity for infiltration of polluted runoff. Therefore, the completed Project could provide beneficial impacts by reducing the potential for pollutants to travel to the storm drain system or receiving waters. During construction, a site-specific SWPPP would ensure that all runoff would be treated prior to conveyance into the storm drain system.

**iv) Impede or redirect flood flows?**

***No Impact***

The proposed Project does not include any structures that would impede or redirect flood flows. The proposed roadway improvements would not affect flood flows. The

Project would provide a minor beneficial impact by removing a residential structure from the floodplain.

**d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?**

***No Impact***

The Project would provide a minor beneficial impact by reducing the risk for the release of pollutants resulting from inundation by removing a residential structure likely to contain asbestos and lead based paint from the floodplain. Best management practices installed during construction would minimize release of pollutants should flooding occur, as required by the state Construction General Permit.

**e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

***Less Than Significant Impact***

The proposed Project would implement construction BMPs as specified in Section 3.6.4 and the Construction General Permit that would protect water quality during construction. A Project specific SWPPP would include a dewatering contingency plan if groundwater is encountered during Project construction. Site-specific BMPs may include source control measures, site design elements, and post-construction treatment measures. Project plans provide additional on-site spaces for bioretention swales, rain gardens, and other new green infrastructure design elements that would increase capacity for infiltration of polluted runoff thus improving water quality over existing conditions. Project construction and implementation would therefore not involve any activities that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**4.11 LAND USE AND PLANNING**

**4.11.1 Environmental Setting**

The Project area is situated in urbanized portions of the cities of Richmond and El Cerrito (see previous Figure 3 for city boundaries).

The Project limits within the City of Richmond include portions of Central Avenue, Pierce Street, San Mateo Street and San Luis Street. The Richmond portion of the Project area is zoned Regional Commercial (City of Richmond 2012). This zoning is intended for mid-rise, mixed-use development and regional shopping centers characterized by intensive development of retail space in compact and pedestrian-friendly environments. Existing establishments within and immediately adjacent to the Project area include single- and multi-family residential, gas stations, commercial, and the Saigon Seafood Harbor Restaurant, and public storage.

The Project limits within the City of El Cerrito include northeastern portions of Central Ave and San Mateo Street. The El Cerrito portion of the Project area is zoned Transit Oriented Higher Intensity Mixed-Use (City of El Cerrito 2014). This zoning is intended to provide “a vibrant, walkable, transit-oriented, higher-intensity area that allows retail commercial, residential, and public uses.” Existing properties within the City’s limits include a vacant lot, single family residential, and apartments.

**4.11.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Physically divide an established community?	Less Than Significant Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less Than Significant Impact

**4.11.3 Answers to CEQA Checklist Questions**

**a) Would the project physically divide an established community?**

***Less Than Significant Impact***

The proposed Project would improve existing roadways and extend San Mateo to Pierce Street. Currently the Saigon Seafood Harbor Restaurant parking lot and a single family residence abut a Public Storage building. The San Mateo extension would separate the residential use from a commercial use with a two lane roadway.

This improvement would not physically divide an established community because the residences on San Mateo have no direct access to the Public Storage building, and a two lane roadway provides access, unlike a freeway which may permanently separate residential areas from other uses. Therefore, construction of the San Mateo extension would have a less than significant impact related to physically dividing an established community.

**b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

***Less Than Significant Impact***

The Richmond portion of the Project area is zoned Regional Commercial, and the El Cerrito portion of the Project area is zoned Transit Oriented Higher Intensity Mixed-Use. The proposed Project would provide roadway and drainage improvements that are consistent with the current land use zoning and General Plan policies for both cities, as well as the San Pablo Avenue Specific Plan and the MTC Bay Area Plan 2050.

A segment of the new San Mateo Street extension would pass through the existing parking lot of a commercial property (Saigon Seafood Harbor Restaurant) located at 3150 Pierce Street. The lot currently provides 57 off-street parking spaces. The Project will reconfigure the parking lot to accommodate the San Mateo Street extension, resulting in a loss of 10 spaces; 47 off-street parking spaces would remain. The City of Richmond requires 5 parking spaces per 1,000 gross square feet of dining area (Richmond Code of Ordinances 15.04.607.040). The total square footage of the restaurant is 6,200 square feet, requiring 31 parking spaces if 100 percent of the building were used as dining area. The proposed Project would not reduce the number of parking spaces below the minimum required by the City. Therefore, the proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation.

## **4.12 MINERAL RESOURCES**

### **4.12.1 Environmental Setting**

Minerals are naturally occurring chemical elements or compounds, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat, and oil-bearing rock, but excluding geothermal resources, natural gas, and petroleum. Rock, sand, and gravel are also considered minerals when extracted by surface mining operations (City of Richmond 2012).

Mineral production in Contra Costa County has been largely limited to sand, gravel, and rock products. Mining for manganese, crude oil, and clay once occurred the area. The most important mineral resources that are currently mined in the County include crushed rock near Mt. Zion, on the north side of Mt. Diablo, in the Concord area; shale in the Port Costa area; and sand and sandstone deposits, mined from several locations, but focused in the Byron area of southeast County.

Mining for sandstone and crushed rock was until recently limited to one quarry on Canal Boulevard near the Port of Richmond and another at Point Molate. The Canal Boulevard quarry has been closed and remediated. The Point Molate quarry is focused on recycling and handling operations rather than extraction. No quarry operations currently operate or are anticipated in the future in either city.

### **4.12.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	No Impact

### **4.12.3 Answers to CEQA Checklist Questions**

**a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

***No Impact***

According to the State Mining and Geology Board and the Richmond General Plan, there are no state or regionally valuable mineral resources within the Project

boundary. The proposed Project would therefore not result in the loss of a known mineral resource.

**b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

***No Impact***

According to the State Mining and Geology Board, the Richmond General Plan, and the El Cerrito General Plan, there are no resource recovery sites associated with the Project; therefore, there would be no impact.

## 4.13 NOISE

### 4.13.1 Environmental Setting

Noise is defined as a sound or series of sounds that are intrusive, objectional, or disruptive to daily life. The primary sources of noise in the vicinity of the proposed Project include local traffic along Central Avenue, San Mateo Street, and San Luis Street; distant traffic along I-80; and occasional aircraft overflights.

A noise monitoring survey was performed by Illingworth and Rodkin at sensitive receptor locations along the Project alignment beginning on Tuesday, October 9, 2018, and concluding on Thursday, October 11, 2018. The results from the survey concluded that loudest noise levels resulting from 2040 build conditions would range from 48 to 64 dBA Leq[h] at residential areas and parks along the Project area.

The Caltrans Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects (Caltrans 2011) specifies the policies, procedures, and practices to be used by agencies that sponsor new construction or reconstruction of Federal or Federal-aid highway projects. The Protocol defines a noise increase as substantial when the predicted noise levels with project implementation exceed existing noise levels by 12 dBA Leq[h] or more.

A Noise Study Report (NSR) was updated in 2022 by NCE (NCE 2022g). Existing sound levels, 2040 No Build, and 2040 Build scenarios were evaluated for the Project. The NSR summarizes the noise monitoring results and provides an analysis of potential impacts with respect to noise. The NSR is available upon request.

### 4.13.2 CEQA Checklist Summary

Would the project result in:

CEQA Question	Impact Determination
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant Impact with Mitigation Incorporated
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

### 4.13.3 Answers to CEQA Checklist Questions

- a) **Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

***Less Than Significant Impact with Mitigation Incorporated***

Noise levels are measured to regulate ambient noise and protect people from exposure to excessive noise. Different land uses have different acceptability levels in terms of noise disturbance. For example, industrial uses have a higher noise threshold than residential uses. Noise standards provide a means of assessing exposure and compatibility based on specific uses.

The NSR provides a summary of applicable general plan policies and zoning ordinances for the cities of Richmond and El Cerrito. Based on the policy analysis the Project would not expose persons to or generate noise levels that would exceed applicable noise standards presented in the Richmond or El Cerrito General Plans or Municipal Codes (NCE 2022g).

Loudest-hour noise levels resulting from 2040 Build conditions would range from 48 to 64 dBA Leq[h] along the Project alignment. It is anticipated that future development associated with the Central Avenue Residential project would adhere to local standards, resulting in loudest-hour noise levels in noise sensitive areas of frequent human use of 58 dBA Leq[h] or less. Noise levels are calculated to increase by up to 2 dBA Leq[h] over Existing conditions under 2040 No Build conditions. Noise would increase up to 9 dBA Leq[h] over Existing under 2040 Build conditions. These operational noise level increases are not considered substantial because the Project would not result in an increase of 12 dBA Leq[h]. In accordance with 23 CFR 772, noise abatement is considered where noise impacts are predicted in areas of frequent human use that would benefit from a lowered noise level. No permanent traffic noise impacts are anticipated with development of the Project; therefore, no permanent noise abatement measures are required.

Construction activities would result in temporary increases to noise levels at adjacent noise-sensitive receptors. Project construction is anticipated to occur over a period of 6-months to 1-year. Construction activities would include demolition, earthwork, paving, concrete/rebar/formwork, utility trenching, and roadway striping. Pile driving is not anticipated for this Project. Construction noise would primarily result from the operation of heavy construction equipment and arrival and departure of heavy-duty trucks.

As indicated in Table 8-1 of the NSR, most construction phases would generate average noise levels that would exceed ambient daytime noise levels at adjacent land uses by 15 to 20 dBA Leq[h]. With the exception of short periods of heavy

demolition, construction noise levels would not be expected to exceed the quantitative noise limits established by local noise ordinances. Construction noise levels are anticipated to exceed the City of Richmond's 75 dBA Leq[h] weekday and 60 dBA Leq[h] weekend criteria when construction is located adjacent to receptors. The residence at 3221 San Mateo Street is scheduled to be removed, and that property used for the Project's new road segment. A residence is immediately adjacent, at 3211 San Mateo Street. Demolition or removal of the 3221 residence will likely create noise levels exceeding the City of Richmond Noise Ordinance because of the close proximity of 3211 San Mateo Street to the construction activity (i.e., less than 50 feet at times).

To reduce the potential for noise impacts resulting from Project construction, the following measures should be implemented during Project construction.

- **Mitigation Measure NOIS-1:**

- Construct a temporary noise barrier on the south side of 3211 San Mateo Street during demolition of the adjacent property (3221) and major construction activities, (e.g., grading and excavation for new utilities). This barrier should be designed to be sufficient to protect the residents from sound levels exceeding the City of Richmond Noise Ordinance.
- All construction equipment should conform to Section 14-8.02, Noise Control, of the latest Caltrans Standard Specifications.
- When feasible, noise-generating construction activities should be restricted to between 7:00 a.m. and 7:00 p.m. on weekdays, with no construction occurring on weekends or holidays.
- 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 air compressors or portable power generators are to be located as far as is practical from existing residences.
- Quiet construction equipment, particularly air compressors, are to be selected whenever possible.

***Finding: Implementation of Mitigation Measure NOIS-1 would reduce construction noise impacts on adjacent sensitive receptors to less than significant.***

**b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?**

***Less Than Significant Impact***

The proposed Project would not generate excessive groundborne vibration or groundborne noise levels. Vibration levels generated by construction activities would be perceptible indoors and may be considered annoying at times, causing irritating secondary vibration, such as a slight rattling of windows or doors. However, architectural damage to normal residential structures would not be anticipated and vibration levels would be well below those anticipated to cause structural damage. In addition, construction would occur during daytime hours only, thus reducing the potential for residential annoyance during typical periods of rest or sleep. The duration of vibration-generating construction activities at individual locations along the Project alignment would be limited as construction moves along the roadway alignment as progress occurs. Therefore, groundborne vibration or groundborne noise levels during Project construction would be less than significant.

**c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

***No Impact***

The nearest airport is about 8 miles away. The Project is not within any airport land use plan jurisdiction. Therefore, the Project will not expose construction workers to excessive noise levels from aircraft sources.

#### **4.14 POPULATION AND HOUSING**

##### **4.14.1 Environmental Setting**

As of 2021, the City of Richmond had an estimated population of 115,642 residents and an estimated housing stock of 42,082 dwelling units (California Department of Finance 2022). As of 2020 (no data available for 2021), the City of El Cerrito had an estimated population of 25,280 residents and an estimated housing stock of 10,880 dwelling units (California Department of Finance 2022). The Project area is surrounded by single family and multi-family residential, commercial, and light industrial uses.

##### **4.14.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than Significant Impact

##### **4.14.3 Answers to CEQA Checklist Questions**

**a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

***No Impact***

The Project scope is limited to improving traffic operations, reducing local congestion, and improving traffic safety. The Project would remove one residence and would not construct housing or businesses. No utilities would be expanded into new areas currently not receiving service. Therefore, the proposed Project have no impact on population growth either directly or indirectly.

**b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

***Less Than Significant Impact***

The Project proposes the removal of one residence, which is used as a rental property. The Contra Costa County Real Estate Division will be responsible for preparing a relocation plan and providing relocation assistance to the residents

upon acquisition of the property. The proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, thus the impact would be less than significant.

**4.15 PUBLIC SERVICES**

**4.15.1 Environmental Setting**

The Project is in an urban area served by existing infrastructure and public services.

**Fire Protection**

Fire protection in the Project area is provided by the Richmond Fire Department (RFD) and the El Cerrito-Kensington Fire Department. The RFD station closest to the Project site is Station #6, at 4801 Bayview Avenue, approximately 1.3 miles northwest of the Project area. The El Cerrito-Kensington Fire Department is located at 10900 San Pablo Avenue, approximately 1 mile northwest of the Project area.

**Police Protection**

Police protection, 911 emergency dispatch, and investigation services are provided to the Project area by the Richmond Police and El Cerrito Police Departments. Richmond is divided into three districts (Northern, Central, and Southern), with three smaller beats per district. The Project area is within Beat 3 in the Southern District. The main police station is at 1701 Regatta Boulevard, approximately 3.5 miles northwest of the Project site. The El Cerrito Police Department shares the building with the El Cerrito-Kensington Fire Department. Police dispatching is contracted with the Richmond Police Department.

**CEQA Checklist Summary**

Would the project result in:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Would the project result in substantial adverse physical impacts associated with the need and/or provision of new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services? i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? v) Other public facilities?	No Impact

#### 4.15.2 Answers to CEQA Checklist Questions

**a) Would the project result in substantial adverse physical impacts associated with the need and/or provision of new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services?**

**i) Fire protection?**

**ii) Police protection?**

**iii) Schools?**

**iv) Parks?**

**v) Other public facilities?**

***No Impact***

The Project would not increase dwelling units or road capacity in the vicinity and would not increase population or businesses; thus, the Project would not increase demand for public services such as schools, parks, or other public facilities such as libraries.

There are adequate fire and police services to protect the temporary construction site and construction workers without affecting emergency services ratios, response times, or other performance objectives. Therefore, the proposed Project would not require new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

**4.16 RECREATION**

**4.16.1 Environmental Setting**

The City of Richmond is served by an array of 86 parks and regional open spaces. The City owns and maintains 74 of those parks, including small pocket parks, play lots, neighborhood parks, ball fields, and joint-use parks. Additionally, there are seven Regional Parks and Open Spaces, and five joint-use parks in Richmond. In all, the City has over 6,500 acres of park and open space lands. The City also owns and operates a range of community recreational facilities including eight community centers, two senior centers, two aquatics facilities (including the historic Richmond Municipal Natatorium), and one indoor recreation complex. Private recreational facilities in Richmond include the Richmond Country Club, Marina Bay Yacht Harbor, Richmond Yacht Club Harbor, YMCA, Police Activities League, the Boys and Girls Club, and Red Rock Marina (City of Richmond 2012).

The City of El Cerrito operates 19 City-owned and maintained parks and open space facilities that include neighborhood parks, ball fields, playgrounds, joint-use parks, natural areas, and greenways, including four on school district property at school sites (City of El Cerrito 2019) . Private recreational facilities include the Berkeley Country Club, Camp Herms Scout Camp, and Sunset View Cemetery. There is a total of 381.7 acres of combined recreation and open space facilities within the City of El Cerrito (City of El Cerrito 1999).

The closest recreational facility to the Project area is Central Park, which is located 0.01 miles to the north at the intersection of Central Avenue and Yolo Avenue mostly within the City of Richmond. Central Park covers 2.6 acres and includes a playground, baseball diamond, and lawns.

**4.16.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No Impact
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact

### 4.16.3 Answers to CEQA Checklist Questions

**a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

***No Impact***

The Project is a road improvement project. The Project does not include recreational features or facilities or require construction or expansion of recreational facilities because the Project does not influence population growth. Population growth is the main driver for new or expansion of facilities; therefore, there would be no effect on recreation and no subsequent environmental impact from construction or expansion activities.

**b) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

***No Impact***

The Project does not include recreational facilities or require the construction or expansion of recreational facilities, such as trail biking or connectivity. The Project also would not induce population growth that would lead to an increased demand for recreational services or the need to construct or expand recreational facilities that might have an adverse physical effect on the environment. Therefore, there is no potential for the Project to require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

## **4.17 TRANSPORTATION**

### **4.17.1 Environmental Setting**

As described in the Project description (Section 3), the Project area includes portions of Central Avenue, San Mateo Street, and Pierce Street.

Central Avenue is a designated route of regional significance in the 2017 Countywide Comprehensive Transportation Plan. It serves as the primary connection between the El Cerrito Plaza BART station and the Interstate 80 (I-80) and Interstate 580 (I-580) freeways. It also serves as an important east-west route between commercial areas and local neighborhoods. The four closely spaced signalized intersections along Central Avenue between Jacuzzi Street and Pierce Street lack adequate storage capacity, resulting in high vehicle delays during peak travel times, especially on weekends.

The purpose of the Project is to improve traffic operations, reduce local congestion, and improve traffic safety. The Project is needed to alleviate heavy traffic congestion that occurs within the Central Avenue corridor during both peak weekday and weekend periods. The proposed Project represents Phase 2 of a two-phase Project to improve traffic operations at the I-80/Central Avenue Interchange.

The *Final Transportation Impact Assessment for the Central Avenue at I-80 Local Road Improvement Project* (TIA) documented an evaluation of the existing and cumulative level of service (LOS) operating conditions for the study intersections along Central Avenue for conditions with and without the Phase 2 (Fehr & Peers 2018). LOS is a description of quality of an intersection's operation, ranging from LOS A (indicating free flow traffic conditions with little or no delay) to LOS F (representing over-saturated conditions where traffic flows exceed design capacity, resulting in long queues and delays). The City of Richmond's General Plan policy is to maintain LOS D operations or better at all intersections. In El Cerrito, signalized intersections in the San Pablo Avenue Specific Plan area must maintain LOS E or better. All of the study intersections were determined to operate overall at acceptable LOS D or better conditions during both the weekday AM and PM peak hour. However, during the weekend peak hour, the Central Avenue/Pierce Street signalized intersection operates at unacceptable LOS E conditions. Two side-street stop controlled intersections have side-streets that operate at LOS F conditions (Central Avenue/San Mateo Street and Central Avenue/Belmont Avenue).

The TIA used traffic count data collected in 2017. The TIA was updated in August 2022 to compare traffic volumes collected in 2017 to new traffic counts to determine if the previous analysis from the TIA is still valid. Twenty-four-hour pneumatic tube counts were collected on Central Avenue between San Mateo Street and Carlson Boulevard from Tuesday, February 14 to Saturday, February 18, 2017 to determine the ADT volumes on Central Avenue for the original TIA. To compare

the previous ADT to the current year, pneumatic tubes were used to collect daily traffic counts on Central Avenue between Pierce Street and San Mateo Street on Wednesday, June 1 to Saturday, June 4, 2022. Note that only the Wednesday and Thursday count data from 2017 was used to make similar comparisons for the weekday for consistency. summarizes the count data and growth rates.

**Table 7. Average Daily Traffic Volumes Comparison (Repeat of Table 5)**

<b>Day of Week</b>	<b>ADT: Central Avenue between San Mateo and Carlson (2017)</b>	<b>ADT: Central Avenue between Pierce and San Mateo (2022)</b>	<b>Percent Change</b>
Typical Weekday (Wed. to Thurs.)	20,010	20,466	2.3%
Saturday	20,936	18,966	-9.4%

ADT = Average Daily Traffic Volumes  
 Source: Fehr & Peers 2022

Compared to the 2017 ADT volumes, the 2022 ADT volumes show an increase of 2.38 percent on weekdays and decrease of 9.4 percent on Saturdays. Given that weekday counts show a minor change of less than five percent and Saturday shows a decrease, Fehr & Peers concluded that the intersection analysis performed in 2018 and the original findings would remain applicable to the current year volumes.

**Transit Services**

The Alameda-Contra Costa Transit District (AC Transit) provides local and Transbay bus service near the Project area. There are three bus stops near the Project site:

- South side of Central Avenue between Pierce Street and San Mateo Street: AC Transit Route 80
- West side of Pierce Street just south of Central Avenue: AC Transit Route 80 and L
- East side of Pierce Street just south of Central Avenue: AC Transit Route L and LC

All of these bus stops serve transit routes traveling through the Central Avenue/ Pierce Street intersection.

**Existing Pedestrian and Bicycle Facilities**

Pedestrian facilities include sidewalks, crosswalks, and multi-use trails. Sidewalk is currently provided on both sides of Central Avenue between Pierce Street and San Mateo Street. Sidewalk is also provided on both sides of Pierce Street south of Central Avenue. However, there are locations where the effective width is less than four feet due to utility poles or other obstructions. San Mateo Street south of

Central Avenue provides some sidewalk on the west side and no sidewalk on the east side. Crosswalks are provided on all the legs of the Central Avenue/Pierce Street intersection. Crosswalks are not provided at the Central Avenue/San Mateo Street intersection.

There are currently no designated bicycle facilities on Central Avenue east of Pierce Street, along Pierce Street, or on San Mateo Street. However, the City of El Cerrito Active Transportation Plan identifies a future bicycle improvement (two-way cycle track) on Pierce Street south of Central Avenue.

#### **4.17.2 Regulatory Setting**

##### **State**

In December 2018, the California Natural Resources Agency certified and adopted the CEQA Guidelines update package. The CEQA Guidelines 2019 update added Section 15064.3 (SB 743), which describes the specific considerations for evaluating a project's transportation impacts. The section focuses on using vehicle miles traveled as a measure for transportation impacts.

##### **Local and Regional Transportation**

The following local and regional transportation guidance documents apply to the Project:

- The State mandates that general plans include a circulation element regulating the location and extent of transportation modes, accessways, and thoroughfares in the City (California Government Code Section 65302b). As required by State law, the circulation element correlates with the Land Use and Urban Design Element of the General Plan for the City of Richmond and the Transportation and Circulation Chapter of the General Plan section for the City of El Cerrito (City of Richmond 2012; City of El Cerrito 1999).
- The *Contra Costa Countywide Comprehensive Transportation Plan* lays out a vision for "our transportation future, the goals and strategies for achieving that vision, and the future transportation investments needed to promote a growing economy, advance technological changes, protect the environment, and improve our quality of life" (CCTA 2017).
- The *Plan Bay Area 2050* is a 30-year plan that establishes 35 strategies to improve housing, the economy, transportation, and the environment across the Bay Area's nine counties — Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma. This long-range plan, developed by the Bay Area's two regional planning agencies, the MTC and the Association of Bay Area Governments (ABAG), outlines a \$1.4 trillion vision for "a more equitable and resilient future for Bay Area residents." The

Plan identifies 12 transportation strategies; the strategies applicable to the proposed Project include:

- T1. Restore, operate and maintain the existing system. Commit to operate and maintain the Bay Area’s roads and transit infrastructure while reversing pandemic-related cuts to total transit service hours.
- T8. Build a Complete Streets network. Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths.
- The *City of Richmond Bicycle Master Plan* focuses on four primary goals, and a set of objectives to measure them (Fehr & Peers and Eisen Letunic 2011). Goal 1 is to expand the city’s bicycle routes and parking facilities into an extensive, well-connected, and well-designed network, and improve and maintain these facilities over time. The objective includes increasing the number of bikeway miles by 75 percent. Goal 3 is to make the streets safer for bicyclists, not only during the day but also at night, with the objective of reducing the number of reported bicycle fatalities and injuries by 25 percent (even as the number of bicyclists increases). Goal 4 is to incorporate the needs and concerns of cyclists in all transportation and development projects by adopting and implementing “Complete Streets” and “Routine Accommodation” policies, and bicycle-friendly design standards and guidelines for streets and developments.
- The *City of El Cerrito Active Transportation Plan* is a combined Bikeways Master Plan and Pedestrian Master Plan (City of El Cerrito Public Works and Community Development Departments and Fehr & Peers 2016). This Plan updates the Circulation Plan for Bicyclists and Pedestrians (2007), which established bicycle and pedestrian networks and project lists throughout the City.
- The *City of El Cerrito San Pablo Avenue Specific Plan* creates a framework for transforming San Pablo Avenue into a multimodal corridor that functions not just as a thoroughfare but as a place that provides a multitude of opportunities for living, working and community life (City of El Cerrito 2014). Within the document, Chapter 3 Complete Streets discusses street typologies, standards, and guidelines for Central Avenue and San Mateo Avenue, among others. This Project is within the *San Pablo Avenue Specific Plan* boundary. The City of El Cerrito is currently in the final draft stage of the San Pablo Avenue Specific Plan Update as well (City of El Cerrito 2022).

#### **4.17.3 CEQA Checklist Summary**

Would the project:

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

**4.17.4 Answers to CEQA Checklist Questions**

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

***Less Than Significant Impact***

The proposed Project would restore, maintain, and improve local circulation, improve sidewalk width and ADA access, provide Class III bike lanes on all roadway segments, and include other elements of complete streets projects such as safe and accessible transit stops, and frequent and safe crossings for pedestrians, including median islands, accessible pedestrian signals, and curb extensions. These elements are consistent with all local and regional transportation guidance documents applicable to the Project area.

The TIA concluded that roadway capacity would not change at existing intersections in or around the Project area once the proposed Project becomes operational. Although no longer a CEQA consideration in terms of impact on the environment, Richmond has a policy in their General Plan to maintain LOS D operations or better at all intersections, and El Cerrito requires LOS E or better in their portion of the Project area. The Project is not expected to degrade any of the study intersections to unacceptable service levels, but instead improve operations at several locations currently operating at unacceptable service levels. During the weekend peak hour, the traffic operations are anticipated to improve from unacceptable operations (LOS E or F) to acceptable operations (LOS D or better) at the following locations:

- Central Avenue/Pierce Street
- Central Avenue/San Mateo Street
- Central Avenue/Belmont Avenue

- Central Avenue/Santa Clara Avenue.

In addition, the Project is anticipated to have a minimal effect on system-wide vehicle hours of delay during the weekday AM peak hour. During the weekday PM and weekend peak hour, the Project is however expected to reduce the vehicle hours of delay by 33% and 24% during the weekday PM and weekend peak hour respectively under cumulative plus Project conditions. With implementation of the Project, the vehicle hours of delay during the weekend peak hour is anticipated to drop even further (37% compared to Cumulative No Project conditions). Therefore, the proposed Project would not result in a conflict with a plan, ordinance or policy addressing the circulation system.

**b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?**

***No Impact***

CEQA Guidelines § 15064.3(b) pertains to the use of VMT to analyze transportation impacts. OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (2018) provides technical recommendations regarding the assessment of VMT, non-binding thresholds of significance, potential exemptions, presumptions of less than significant CEQA impacts, and mitigation measures. Project types that would likely lead to a measurable and substantial increase in vehicle travel generally include the addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges.

Roadway projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, and repair projects designed to improve the condition of existing transportation assets (e.g., highways, roadways, bridges, culverts, tunnels, transit systems, and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadway shoulder enhancements to provide "breakdown space," dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety

- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Removal or relocation of off-street or on-street parking spaces
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way

The Project is not a land-use project and is designed to improve local circulation with no increase in roadway capacity.. Construction worker traffic would be minor and temporary. Therefore, the Project would not conflict or create inconsistencies with CEQA Guidelines section 15064.3, subdivision (b)(1).

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

***Less Than Significant Impact***

The Project would not substantially increase hazards due to a geometric design feature and would not develop incompatible uses. The turn restrictions at the Central Avenue/Pierce Street intersection as part of the Project would impact the delivery truck circulation on the south side of Central Avenue and in particular deliveries to the Pacific East Mall. As part of the Project, San Mateo Street between Central Avenue and Pierce Street has been designed with sufficient roadway width and turning radii to accommodate a typical package delivery truck. The new traffic signal at the Central Avenue/San Mateo Street intersection and the all-way stop control at the Pierce Street/San Mateo Street intersection would also minimize delivery truck delays.

The turn restrictions at the Central Avenue/Pierce Street (San Luis Street) intersection as part of the Project would result in some local redistribution of traffic on the north side and south side Central Avenue between Pierce Street (San Luis Street) and San Mateo Street. While traffic on Pierce Street (San Luis Street) is likely to remain the same or decrease, traffic on San Mateo Street just north and south of Central Avenue is likely to increase as traffic redistributes to access Central Avenue. Even with the potential increase in traffic on San Mateo Street, the roadway is anticipated to carry less than 3,000 vehicles per day, which is well below the roadway capacity of a minor collector road (Richmond) and consistent with a local street (El Cerrito) and would not present a safety issue.

The Project would alleviate heavy traffic congestion that occurs within the Central Avenue corridor during both peak weekday and weekend periods. Once operational,

the Project would provide increased safety and multi-modal transportation options by providing ADA-compliant crosswalks and sidewalks, Class III bike lanes, and a new bus stop along San Mateo Street. The Project proposes to provide sidewalks on both sides of San Mateo Street, including current locations that do not provide sidewalks. As part of the Project, the north/south crosswalks at the Central Avenue/Pierce Street intersection would be eliminated and new crosswalks would be provided on all legs of the Central Avenue/San Mateo Street intersection. At the new intersection of Pierce Street/San Mateo Street a crosswalk is proposed on the south and east legs of the intersection. The Project would likely result in some changes to pedestrian circulation as a result of eliminating the north/south crosswalks at the Central Avenue/Pierce Street intersection; however, the proposed crosswalk locations and new/improved sidewalk on Pierce Street and San Mateo Street should improve the overall pedestrian experience. These measures are expected to reduce existing hazards and safety issues in the Project area.

**d) Would the project result in inadequate emergency access?**

***Less Than Significant Impact***

The Project would not result in long-term adverse effects to emergency service access. Construction activities could result in temporary, minor delays for access of emergency vehicles to adjacent residences and businesses within the Project area. As a requirement of the Traffic Control Plan, the City or approved contractor would be required to coordinate with law enforcement and emergency service providers prior to the start of construction. The goal is to ensure construction activities do not impair response by law enforcement and emergency services providers. In addition, individual property owners would be notified that access to their properties would not be obstructed during Project construction.

## **4.18 TRIBAL CULTURAL RESOURCES**

### **4.18.1 Environmental Setting**

Ethnographic literature indicates that the region surrounding the proposed Project area was near the northwestern extent of the Ohlone or Costanoan people's precontact territory (Levy 1978). Their territory ranged from the San Francisco Peninsula in the north to Big Sur in the south and from the Pacific Ocean in the west to the Diablo Range in the east. Their vast region included the San Francisco Peninsula, Santa Clara Valley, Santa Cruz Mountains, Monterey Bay area, as well as present-day Alameda County, Contra Costa County, and the Salinas Valley.

The Ohlone language belongs to the Costanoan sub-family, a group of eight languages that were spoken by approximately 50 autonomous groups that occupied lands from the Carquinez Straight in Contra Costa County south into Monterey County. Villages were comprised of 50 to 500 members each, with an average of 200; members interacted freely in matters of marriages, trade, religious and other cultural practices (Levy 1978). The vicinity of the proposed Project area is within the area attributed to the Huchiun Costanoan (Millikin 1995).

Linguistic evidence suggests Ohlone people migrated from the San Joaquin-Sacramento River system and arrived in the San Francisco and Monterey Bay Areas around 2400 before the present (BP; Levy 1978). This migration is thought to have displaced or assimilated earlier Hokan-speaking populations. In the vicinity of the proposed Project, ancient shell mounds from the Newark and Emeryville areas suggest villages were established in those areas as early as 5900 BP (Stanger 1968).

The Ohlone people today belong to one of several geographically distinct groups. The Muwekma Ohlone Tribe has members from around the San Francisco Bay Area and is composed of descendants of the Ohlone from the San Jose, Santa Clara, and San Francisco missions. The Ohlone Costanoan Esselen Nation, consisting of descendants of intermarried Rumsen Costanoan and Esselen speakers of Mission San Carlos Borromeo, are centered within the Greater Monterey Bay Area. The Amah-Mutsun Tribe, located inland from Monterey Bay, are descendants of Mutsun Costanoan speakers of Mission San Juan Bautista. The Costanoan Rumsien Carmel Tribe of Pomona/Chino are descendants from Mission San Carlos and now reside in southern California.

### **4.18.1 Regulatory Setting**

#### **Native American Consultation**

In accordance with AB 52, as identified in the PRC Section 21080.3.1(b)(2) of CEQA and Section 106 of the NHPA, Native American tribes (tribes) identified by the

Native American Heritage Commission (NAHC) must be invited to consult on projects.

On June 13, 2018, a letter was sent to the NAHC requesting a search of their Sacred Lands database and a list of contacts that may have knowledge of cultural or tribal resources within or immediately adjacent to the Project area (Tremaine & Associates and NCE 2021). A response was received June 26, 2018, indicating that the Sacred Lands database search identified the presence of Sacred Native American sites within the Project area. The commission requested that several Native American cultural resource representatives be contacted (Table 8). As requested by the City, tribal representative inquiry letters were mailed on June 27, 2018, and follow-up phone calls were made to each individual identified by the NAHC on September 04, 2018.

Due to Project delays, updated consultation letters were sent to these previous tribes contacted in 2018 on January 20, 2021. After receiving an updated contact list from the NAHC on March 11, 2021, three additional tribes were also sent consultation letters (Table 8). These letters were sent March 16, 2021, and follow up phone calls occurred on March 24, 2021. Three tribes, the Northern Valley Yokuts Tribe, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Mutsun Band of Costanoan, have responded to date.

**Table 8. Native American Correspondence between June 2018 and March 2021**

Individual	Tribe Affiliation	Letter Result	Phone Call Results
Rosemary Cambra Charlene Nijmeh Monica Arellano	Muwekma Ohlone Indian Tribe of the SF Bay Area	Letter unclaimed. Email with updated Project information sent to Ms. Nijmeh on 1/20/2021. No response to date.	Contact made on 9/4/2018. Tribe provided recommendation in case of discovery of human remains or cultural resources artifacts and offered to consult if requested. Left message on 3/24/2021 for Ms. Nijmeh. No response to date. Ms. Arellano’s voice mailbox is full and a message could not be left on 3/24/2021.
Donald Duncan	Guidiville Indian Rancheria	Letter received 3/22/2021. Email containing letter sent on	On 3/24/2021 spoke to tribe administration who indicated if THPO did not respond to email, it most likely means they have no concerns with the Project.

Individual	Tribe Affiliation	Letter Result	Phone Call Results
		3/16/2021. No response to letter or email to date.	
Andrew Galvan	The Ohlone Indian Tribe	Letter received (date unreadable). Email with updated Project information sent on 1/20/2021. No response to letter or email to date.	Call attempted 9/4/2018. Phone number provided by the NAHC is not valid. Left message on 3/24/2021. No response to date.
Corrina Gould	The Confederated Villages of Lisjan	Letter received 3/19/2021. Email containing letter sent on 3/16/2021. No response to letter or email to date.	Message left on 3/24/2021. Follow-up email sent on 4/2/2021. No response to date.
Katherine Perez Timothy Perez	North Valley Yokuts Tribe	Letter received 7/2/2018. Email sent to Ms. Perez with updated Project information sent on 1/20/2021. Ms. Perez replied indicating the Project area is sensitive and Native American monitors should be on site during ground disturbance activities.	Left message 9/4/2018. Left message on 3/24/2021 for Ms. Perez. No response to date. Mr. Perez's voice mailbox is full and a message could not be left on 3/24/2021.
Ann Marie Sayers Kanyon Sayers-Roods	Indian Canyon Mutsun Band of Costanoan	Letter received 7/9/2018. Email sent to Ms. Sayers with updated Project information sent on 1/20/2021 bounced back. Hard	Contact made 9/4/2018; however, Ms. Sayers requested a follow-up call from Jeremy Hall (NCE Cultural Resources Specialist). Mr. Hall called back 9/7/2018 and left a message. No response to date.

Individual	Tribe Affiliation	Letter Result	Phone Call Results
		copy letter was sent to Ms. Sayers on 1/25/2021. No return correspondence.	Spoke to Ms. Sayers on 3/24/2021. She recommended an archaeologist and Native American monitor be on-site during any type of ground disturbing activities including the XPI geotechnical boreholes. She indicated she would accept any tribe monitor from within the Ohlone territory be present and requested she be updated as the Project moves forward.  Left message on 3/24/2021 for Ms. Sayers-Roods.
Dee Ybarra	Rumsen Am:a Tur:ataj Ohlone	Letter received 3/18/2021.  Email containing letter sent on 3/16/2021. No response to letter or email to date.	Left message on 3/24/2021.
Irenne Zwierlein	Amah Mutsun Tribal Band of Mission San Juan Bautista	Letter received 7/7/2018.  Email with updated Project information sent on 1/20/2021. No response to date.	Contact made 9/4/2018; however, Ms. Zweirlein requested a follow-up call from Jeremy Hall (NCE Cultural Resources Specialist). Mr. Hall called back 9/7/2018 and left a message.  Spoke to Ms. Zwierein on 3/24/2021. She recommended all workers be given cultural resource sensitivity training prior to ground disturbing activities. She would like to be notified of any Native American resources identified during the XPI or construction excavations. Ms. Zwierein has no concerns regarding the XPI.

Individual	Tribe Affiliation	Letter Result	Phone Call Results
Raymond Hitchcock	Wilton Rancheria	Letter received 7/2/2018.	Left message 9/4/2018. No response to date.  Tribe no longer listed by NAHC for Project area and no additional follow-up calls conducted.
Antonio Ruiz		No return correspondence.	
Jesus Tarango		Emails with updated Project information sent to Mr. Ruiz and Mr. Tarango on 1/20/2021. No responses to date.	

**4.18.2 CEQA Checklist Summary**

Would the project:

CEQA Question	Impact Determination
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Less Than Significant Impact with Mitigation Incorporated
i. Listed or eligible for listing in CRHR, or in a local register of historical resources as defined in PRC § 5020.1(k), or	
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC § 5024.1. In applying the criteria set forth in subdivision (c) of PRC § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Less Than Significant Impact with Mitigation Incorporated

**4.18.3 Answers to CEQA Checklist Questions**

**Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the**

landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in CRHR, or in a local register of historical resources as defined in PRC § 5020.1(k)?
- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC § 5024.1. In applying the criteria set forth in subdivision (c) of PRC § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

***Less Than Significant Impact with Mitigation Incorporated***

Native American consultation was conducted for the Project as described in above. As a result of consultation efforts, the Northern Valley Yokuts Tribe, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Mutsun Band of Costanoan stated concerns for adverse impacts to tribal cultural resources in the APE and requested a tribal monitor be present for any cultural subsurface exploration conducted as part of the XPI subsurface testing. Therefore, tribal monitors were present during the XPI investigation, Phase II borings, and geotechnical investigation. Two of the consulting Tribes were provided a draft copy of the XPI results for their review on May 4, 2022. Both tribes concurred with the XPI results demonstrating the APE has been disturbed and the Project would not have an impact on intact cultural deposits that comprise a part of P-07-003065.

As a federally funded Project, the City must comply with all mitigation measures as outlined in the final documentation submitted to and approved by SHPO. Those measures include an Environmentally Sensitive Area (ESA) Action Plan, Cultural Resources Sensitivity Training, Minor Phasing Approach to Identification, Evaluation, & Treatment, and strict protocols for the discovery of Human Remains and Associated Grave Goods. Caltrans and SHPO oversight would provide the necessary mitigation to ensure the Project would have a less than significant impact on tribal cultural resources. **Mitigation Measure CUL-1/TCR-1** requires that during construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural resources.

***Finding. Implementation of Mitigation Measure CUL-1/TCR-1 requires sufficient procedures, protocols, and oversight during construction to avoid and/or mitigate potential adverse effects on tribal cultural resources, which would ensure a less than significant impact on subsurface tribal cultural resources.***

**4.19 UTILITIES AND SERVICE SYSTEMS**

**4.19.1 Environmental Setting**

The Project is in an urban area served by existing infrastructure, utilities, and service systems. The Project is a transportation infrastructure improvement project with no need for water or sewer services, thus this section focuses on stormwater and construction waste.

All stormwater from the Project area passes first into the Richmond’s stormwater collection system and into local streams and channels, then ultimately ends up in San Francisco and San Pablo Bays. Section 402 of the CWA requires NPDES permits for stormwater discharges from municipal storm drain systems. The Water Quality Control Plan for the San Francisco Basin (Basin Plan) (San Francisco Regional Water Quality Control Board n.d.) is the San Francisco RWQCB’s planning document. The Water Board issues the municipal stormwater NPDES permits to address stormwater impairments and recommend actions. Stormwater discharges into the municipal separate storm sewer systems are regulated by the California RWQCB under the Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049 (California Regional Water Quality Control Board San Francisco Bay Region 2015).

Construction waste and demolition debris recovery and disposal for projects in Richmond are handled at the Golden Bear Transfer Station in North Richmond. Clean source-separated debris such as landscape materials, clean lumber, asphalt, dirt, and clean concrete, is recycled at the West Contra Costa County Sanitary Landfill Processing Facility in Richmond. The materials are used on-site or recycled in a separate section of the closed landfill. Mixed construction debris is accepted for recycling (Contra Costa County Waste Reduction & Recycling 2022).

**4.19.2 CEQA Checklist Summary**

Would the project:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate	No Impact

<b>CEQA Question</b>	<b>Impact Determination</b>
capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant Impact

**4.19.3 Answers to CEQA Checklist Questions**

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

***Less Than Significant Impact***

The Project provides infrastructure improvements that do not need water, sewer, natural gas, or telecommunications. The Project would construct minor improvements to the current storm drain system in the Project area. These include constructing approximately 311 feet of new storm drain from the south end of San Mateo street along the extension to the new intersection with Pierce Street, and reconfiguring the existing storm drain system at the new intersection with Pierce Street extending approximately 160 feet south to the existing drainage channel outfall. These areas are part of the APE defined for the Project, and these improvements have been considered as part of the Project assessed in each of the resource topics covered in this initial study. All construction mitigation measures identified for the various topics, such as cultural resources and hazards, would apply and would mitigate potential significant effects from construction to less than significant. Therefore, the construction of minor drainage improvements would have a less than significant environmental effect.

**b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

***No Impact***

The Project would not generate new demand for water. Any new landscaping as part of the Project would be rain-watered, and the Project design does not include an irrigation system.

**c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to**

**serve the project's projected demand in addition to the provider's existing commitments?**

***No Impact***

The Project would not generate any demand for wastewater.

**d) Would the project generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

***Less Than Significant Impact***

California law requires a 50 percent diversion of solid waste from landfills. The West Contra Costa Integrated Waste Management Authority, which includes Richmond and El Cerrito, met the 50 percent waste diversion goal in 2006, and continues to work to maintain this level of diversion (West Contra Costa Integrated Waste Management Authority n.d.). Construction waste will be off-hauled and disposed of off-site at local landfills. Demolition waste is estimated at: concrete 35,226 square feet, asphalt 18,151 square feet, clearing and grubbing 6,339 square feet, removing the structure 1,397 square feet, and 40 trees and root balls. In terms of volumetric off-haul there would be the following waste: cut (for grading) 1,035 cubic yards, concrete improvements (curb and gutter) 291 cubic yards, concrete improvements (driveway) 151 cubic yards, concrete improvements (sidewalk) 237 cubic yards, concrete improvements (ramp) 57 cubic yards, paving for all three streets 4,938 cubic yards, and paving for parking lots 696 cubic yards.

As noted above, mixed construction debris is accepted for recycling, and clean source-separated debris such as landscape materials, clean lumber, asphalt, dirt, and clean concrete would be recycled at the West Contra Costa County Sanitary Landfill Processing Facility in Richmond. The materials are used on-site or recycled in a separate section of the closed landfill. Milled asphalt concrete/Portland cement concrete will be recycled on site during construction if useable.

Short-term construction waste would be recycled to the extent feasible, consistent with State and local standards, and the Project would not result in operational solid waste generation once construction is complete. Therefore, the Project would not significantly impact local landfill capacity or otherwise impair the attainment of solid waste reduction goals.

**4.20 WILDFIRE**

**4.20.1 Environmental Setting**

The California Department of Forestry and Fire Protection (CAL FIRE) designates fire hazard severity zones for areas under state jurisdiction. For areas under local jurisdiction, CAL FIRE identifies areas that the department considers to be Very High Fire Hazard Severity Zones (VHFHSZs); the local jurisdiction must choose whether to adopt the CAL FIRE recommendations. The Project area is not within a state designated VHFHSZ or local designation of VHFHSZ for either the City of Richmond or the City of El Cerrito. However, the City has adopted the CAL FIRE-recommended local designation of VHFHSZ.

**4.20.2 CEQA Checklist Summary**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

**4.20.3 Answers to CEQA Checklist Questions**

**a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

***No Impact***

The Project area is not located within a state responsibility area or on lands classified as a very high fire hazard severity zone. The Project would improve fire response capabilities by reconfiguring the intersection and streets to improve traffic flow on Pierce Street, Central Avenue, San Mateo Street, and San Luis Street.

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

***No Impact***

The Project would improve traffic flow within the area in a relatively flat, urbanized area. The Project does not propose to construct or modify habitable structures within the Project area that could expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

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

***No Impact***

The proposed Project would construct street improvements in an urban area that is not located in a fire risk area and does not require the installation or maintenance of the types of infrastructure that could exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

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

***No Impact***

The Project improves traffic flow between the intersections and within the area. The Project area is mostly flat and the proposed roadway improvements are not a fire susceptible land use that could expose people or structures to post-fire risks.

**4.21 MANDATORY FINDINGS OF SIGNIFICANCE**

**4.21.1 CEQA Checklist Summary**

<b>CEQA Question</b>	<b>Impact Determination</b>
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant Impact with Mitigation Incorporated
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, or the effects of probable future projects.)	Less Than Significant Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Less Than Significant Impact

**4.21.2 Answers to CEQA Mandatory Findings of Significance Questions**

**a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

***Less Than Significant Impact with Mitigation Incorporated***

As discussed in Section 4.4, Biological Resources, Project construction could potentially impact resident and/or migratory birds but there is no sensitive habitat or species in the Project area. Implementation of **Mitigation Measure BIO-1** would reduce the potential to disturb migratory birds to less than significant levels by requiring pre-construction bird nesting surveys and avoidance measures. As mitigated, the Project would not have the potential to degrade the quality of the environment, would not substantially reduce the habitat of a fish or wildlife species, would not cause a fish or wildlife population to drop below self-sustaining levels, would not threaten to eliminate a plant or animal community, and would not reduce the number or restrict the range of rare or endangered plants or animals.

As discussed in Section 4.7, Geology and Soils, the Project area is situated atop the Orinda formation, which is fossiliferous and may contain paleontological resources.

**Mitigation Measure GEO-1** would ensure that paleontological resources are protected during construction by requiring the City to coordinate with a qualified paleontologist to determine if the Project area requires a detailed paleontological resource impact assessment. If the Project is determined to have high or undetermined potential for significant paleontological resources, the City would be required to implement an adequate program for mitigating the impact.

Cultural and Tribal Cultural Resources may be present in the Project area. The Sacred Lands Search indicated the Project had positive results. Construction could inadvertently damage tribal cultural resources if they are present. Inadvertently displacing, removing, or harming tribal cultural resources during construction would be a significant impact. Implementation of **Mitigation Measure CUL-1/TCR-1** would ensure that construction crews are sensitive to potential tribal cultural resources and understand the processes needed to protect them. The mitigation measure requires compliance with Caltrans procedures, protocols, and oversight developed in coordination with SHPO during construction to avoid and/or mitigate potential adverse effects on cultural and tribal cultural resources, which would ensure a less than significant impact on subsurface cultural and tribal resources.

As discussed in Section 4.13, Noise, the Project-generated construction noise could exceed local standards for a residence during demolition of the adjacent residential structure. **Mitigation Measure NOIS-1** would require temporary construction fencing and other measures to reduce noise at the sensitive receptor, reducing the impact to a less than significant level with mitigation.

As discussed in Section 4.9, Hazards and Hazardous Materials, **Mitigation Measure HAZ-1** would ensure that hazardous wastes exposed during construction are appropriately handled, characterized, and disposed of, which would protect construction workers, the public, and the environment from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and reduce impacts to less than significant with mitigation.

**b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, or the effects of probable future projects?)**

***Less Than Significant Impact***

The Project will not result in an increase in population or growth that would require new housing, facilities, or structures that would cause environmental degradation. The Project does not result in an exceedance for any criteria air pollutant for which the region is in non-attainment; therefore, there would be no cumulatively

considerable net increase in criteria pollutants. The Project would be consistent with local, state, and federal regulations pertaining to the protection and mitigation of impacts to sensitive resources, and compliance with the terms of permitting conditions would ensure that adverse impacts to resources are mitigated and would not result in cumulative impacts. All identified potentially significant impacts from construction and implementation would be reduced to less than significant with the mitigation measures that have been included in the Project.

**c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

***Less Than Significant Impact***

All potential impacts associated with construction and implementation of the Project identified in this IS/MND are either less than significant after mitigation or less than significant and do not require mitigation. No adverse effects on human beings, such as noise or hazards was identified. Additionally, implementation of BMPs and compliance with State and federal regulations protecting human and environmental health during construction, such as preparation of a SWPPP and Spill Prevention Plan, would be implemented. Therefore, the Project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly.

## **Section 5 Mitigation Monitoring and Reporting Plan**

CEQA requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on, and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring and Reporting Plan (MMRP) is designed to aid the City of Richmond in their implementation and monitoring of measures proposed in the IS for the proposed Project.

Table 9 provides details of the MMRP. The mitigation measures are taken from the IS and are assigned the same number as in the IS. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

The table consists of the following columns:

- Monitoring and Reporting Action – Listing of the Mitigation Measure, Conservation Measure, or Construction Control from the IS.
- Mitigation Activities – List of activities needed per Monitoring and Reporting Action
- Implemented By – Entities required to implement the action(s).
- Monitored By – Entity responsible for monitoring the action(s).
- Monitoring Schedule – Time(s) when monitoring will be conducted.
- Verification of Compliance – Entity that confirms monitored was completed and the date

**Table 9. Mitigation and Monitoring Plan**

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
BIO-1	<p>1. If trees, shrubs, or herbaceous vegetation need to be removed, their removal shall occur during the non-breeding season (August 16 - January 31 in this area) if possible to avoid impacts to nesting birds and their habitat. If vegetation removal or ground-disturbing activities with the potential to impact nesting birds or their habitat will be conducted during the breeding season (February 1 - August 15), a qualified biologist shall conduct pre-construction avian surveys. These surveys shall be conducted no more than 30 days prior to the initiation of activities that have the potential to impact migratory birds and their habitat. A copy of the survey shall be submitted to the City Engineer or equivalent prior to the start of construction activities.</p> <p>2. If nesting birds are detected within the Project area during the survey, consultation with the CDFW shall be conducted to establish avoidance or minimization measures that will protect nesting birds during construction. An</p>	<p>Project Contractors shall hire a qualified biologist to conduct preconstruction surveys as described. Project Contractors shall prepare construction plans that incorporate preconstruction surveys and buffer zones. If required, avoidance procedures shall be implemented.</p>	<p>Project Contractors</p> <p>City of Richmond Capital Projects Division and Biologist</p>	<p>No more than 14 days before start or restart of construction during the months of February through August.</p>	<p>Verified by:</p> <p>Date:</p>

Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
	<p>avoidance/minimization plan shall be prepared by a qualified biologist and submitted to the City Engineer or equivalent and CDFW for review and approval prior to the start of construction activities. A suitable activity-free buffer shall be established around all active nests. The precise dimensions of the buffer shall be determined at that time and may vary depending on location and species. Buffers shall remain in-place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. The avoidance or minimization plan shall be submitted to the City Engineer or equivalent for review and approval prior to the start of construction activities.</p>				
CUL-1/TCR-1	<p>During construction, the City and contractor shall comply with all conditions outlined in the Post Review Discovery, Monitoring, ESA Action, and Minor Phasing Plans in areas identified as sensitive in the Final XPI Report, as approved by Caltrans and SHPO, to avoid and protect unknown cultural and tribal cultural resources.</p>	<p>Project Contractor City of Richmond Capital Projects Division and Archaeologist</p>	<p>City of Richmond Capital Projects Division</p>	<p>During all ground moving activities</p>	<p>Verified by:  Date:</p>

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
GEO-1	<p>The City shall retain a professional qualified paleontologist to review the Paleontological Resource Potential Maps and determine if the Project area contains the potential for paleontological resources. The City shall coordinate for a "request for opinion" from a qualified professional paleontologist, state paleontological clearinghouse, or an accredited institution with an established paleontological repository housing paleontological resources from the region of interest. In areas determined to have high or undetermined potential for significant paleontological resources, an adequate program for mitigating the impact shall include:</p> <ul style="list-style-type: none"> <li>a. Monitoring by a qualified paleontological resources monitor during excavations in previously undisturbed rock</li> <li>b. Salvage of unearthened fossil remains and/or traces (e.g., tracks, trails, burrows)</li> <li>c. Screen washing to recover small specimens, if applicable</li> <li>d. Preparation of salvaged fossils to a point of being ready for curation</li> </ul>	Project Contractor City of Richmond Capital Projects Division and Paleontologist	City of Richmond Capital Projects Division	During all deep excavation activities	Verified by:  Date:

**CENTRAL AVENUE AT INTERSTATE 80 (I-80) LOCAL ROAD IMPROVEMENT PROJECT**

MITIGATION MONITORING AND REPORTING PLAN

RICHMOND, CA

Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
	<p>e. Identification, cataloguing, curation, and provision for repository storage of prepared fossil specimens</p> <p>f. A final report of the findings and their significance</p> <p>To assure compliance at the start of the Project, a statement that confirms the site’s paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the City of Richmond and contractor(s) before any ground disturbance begins.</p>				
HAZ-1	<ul style="list-style-type: none"> <li>The contractor is responsible for offsite disposal of soils. Soils shall require profiling and waste characterization within six months of removal and stockpiling for disposal facility acceptance. All soil spills generated at the Site shall be disposed of by the contractor and transported by a licensed waste hauler to an appropriately licensed waste disposal facility.</li> <li>Soil stockpiles shall be controlled, covered, and demarcated by the contractor when not in active use.</li> </ul>	Project Contractor City of Richmond Capital Projects Division	City of Richmond Capital Projects Division	During all ground moving activities	Verified by:  Date:

Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Monitoring Schedule	Verification of Compliance
	<ul style="list-style-type: none"> <li>• Worker protection and training shall be required by the City of the contractor in advance of and during construction to mitigate potential health concerns related to exposure of metals and petroleum hydrocarbons.</li> <li>• The contractor shall comply with all regulatory requirements associated with any discharge to the POTW.</li> <li>• The contractor shall prepare a soil and groundwater management plan (SGMP) that addresses the above mitigation requirements. The SGMP shall generally address soil and groundwater excavation, dewatering, disposal, stockpiling, and transportation. The SGMP shall explicitly address groundwater dewatering and dewatering discharge, handling and disposal of soil and groundwater, onsite soil management, onsite dewatering storage (if any), offsite soil disposal, profiling of soil and groundwater, transportation routes, and dust mitigation controls.</li> </ul>				
NOIS-1	<ul style="list-style-type: none"> <li>• Construct a temporary noise barrier on the south side of 3211 San Mateo Street during demolition of the</li> </ul>	Project Contractor	City of Richmond Capital Projects	Prior to final inspection of the site by	Verified by:  Date:

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
	<p>adjacent property (3221) and major construction activities, (e.g., grading and excavation for new utilities). This barrier should be designed to be sufficient to protect the residents from sound levels exceeding the City of Richmond Noise Ordinance.</p> <ul style="list-style-type: none"> <li>• All construction equipment should conform to Section 14-8.02, Noise Control, of the latest Caltrans Standard Specifications.</li> <li>• When feasible, noise-generating construction activities should be restricted to between 7:00 a.m. and 7:00 p.m. on weekdays, with no construction occurring on weekends or holidays.</li> <li>• All construction equipment powered by internal combustion engines shall be properly muffled and maintained.</li> <li>• Unnecessary idling of internal combustion engines is prohibited.</li> <li>• All stationary noise-generating construction equipment such as air compressors or portable power generators are to be located as far as is practical from existing residences.</li> </ul>		Division	the City of Richmond.	

**CENTRAL AVENUE AT INTERSTATE 80 (I-80) LOCAL ROAD IMPROVEMENT PROJECT**

MITIGATION MONITORING AND REPORTING PLAN

RICHMOND, CA

<b>Mitigation Measure</b>	<b>Mitigation Activities</b>	<b>Implemented By</b>	<b>Monitored By</b>	<b>Monitoring Schedule</b>	<b>Verification of Compliance</b>
	<ul style="list-style-type: none"><li>• Quiet construction equipment, particularly air compressors, are to be selected whenever possible.</li></ul>				

## Section 6 References

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