

CITY COUNCIL RESOLUTION NO. 63-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND CERTIFYING THE TERMINAL ONE PROJECT ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE #2014112050) AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING A VESTING TENTATIVE MAP (PLN 14-316), SUBJECT TO THE FINDINGS AND CONDITIONS HEREIN

I. GENERAL FINDINGS

A. Introduction. Terminal One Development LLC (Applicant) is proposing to construct 323 residential units, including approximately 21 detached townhomes and approximately 302 multi-family condominium flats, with building heights varying from two to five stories over podium on an approximately 13-acre site in the City of Richmond, Contra Costa County, California ("Project"). Required Project approvals include: (1) a Rezoning from C-C, Coastline Commercial to Planned Area (PA)¹ ("Zoning Amendment"); and 2) a Vesting Tentative Map (collectively referred to as the "Project Approvals"). While additional approvals including design review are necessary in order to construct housing on-site, these approvals are not sought at this time.

B. Environmental Review Process. In accordance with the requirements of California Environmental Quality Act ("CEQA") Sections 21000 through 21177 of the California Public Resources Code, and Sections 15000 through 15387 of the California Code of Regulations Title 14 ("CEQA Guidelines"), a Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("Draft EIR") was filed for the Project with the State Clearinghouse ("SCH") Office of Planning and Research ("OPR") on November 21, 2014 (State Clearinghouse No. 2014112050). The NOP was distributed to public agencies and interested parties for a 30-day public review period which ended on December 22, 2014. In addition, the City held a public scoping meeting on December 15, 2014 to obtain public input on the proposed scope and content of the Draft EIR. In accordance with CEQA requirements, a Notice of Completion ("NOC") of the Draft EIR was filed with the SCH OPR on February 26, 2016. The Draft EIR was circulated for a 45 day public review period, which ended on April 11, 2016. During this public review period, the City received written comments on the Draft EIR. Section 15088 of the State CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues received from parties who reviewed the Draft EIR and prepare a written response addressing each of the comments. A Response to Comments was prepared for the Project and circulated to commenting agencies on June 6, 2016. The Final EIR assembles in one document all of the environmental information and analysis prepared for the Project, including comments on the information and analysis contained in the Draft EIR and responses by the City to those comments.

Pursuant to Section 15132 of the State CEQA Guidelines, the Final EIR consists of the following:

- (a) The Draft EIR, including all of its appendices;
- (b) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (c) Copies of all letters received by the City during the Draft EIR public review period and responses to significant environmental points concerning the Draft EIR raised in the review and consultation process;
- (d) Revisions to the Draft EIR;
- (e) Any other information added by the Lead Agency to respond to written comments on the Draft EIR; and,
- (f) FEIR Errata in **Exhibit E**.

¹ The Special Features Overlay District #1, Brickyard Cove, as described in Section 15.04.520.060 of the Richmond Municipal Code is proposed to remain on the project site.

C. Administrative Record. The administrative record, upon which all Findings related to the approval of the Project are based, includes the following:

- The EIR and all documents referenced in or relied upon by the EIR.
- All information (including written evidence and testimony) provided by City Staff to the Design Review Board or a subcommittee of the Design Review Board, the Planning Commission and the City Council relating to the EIR, the approvals, and the project.
- All information (including written evidence and testimony) presented at or in preparation of any City public hearing or City workshop related to the Project and the EIR.
- For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation the general plan, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to project site.
- The Mitigation Monitoring and Reporting Program (“MMRP”) for the Project.
- All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The Draft EIR and Response to Comments, along with any associated Appendices constitute the Final EIR. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City’s decisions are based is the Director of Planning and Building Services or his or her designee. Such documents and other materials are located at City Hall, Planning Division, 450 Civic Center Plaza, Richmond, California, 94804.

D. Findings. On July 5, 2016, the City Council conducted a duly noticed public hearing on the Project. After considering the staff report and materials attached thereto and referenced therein, the testimony of staff and the City’s consultants, public testimony including testimony of the applicant and applicant’s representatives, including the Final EIR (State Clearinghouse #2014112050), the Mitigation Monitoring and Reporting Program and findings in support of the Vesting Tentative Map, the City Council determines, in its independent and objective judgment, that the Final EIR is adequate and sufficient in all respects and the findings set forth below are appropriate and adequate to support the certification of the EIR and adoption of the Mitigation Monitoring and Reporting Program and approval of the Vesting Tentative Map. These Findings are made pursuant to CEQA and City of Richmond Municipal Code.

The findings below explain the potential environmental impacts of the Project, identify mitigation measures to mitigate those impacts, explain the alternatives that were evaluated, include the findings to support certification of the EIR, include the findings to support the adoption of the Mitigation Monitoring and Reporting Program, and include the findings to support the approval of the Vesting Tentative Map ("Findings").

II. CEQA FINDINGS.

In accordance with CEQA and the State CEQA Guidelines, the City Council adopts the following findings relating to certification of the EIR.

The City of Richmond is the Lead Agency with respect to the Project pursuant to Section 15367 of the CEQA Guidelines. The following findings support the certification of the EIR:

(a) The City has complied with CEQA and the CEQA Guidelines. The EIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines.

(b) No evidence of new significant impacts, as defined by CEQA Guidelines Section 15088.5, has been received by the City after circulation of the Draft EIR which would require recirculation.

(c) No evidence of substantial increases in the severity of environmental impacts in comparison to the analysis contained in the Draft EIR has been received by the City after circulation of the Draft EIR which would require recirculation.

(d) No evidence of new project alternatives or mitigation measures has been received by the City after circulation of the Draft EIR which would require recirculation.

(e) No significant new information has been received by the City after circulation of the draft EIR which would require recirculation.

(f) The Project is consistent with the development analyzed in the EIR.

(g) The EIR and the Mitigation Monitoring and Reporting Program were presented to the Planning Commission, which reviewed both documents in their entirety, and recommended that the Council give particular consideration to certain aspects of the CEQA analysis in determining whether to adopt the findings set forth in Sections II, III, and IV; to certify the EIR; to adopt the MMRP; and to approve the Zoning Amendment and Vesting Tentative Map. The City Council considered the Planning Commission's recommendation in making the CEQA and CEQA related findings.

(h) Pursuant to Section 21082.1(c)(3) of the Public Resources Code, the City Council also finds that the EIR reflects the City's independent judgment as the Lead Agency for the Project.

(i) As noted above, Public Resources Code 21081 and Section 15091 of the State CEQA Guidelines require that the lead agency prepare written findings for identified significant impacts, accompanied by a brief explanation for the rationale for each finding. The EIR identifies potentially significant effects that could result from Project implementation. The EIR also identifies mitigation measures that will reduce all of those effects to less-than-significant levels.

III. FINDINGS RELATING TO ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND ALTERNATIVES

In accordance with CEQA and the State CEQA Guidelines, the City Council adopts the following findings relating to environmental impacts, mitigation measures, and alternatives.

A. Environmental Impacts.

The EIR evaluated the potential for the Project to result in significant impacts to the following environmental topics: aesthetics; air quality; biological resources; cultural and paleontological resources; geology, soils, and mineral resources; climate change, greenhouse gas emissions and energy; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; population, housing, and employment; public services; transportation and traffic; and utilities and service systems. The EIR was prepared at the project level. All impacts were found to be less than significant or less than significant after incorporation of mitigation measures, as provided in the EIR and MMRP. The EIR presents a conservative analysis of environmental impacts, although the proposed Project has substantially the same layout, it proposes fewer units than analyzed in the EIR. Specifically, the EIR analyzed impacts from development of up to 334 units. The proposed project includes 323 dwelling units.

As provided by Public Resources Code Section 21081, the City must make certain findings for each significant impact identified in the EIR before adopting the Project and Project Approvals. These findings could include the following:

(1) Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

These Findings summarize the determinations in the EIR relating to the potential environmental impacts before and after mitigation. The City finds that changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. The City also finds that certain changes or alterations that have been required, or incorporated into, the Project are within the responsibility and jurisdiction of another public agency and that such changes have been adopted by such other agency or can and should be adopted by such other agency. **Exhibit A** attached to this Resolution sets forth a summary description of each impact from the EIR, describes the recommended mitigation measures, and states whether or not the impact has been mitigated and if so, to what level. A full explanation of the conclusions relating to the impacts and mitigation measures can be found in the EIR. In making these Findings, the City is relying on all the information in the administrative record and the EIR. With respect to the EIR, the City adopts and incorporates in these Findings all determinations and conclusions made in the EIR relating to the environmental impacts and mitigation measures, except to the extent that such determinations and conclusions are modified by these Findings.

B. Mitigation Measures.

The City hereby adopts all mitigation measures set forth in **Exhibit B** of this Resolution which includes the Final EIR and MMRP for the Project, identifies each mitigation measure as adopted, an implementation schedule and method for verification of compliance. The MMRP will hereby be required to be incorporated in the conditions of approval to the Project, attached as **Exhibit D**.

C. Alternatives.

The EIR evaluated three alternatives, in addition to the proposed Project: (1) Reduced Project; (2) Higher Intensity Project; and (3) No Project/No Development. These alternatives are discussed in further detail in Section 5 of the Draft EIR. The City's findings relating to these alternatives are set forth below:

1. Reduced Project Alternative. As explained in the EIR, this alternative assumes a density of residential development on the site of 10 units per acre, representing the lower range of the Medium Density Residential General Plan land use designation. This alternative would include a mix of 101 townhomes and detached single-family residences, with similar park, commercial, and infrastructure improvements as the Project. While the Reduced Project Alternative would reduce most of the project's impacts, it would conservatively result in significant and unavoidable impacts related to greenhouse gases and energy use because it would exceed the BAAQMD CO₂e/year threshold (GHG emissions) for both project operations and per service population.

2. Higher Intensity Alternative. This alternative assumes a density of residential development on the site of 40 units per acre, representing the higher range of the Medium Density Residential General Plan land use designation. The project would include 404 condominium units, and similar park, commercial, and infrastructure improvements as the Project. This alternative was designed to reflect the maximum residential density that would be allowed on the site in order to determine whether any impacts are affected by density and intensity of development such as those related to GHG emissions would be lower under this alternative than the proposed Project. Under this alternative, the project homes would generate a greater number of total traffic trips than the proposed Project, which would result in higher emissions of both criteria air pollutants and greenhouse gases; however, because of this alternative's increased density, it would meet regional goals regarding GHG emissions.

3. No Project. CEQA requires that a "No Project" alternative be considered. A "No Project" alternative is generally considered to be equivalent to a "no development" alternative. Under this scenario, the Project would not be implemented. While the No Project Alternative would avoid all the project impacts, it would not meet any of the objectives to transform the site into a new waterfront residential community with park and public access improvements, nor would it help fulfill the City's planning goals and visions for the site and Brickyard Cove area or generate tax revenues and employment opportunities and market rate housing for the City.

5. Rejected Alternatives. The EIR also considered additional alternatives but did not evaluate them in detail since the alternatives would not meet the Project objectives and were

found to be infeasible for technical, environmental or social reasons as explained in the EIR. These rejected alternatives include (1) an “Existing Zoning Scenario” alternative – development of a project consistent with C-C, Coastline Commercial zoning designation, (2) an “Affordable Housing” alternative – building affordable units with a density bonus instead of paying the City’s in-lieu fee, and (3) an “Off-site Location” alternative – building the project at another site in the City; (4) a “Parks and Open Space Use” alternative – site would be developed by the City as open space; and (5) a “Brickyard Cove Road Closure” alternative - a portion of Brickyard Cove Road would be closed to through vehicular traffic.

As discussed in Chapter 5 Alternatives of the EIR, the Reduced Project alternative would reduce most of the project’s impacts with one exception, and the Higher Intensity alternative would increase the degree of most impacts identified with the project but would not result in a significant impact.

6. Environmentally Superior Alternative. CEQA requires that an environmentally superior alternative be identified. The No Project / No Development alternative would be the most environmentally superior alternative with the fewest environmental impacts. However, the No Project / No Development alternative does not meet any of the basic objectives of the project.

CEQA requires that a second alternative be identified when the “No Project” alternative is the environmentally superior alternative (CEQA *Guidelines*, Section 15126.6(e)). Therefore, the **Reduced Project** alternative would be the Environmentally Superior Alternative for the purpose of this analysis, even though it would result in a new significant impact to GHG emissions *per service population*, and consequently a new significant impact regarding consistency with regulatory plans adopted for the purpose of reducing GHG emissions (discussed in more detail, below), neither of which would occur under the proposed project. All other less-than-significant impacts of the proposed project would either remain the same or be further reduced under this alternative. Further, the Reduced Project alternative would meet most of the objectives of the proposed project, but to a lesser degree in instances where the size of the project contributes to local economic factors (employment, tax revenues, etc.) or aims to align with the City’s housing provision goals.

IV. FINDINGS WITH RESPECT TO ADOPTION OF MITIGATION MONITORING AND REPORTING PLAN (“MMRP”)

In accordance with CEQA and the State CEQA Guidelines, the City Council adopts the following findings relating to the adoption of the MMRP.

Section 21081.6 of the Public Resources Code requires the City to adopt a monitoring or compliance program regarding the changes in the project and mitigation measures imposed to lessen or avoid significant effects on the environment. The Mitigation Monitoring and Reporting Plan for the proposed Project is hereby included in **Exhibit B**. The MMRP fulfills the CEQA mitigation monitoring requirements, as follows:

- The MMRP is designed to ensure compliance with the changes in the project and mitigation measures imposed on the Project during project implementation; and
- Measures to mitigate or avoid significant effects on the environment as set forth in the MMRP are fully enforceable through conditions of approval, permit conditions, agreements or other measures.

V. VESTING TENTATIVE MAP FINDINGS

In accordance with Richmond Municipal Code Article XV Zoning and Subdivision, the City Council makes the following findings relating to the adoption of the Vesting Tentative Map. The following findings support the approval of the Vesting Tentative Map attached as **Exhibit C**:

- 1. The proposed map is consistent with the applicable general and specific plans.**

Staff Statement: Criterion Satisfied. The proposed map is consistent with the Richmond General Plan 2030. The subject site is classified as Medium Density Residential, which includes single

and multi-family housing types. The maximum 35 foot height in the General Plan is also permitted to be exceeded with approval of a Planned Area district as proposed by the project. The resulting subdivision will create 10 parcels. This proposed PA use is consistent with the Medium Density land use classification.

2. The site is physically suitable for the type of development proposed.

Staff Statement: *Criterion Conditionally Satisfied.* The site is physically suitable for development of the proposed Planned Area District and associated subdivision. The parcels meet the minimum area for a Planned Area District. As conditioned, utilities will be installed to serve the development per City standards.

3. The site is physically suitable for the proposed density of development.

Staff Statement: *Criterion Satisfied.* The Medium Density land use designation has a density range of 10 to 40 dwelling units per acre. The resulting subdivision would create a 10-lot subdivision with some of those lots further subdivided into condominiums. The proposed density of development falls within the 10 to 40 dwellings units per acre.

4. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

Staff Statement: *Criterion Conditionally Satisfied.* As specified in the Final EIR, the project could result in significant impacts; however, with implementation of the mitigation measures in the MMRP, all impacts would be reduced to less-than-significant levels. In addition, the proposed project is proposed on a previously disturbed site, served by existing roads and utilities.

5. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Staff Statement: *Criterion Conditionally Satisfied.* The proposed subdivision would result in the redevelopment of the site from industrial to a medium density residential development with a new shoreline road, waterfront park and bay trail extension. In addition, the project includes mitigation measures designed to reduce potentially significant impacts to less-than-significant levels.

6. The design of the subdivision or the types of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Staff Statement: *Criterion Satisfied.* The design of the subdivision and future improvements for development of the property will not conflict with easements acquired for access through or use of property within the proposed subdivision. Rather, the proposed project would develop a new road, Bay Trail extension, and Waterfront Park expanding access to the shoreline.

7. The design or improvements of the proposed subdivision is consistent with applicable general and specific plans.

Staff Statement: *Criterion Conditionally Satisfied.* The proposed project includes development of 323 residential units, some neighborhood serving retail, open space, and bike amenities, all uses that are consistent with the General Plan medium density residential land use classification of the site. These site features are consistent with other applicable goals in the General Plan (see policies LU4.1, CR1.6, and CN2.2) related to enhanced pedestrian and bicycle connectivity, enhanced access to the shoreline, and creation of new open areas. In addition, with approval of the Planned Area District, the maximum height of 35 feet can be increased. The subject site is not located within a specific plan area.

8. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the Richmond General Plan or any specific plan as may be adopted, in that the proposed subdivision of land is compatible with the objectives, policies, general land uses and programs specified in such plan or plans, as appropriate.

Staff Statement: *Criterion Conditionally Satisfied.* As conditioned, the project design and improvements are consistent with the General Plan medium density residential land use classification of the site which includes single and multi-family housing types as permitted uses. The proposed project includes development of 323 residential units, some neighborhood serving retail, open space, and bike amenities. These additional site features are consistent with other applicable goals in the General Plan (see policies LU4.1, CR1.6, and CN2.2) related to enhanced pedestrian and bicycle connectivity, enhanced access to the shoreline, and creation of new open areas.

VI. THOROUGH AND FULL REVIEW

In considering the findings listed above and the approval set forth below, the City Council has thoroughly reviewed the Terminal One land use program, site plan, architectural plans, and landscape plans, as further described in the Terminal One PA Plan and Master Plan and Design Framework documents, as well as the proposed zoning amendment to rezone to PA district and the Vesting Tentative Map, and has fully considered modifications to these elements of the project to address issues raised by the DRB, the Planning Commission, the EIR, and the comments of the public and public agencies on both the EIR and the Project.

VII. VESTING TENTATIVE MAP CONDITIONS UPON ADOPTION OF PA DISTRICT

The City Council action in approving the Vesting Tentative Map is conditioned upon City Council adoption of Ordinance No. 13-16 N.S. and related findings, rezoning the Terminal One Site to Planned Area (PA) District (PLN14-316). The Vesting Tentative Map becomes effective on the effective date of the Zoning Amendment.

VIII. SEVERABILITY

Should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

IX. ACTION

The City Council hereby certifies the Final EIR (State Clearinghouse #2014112050) as amended by the Errata in **Exhibit E**, adopts the Mitigation Monitoring and Reporting Program, and approves the Vesting Tentative Map for the Terminal One Project, subject to modified conditions as outlined in **Exhibit D**.

- Exhibit A: Environmental Impacts Summary
- Exhibit B: Mitigation Monitoring and Reporting Program
- Exhibit C: Vesting Tentative Map
- Exhibit D: Conditions of Approval
- Exhibit E: FEIR Errata

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held July 5, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, and Mayor Butt.
NOES: Vice Mayor Martinez.
ABSTENTIONS: None.
ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
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. 63-16**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 5, 2016.



Pamela Christian, Clerk of the City of Richmond

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE TERMINAL ONE PROJECT**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
4.1. Aesthetics		
<p>Impact AES-1: The project would not have a substantial adverse effect on a scenic vista nor substantially damage scenic resources. (Criteria a and b) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact AES-2: The project would not substantially degrade the existing visual character or quality of the site and its surroundings. (Criterion c) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact AES -3: The proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Criterion d) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>PROJECT DESIGN FEATURE AES-1: Site Lighting Strategy. The Site Lighting Strategy specifies lighting criteria for the Waterfront Park, podium gardens, and streetscapes, which the project would be required to implement. Per the Site Lighting Strategy, the applicant will ensure the following is included in project design:</p> <ul style="list-style-type: none"> • Waterfront Park Lighting Criteria: Illuminate paths of travel along the base of walls, decks, and trusses with integrated site lighting fixtures that provide low-level safety lighting without blocking nighttime views. • Podium Gardens Lighting Criteria: Illuminate garden paths with low-level bollards. Light standards to be incorporated as needed for emergency egress lighting. Standards will have cut-off shields to control light trespass into units. Amenity pavilions will include accent and task lighting as needed. Up-lighting will be avoided in order to reduce light pollution. • Streetscape Lighting: A combination of vehicle and pedestrian lighting standards will illuminate the streetscapes and Terminal One Mews to provide the required light levels on both roadways and pedestrian paths. Cutoff shields will be incorporated to control light trespass into residential units. All fixtures will be selected to minimize energy consumption and increase public safety. 	Less Than Significant
<p><i>CUMULATIVE IMPACT:</i> Impact C-AES-1: The proposed project would not result in a cumulative aesthetics impact when considering the combined effect of the project, and past, present, approved, pending, and reasonably foreseeable future projects. <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
4.2. Air Quality		
<p>Impact AIR-1: The project could conflict with or obstruct implementation of the applicable air quality plan. (Criterion a.) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
<p>Impact AIR-2: Project construction would result in increased emissions of criteria air pollutants. (Criterion b.) <i>(Less than Significant With Mitigation)</i></p>	<p>Mitigation Measure AIR-1: Best Management Practices for Controlling Particulate Emissions. The following BAAQMD Best Management Practices for particulate control will be implemented for all project construction activities. These measures will reduce particulate emissions primarily during soil movement, grading and demolition activities but also during vehicle and equipment movement on unpaved project sites</p> <ol style="list-style-type: none"> 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, § 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. 	<p>Less Than Significant</p>
<p>Impact AIR-3: Operation of the project would result in increased emissions of criteria air pollutants. (Criterion b.) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>None required</p>	<p>Less Than Significant</p>
<p>Impact AIR-4: Construction of the project would increase emission of toxic air contaminants (TACs), and increase health risks for nearby residents. (Criterion d.) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>None required</p>	<p>Less Than Significant</p>
<p>Impact AIR-5: Project operations could expose sensitive receptors to substantial pollutant concentrations including toxic air contaminants and increase health risks for existing and proposed residents. (Criterion d.) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>None required</p>	<p>Less Than Significant</p>

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
<p>Impact AIR-6: The project could create objectionable odors affecting a substantial number of people. (Criterion e.) (<i>Less than Significant, No Mitigation required</i>)</p>	<p>PROJECT DESIGN FEATURE AIR-1: Ferry Point Pump Station. As part of more detailed engineering and project planning, the applicant will evaluate the condition and capacity of the Ferry Point Pump Station, to ensure this facility has sufficient capacity to convey sanitary sewage from the project site to the RMSD Plant. The pump station may be required to be retrofitted or replaced in order to adequately convey project wastewater. If the pump station is not replaced, the applicant will confirm with the City that the recommended chemical treatment has been applied and the odor impact appropriately mitigated, prior to construction.</p>	<p>Less Than Significant</p>
<p><i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> AIR QUALITY: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to air quality. (<i>Less than Significant, No Mitigation Required</i>)</p>	<p>None required</p>	<p>Less Than Significant</p>
<p>4.3 Biological Resources</p>		
<p>Impact BIO-1: Construction of the project could have a substantial adverse effect either directly or through habitat modifications, on migratory birds and/or on bird species identified as special-status in local or regional plans, policies, or regulations, or by the CDFW or USFWS. (Criterion a.) (<i>Less than Significant with Mitigation</i>)</p>	<p>Mitigation Measure BIO-1: Nesting Bird Protection Measures. If initial ground disturbance and site grading, building demolition, vegetation removal, tree removal, and other construction activities which may compromise breeding birds or the success of their nests cannot be fully avoided during nesting season (January 15 – August 31), nesting birds and their nests shall be protected during construction through the implementation of the following measures:</p> <ol style="list-style-type: none"> 1. The applicant shall ensure that a qualified wildlife biologist conduct preconstruction nesting surveys within 7 days of the start of construction or after any construction breaks of 14 days or more. Surveys will be performed for the project site and suitable habitat within 250 feet of the project site in order to locate any active passerine (perching bird) nests and within 500 feet of the project site and off-site staging areas, or line of sight, to locate any active raptor (birds of prey) or double crested cormorant nests. Distances may also be modified if obstacles such as topography, buildings, or trees obscure the construction area from active bird nests, or existing disturbances create an ambient background disturbance similar to the proposed disturbance. 2. If active nests are located during the preconstruction bird nesting survey, a no disturbance buffer shall be established. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, they may be adjusted (for example, if an obstruction, such as a building or hill, is within line-of-sight between the nest and construction). Modifying nest buffers, prohibiting construction within the buffer, modifying construction, and removing or relocating active nests shall be coordinated with the CDFW as appropriate given the nests that are found on the site. 3. Any birds that begin nesting within the project site and survey buffers amid construction activities are assumed to be habituated to construction-related or similar 	<p>Less Than Significant</p>

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases.</p> <p>Mitigation Measure NOI-1a: Construction Noise Control Measures. The applicant shall employ site-specific noise attenuation measures during project construction to reduce the generation of construction noise, including pile-driving noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City of Richmond Planning and Building Services Department to ensure that construction noise is consistent with the standards set forth in the City's Noise ordinance and other standards as appropriate. Measures specified in the Noise Control Plan and implemented during project construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> • Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds); • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to approximately 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used; • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures; and • Noise-reducing pile-driving techniques as specified in Mitigation Measure NOI-1b. <p>Mitigation Measure NOI-1b: Pile Driving Noise-Reducing Techniques and Muffling Devices. Noise-reducing pile-driving techniques shall be employed during project construction. These techniques shall include:</p> <ul style="list-style-type: none"> • Limiting pile driving or other impact-related noise-generating activity to 9:00 a.m. to 5:00 p.m., Monday through Friday. No pile driving or other extreme noise-generating activity is permitted on Saturdays, Sundays, and holidays; • Installing intake and exhaust mufflers on pile-driving equipment; • Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible; • Implementing "quiet" pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; • Using cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize 	

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and</p> <ul style="list-style-type: none"> At least 48 hours prior to pile-driving activities, the applicant shall notify building owners and occupants within a minimum of 600 feet of the project site of the dates, hours, and expected duration of such activities. 	
<p>Impact BIO-2: Construction of the project could have a substantial adverse effect either directly or through habitat modifications, on bats identified as special-status in local or regional plans, policies, or regulations, or by the CDFW or USFWS. (Criterion a.) (<i>Less than Significant with Mitigation</i>)</p>	<p>Mitigation Measure BIO-2: Special-Status Bats Protection. A preconstruction survey for special-status bats shall be conducted by a qualified biologist in advance of tree and structure removal within the project site to characterize potential bat habitat and identify active roost sites. Should the preconstruction survey find no bat habitat or bat roosting sites, no further action is required. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the project, the following measures shall be implemented:</p> <ol style="list-style-type: none"> If removal of trees and structures is to occur during the periods when bats are active (approximately between the periods of March 1 to April 15 and August 15 to October 15 [outside of bat maternity roosting season (approximately April 15 – August 31) and the months of winter torpor (approximately October 15 – February 28)] and if active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the project site where tree and/or structure removal is planned, a no disturbance buffer of 100 feet shall be established around these roost sites until they are determined to be no longer active by the qualified biologist. A 100-foot no disturbance buffer is a typical protective buffer distance; however, this buffer may be modified by the qualified biologist depending on existing screening around the roost site (such as dense vegetation or a building) as well as the type of construction activity which would occur around the roost site. The qualified biologist shall be present during tree and structure removal if potential bat roosting habitat or active bat roosts are present. Trees and structures with active roosts shall be removed only when no rain is occurring or is forecast to occur for 3 days and when daytime temperatures are at least 50°F. Removal of trees with potential bat roosting habitat or active bat roost sites shall follow a two-step removal process: <ol style="list-style-type: none"> On the first day of tree removal and under supervision of the qualified biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut only using chainsaws. On the following day and under the supervision of the qualified biologist, the remainder of the tree may be removed, either using chainsaws or other equipment (e.g. excavator or backhoe). Removal of structures containing or suspected to contain potential bat roosting habitat or active bat roosts shall be dismantled under the supervision of the qualified biologist in the evening and after bats have emerged from the roost to forage. Structures shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost. 	<p>Less Than Significant</p>

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
Impact BIO-3: Noise generated during proposed project construction activities could have a substantial adverse impact on fish and marine mammals. (Criterion a.) <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
Impact BIO-4: Project construction activities, including re-surfacing of the Terminal One Pier, and any restoration of piles beneath the pier, could locally increase suspended contaminant levels and turbidity from re-suspended sediments, which could have indirect impacts on the marine environment, special-status and managed fish taxa, and spawning and foraging habitat for Pacific herring. (Criteria a., d.) <i>(Less than Significant with Mitigation)</i>	Mitigation Measure HYD-1	Less Than Significant
Impact BIO-5: Construction of the project could have a substantial adverse effect on Waters of the U.S. and the State (the San Francisco Bay). (Criterion c.) <i>(Less than Significant with Mitigation)</i>	Mitigation Measure HYD-1	Less Than Significant
Impact BIO-6: Project homes and other structures would result in an increased level of nighttime artificial illumination and building density in the project site, but would not substantially alter the behavior of fish, marine mammals, and birds. (Criterion d.) <i>(Less than Significant with Mitigation)</i>	<p>Mitigation Measure BIO-3: Building Design and Lighting Strategies to Address Biological Resources Impacts. Prior to the issuance of the first building permit for each new building, the City of Richmond (City) shall require that the project applicant retain a qualified biologist experienced with bird strike issues to review and approve the design of the building to ensure that it sufficiently minimizes the potential for bird strikes. The City may also consult with resource agencies such as CDFW, USFWS, or others, as it determines to be appropriate during this review.</p> <p>Building Design. The project applicant shall provide to the City a written description of the measures and features of the building design that are intended to address potential impacts on birds. The building design may include, but are not limited to, some of the following measures:</p> <ol style="list-style-type: none"> 1. Employ design techniques that create “visual noise” via cladding or other design features that make it easy for birds to identify buildings as such and not mistake buildings for open sky or trees; 2. Decrease continuity of reflective surfaces using “visual marker” design techniques, which may include: <ul style="list-style-type: none"> - Patterned or fritted glass, with patterns at most 28 centimeters apart, - One-way films installed on glass, with any picture or pattern or arrangement that can be seen from the outside by birds but appear transparent from the inside, - Geometric fenestration patterns that effectively divide a window into smaller panes of at most 28 centimeters, and/or - Decals with patterned or abstract designs, with the maximum clear spaces at most 28 centimeters square. 	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>3. Up to 60 feet high on building facades facing the shoreline, decrease reflectivity of glass, using design techniques such as plastic or metal screens, light-colored blinds or curtains, frosting of glass, angling glass towards the ground, UV-A glass, or awnings and overhangs;</p> <p>4. Eliminate the use of clear glass on opposing or immediately adjacent faces of the building without intervening interior obstacles such that a bird could perceive its flight path through the glass to be unobstructed;</p> <p>5. Mute reflections in glass using strategies such as angled glass, shades, internal screens, and overhangs; and</p> <p>6. Place new vegetation sufficiently away from glazed building facades so that no reflection occurs. Alternatively, if planting of landscapes near a glazed building façade is desirable, situate trees and shrubs immediately adjacent to the exterior glass walls, at a distance of less than 3 feet from the glass. Such close proximity will obscure habitat reflections and will minimize fatal collisions by reducing birds' flight momentum.</p> <p>Lighting. The project applicant shall ensure that the design and specifications for buildings implement design elements to reduce lighting usage, change light direction, and contain light. These may include, but are not limited to, the following general considerations that should be applied wherever feasible throughout the proposed project to reduce night lighting impacts on fish, marine mammals, and avian species:</p> <ol style="list-style-type: none"> 1. Avoid installation of lighting in areas where not required for public safety 2. Examine and adopt alternatives to bright, all-night, floor-wide lighting when interior lights would be visible from the exterior or exterior lights must be left on at night, including: <ul style="list-style-type: none"> - Installing motion-sensitive lighting - Installing task lighting - Installing programmable timers - Installing fixtures that use lower-wattage, sodium, and yellow-red spectrum lighting. 3. Where exterior lights are to be left on at night, install fully shielded lights to contain and direct light away from the sky. <p>Educating Residents and Occupants. The City shall ensure, as a condition of approval for every building permit, that the project applicant agrees to provide educational materials to building tenants, occupants, and residents encouraging them to minimize light transmission from windows, especially during peak spring and fall migratory periods, by turning off unnecessary lighting and/or closing window coverings at night. The City shall review and approve the educational materials prior to building occupancy.</p> <p>Documentation. The project applicant and/or City shall document undertaking the activities described in this mitigation measure and maintain records that include, among others, the written descriptions provided by the building developer of the measures and</p>	

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	features of the design for each building that are intended to address potential impacts on birds, and the recommendations and memoranda prepared by the qualified biologist experienced with bird strikes who reviews and approves the design of any proposed projects to ensure that they sufficiently minimize the potential for bird strikes.	
Impact BIO-7: The project could otherwise 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, due to an increase in light and glare. (Criterion d.) <i>(Less than Significant with Mitigation)</i>	Mitigation Measure BIO-3	Less than significant
Impact BIO-8: The project would not conflict with any local policies or ordinances protecting biological resources, such as an ordinance or tree preservation policy, or adopted local, regional, or State Habitat Conservation Plan. (Criteria e., f.) <i>(Less than Significant, No Mitigation Required)</i>	None required	Less than significant
<i>CUMULATIVE IMPACT:</i> Impact C-BIO-1: The proposed project, in conjunction with other past, current, or foreseeable development in Richmond, could result in cumulative impacts on special-status species, habitats, wetlands and other waters of the U.S. <i>(Less than Significant with Mitigation)</i>	Mitigation Measure BIO-1; Mitigation Measure BIO-2; Mitigation Measure BIO-3; Mitigation Measure HYD-1	Less than significant
4.4 Cultural and Paleontological Resources		
Impact CUL-1: Project implementation would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5. (Criterion a.) <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
Impact CUL-2: Project construction could cause a substantial adverse change in the significance of an archaeological resource, including those determined to be a historical resource defined in Section 15064.5 or a unique archaeological resource defined in PRC 21083.2. (Criterion b.) <i>(Less than Significant with Mitigation)</i>	Mitigation Measure CUL-1: Accidental Discovery of Archaeological Resources. During project construction, if prehistoric or historic-era cultural materials are encountered, all construction activities within 100 feet of the find shall halt and the City shall be notified. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. A Secretary of the Interior-qualified archaeologist shall inspect the find within 24 hours of discovery. If the find is determined to be potentially significant, the archaeologist, in	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>consultation with the City and the appropriate Native American representative shall determine whether preservation in place is feasible. Consistent with CEQA Guidelines Section 15126.4(b)(3), this may be accomplished through: planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist, in consultation with the lead agency and the appropriate Native American representative, shall prepare and implement a detailed Archaeological Research Design and Treatment Plan (ARDTP). Treatment of unique archaeological resources shall follow the applicable requirements of Public Resources Code Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The ARDTP shall include provisions for analysis of data in a regional context, reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative before being finalized, curation of artifacts and data at a local facility acceptable to the appropriate Native American representative, and dissemination of final confidential reports to the appropriate Native American representative, the Northwest Information Center of the California Historical Resources Information System, the City, and interested professionals.</p>	
<p>Impact CUL-3: Project construction could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (Criterion c.) <i>(Less than Significant with Mitigation)</i></p>	<p>Mitigation Measure CUL-2: Accidental Discovery of Paleontological Resources. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Richmond.</p>	<p>Less Than Significant</p>
<p>Impact CUL-4: Project construction could disturb any human remains, including those interred outside of formal cemeteries. (Criterion d.) <i>(Less than Significant with Mitigation)</i></p>	<p>Mitigation Measure CUL-3: Accidental Discovery of Human Remains. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Contra Costa County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p>	<p>Less Than Significant</p>

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
<p><i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> CULTURAL AND PALEONTOLOGICAL RESOURCES: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to cultural and paleontological resources. (Less than Significant, No Mitigation Required)</p>	None required	Less Than Significant
4.5 Geology, Soils, and Minerals		
<p>Impact GEO-1: Project development could be damaged by seismically induced ground shaking and thereby expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death. (Criterion a.2) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact GEO-2: Project development could be damaged by seismically related ground failure including liquefaction and thereby expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death. (Criterion a.3) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact GEO-3: Project development could be damaged by seismically related landslides and thereby expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death. (Criterion a.4) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact GEO-4: The project could result in soil erosion during excavation, grading, and construction activities. (Criterion b) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact GEO-5: The project could result in on- or off-site lateral spreading, subsidence, liquefaction, or collapse from placement of improvements on unstable geologic units or soils. (Criterion c) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact GEO-6: Project implementation could occur on expansive soils, creating risks to life and property. (Criterion d) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
<p><i>CUMULATIVE IMPACT:</i> Impact C-GEO-1: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to geology, soils or seismicity. <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
4.6 Climate Change, Greenhouse Gases, and Energy		
<p>Impact GHG-1: The project would result in an increase in GHG emissions. (Criteria a.) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>PROJECT DESIGN FEATURE GHG-1: Balanced Cut and Fill Grading. The project applicant will ensure that the grading plan provides a near balance of cut and fill on-site, thereby minimizing the need to import or export soil; substantially reducing the truck trips to and from the site; and, in the process, substantially reducing the GHG emissions those truck trips would generate.</p> <p>PROJECT DESIGN FEATURE GHG-2: Recycling and Reuse of Demolition Materials. The project applicant will ensure that demolition activities that take place on the project site will include the recycling, reprocessing, and reuse on-site of the bulk of the materials generated by demolition of the warehouse and remaining hardscape elements, thereby minimizing the need to export the demolition waste-materials off-site as well as the need to import materials to the project site in order to satisfy the project's requirements for road base, aggregate base for the foundations, engineered fill, and other on-site uses that will be addressed by reuse of the reprocessed demolition by-products.</p>	Less Than Significant
<p>Impact GHG-2: The project could conflict with the AB 32 Scoping Plan or City of Richmond's Energy and Climate Change Element Goals and Policies for reducing GHG emissions. (Criteria b.) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>RECOMMENDED MEASURE GHG-1: The City and applicant shall consider including the following design features in the proposed project, as part of the Planned Area Plan and Design Review processes:</p> <ul style="list-style-type: none"> • Provide an electric car charging station on the project site. • Include centralized recycling collection areas within the common space in the condominium flats. • Include water recycling and rainwater catchment in the condominium buildings to recycle water. 	Less Than Significant
<p>Impact ENE-1: The project would not result in wasteful, inefficient and unnecessary use of energy, and the project would not require substantial additional energy capacity. (Criteria c, d) <i>(Less than Significant, No Mitigation Required)</i></p>	None Required	Less Than Significant
<p><i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> CLIMATE CHANGE, GREENHOUSE GASES, AND ENERGY: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to climate change, greenhouse gases, and energy. <i>(Less than Significant, No Mitigation Required)</i></p>	None Required.	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
4.7 Hazards and Hazardous Materials		
<p>Impact HAZ-1: The project would include the routine transport, use and disposal of hazardous materials during construction and operation but would not create a significant hazard to the public or the environment. (Criterion a.) (<i>Less than Significant with Mitigation</i>)</p>	<p>Mitigation Measure HAZ-1a: Prior to issuance of any demolition permit, the project applicant shall submit to the Contra Costa Health Services Department a hazardous building material assessment prepared by qualified licensed contractors for any structure intended for demolition indicating whether LBP or lead-based coatings, and/or PCB-containing equipment, are present.</p> <p>Mitigation Measure HAZ-1b: If the assessment required by Mitigation Measure HAZ-1a indicates the presence of LBP, and/or PCBs, the project applicant shall create and implement a health and safety plan in accordance with local, state, and federal requirements to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.</p> <p>Mitigation Measure HAZ-1c: If the assessment required by Mitigation Measure HAZ-1a finds presence of LBP, the project applicant shall develop and implement a LBP removal plan. The plan shall specify, but not be limited to, the following elements for implementation:</p> <ol style="list-style-type: none"> 1. Develop a removal specification approved by a Certified Lead Project Designer. 2. Ensure that all removal workers are properly trained. 3. Contain all work areas to prohibit off-site migration of paint chip debris. 4. Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition. 5. Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used. 6. Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter. 7. Collect, segregate, and profile waste for disposal determination. 8. Properly dispose of all waste. <p>Mitigation Measure HAZ-1d: If the assessment required by Mitigation Measure HAZ-1a finds presence of PCBs, the project applicant shall ensure that PCB abatement is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.</p>	<p>Less Than Significant</p>

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>Mitigation Measure HAZ-1e: Prior to issuance of any building permit, the project applicant shall submit to the City a soil vapor assessment prepared by a qualified licensed environmental consultant for any structure intended for human occupancy (i.e., occupied by a human for a minimum of 2,000 hours annually). The assessment shall consist of laboratory analysis of soil gas samples collected as part of remediation confirmation to document that soil gas concentrations will not adversely affect future occupants or visitors to proposed structures.</p> <p>Mitigation Measure HAZ-1f: Prior to issuance of any building permit, the project applicant shall submit to the City confirmation that the site remedial action plan has been revised as necessary, and approved by the San Francisco Regional Water Quality Control Board (RWQCB), to address the construction of housing and other infrastructure (i.e., water utilities) in areas of the site not otherwise contemplated for housing or infrastructure in the 2005 Updated Proposed Remedial Action Plan, and that all remedial actions required to be completed per the revised remedial action plan prior to project construction have been approved as complete, and documented as such, by the RWQCB.</p>	
<p>Impact HAZ-2: The project would not create a significant hazard to the public or environment through an upset or accident involving the release of hazardous materials. (Criterion b.) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p>Impact HAZ-3: Development of the project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and could result in a safety hazard to the public or environment through exposure to previous contamination of soil or groundwater. (Criterion d.) <i>(Less than Significant with Mitigation)</i></p>	<p>Mitigation Measure HAZ-2: During construction, the applicant's construction contractor lead/foreperson shall ensure that all earthwork activities cease upon discovery of any suspect soils (e.g., petroleum odor and/or discoloration) during construction in accordance with an updated Soil Risk Management Plan prepared by a qualified environmental consultant and approved by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Upon any such discovery, the applicant or their construction contractor shall notify the RWQCB and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present. If contamination is found to be present, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional. The contractor shall follow all procedural direction given by the RWQCB and in accordance with the updated Soil Risk Management Plan prepared for the site to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility.</p>	Less Than Significant
<p>Impact HAZ -4: The project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Criterion g.) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
<p>Impact HAZ -5: The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. (Criterion h.) <i>(Less than Significant, No Mitigation Required)</i></p>	<p>None required</p>	<p>Less Than Significant</p>
<p><i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> HAZARDS AND HAZARDOUS MATERIALS: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to hazards and hazardous materials. <i>(Less than Significant, No Mitigation Required)</i></p>	<p>None required</p>	<p>Less Than Significant</p>
<p>4.8 Hydrology and Water Quality</p>		
<p>Impact HYD-1: The project could result an increase of stormwater pollutants due to construction activities and/or the introduction of new impervious surfaces with development but would not violate any water quality standards or waste discharge requirements. (Criterion a) <i>(Less than Significant with Mitigation)</i></p>	<p>PROJECT DESIGN FEATURE HYD-1: Pre-project stormflow levels. Prior to the start of project construction, the applicant will demonstrate, to the satisfaction of the Director of the Public Works Department, that, upon completion of such construction, there will be sufficient detention capacity on the project site to detain the incremental increase in stormflow volume that occurs during the 24-hour, 10-year design storm, which incremental increase is due to the increase in impervious surface above pre-project levels.</p> <p>Mitigation Measure HYD-1: Water Quality Best Management Practices for All Construction Activities Over the Bay. The project applicant shall ensure that the following best management practices are included in the SWPPP prepared in accordance with the Construction General Stormwater Permit:</p> <ol style="list-style-type: none"> 1. The construction contractor shall minimize the production of debris when cutting or demolishing portions of the over-water pier components or constructing new over-water components, and shall utilize netting, containment vessels, work platforms, or the equivalent to catch any falling debris; 2. The construction contractor shall install a containment boom around the work area to contain floating debris, and shall provide a vessel to retrieve debris from the containment area at the end of each work day; 3. Straw bales, wattles, fiber rolls, gravel bags, or equivalent devices shall be installed around the perimeter of the pier and stockpiled materials that are exposed to the environment to prevent debris from being transported to the Bay via runoff; 4. The use of hazardous materials during construction shall be minimized to the extent practical, and the amount of hazardous materials stored on the piers or adjacent to the waterfront shall be limited to what is needed to immediately support construction activities. The quantities shall not exceed 55 gallons for a specific material. All hazardous materials shall be stored safely and securely in approved containers, under cover or in an approved storage shed or cabinet, and in adequate secondary 	<p>Less Than Significant</p>

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>containment. Fueling of generators and other equipment shall be conducted away from the pier edge and other locations where a spill could easily enter the Bay, and adequate spill cleanup materials shall be provided during all fueling operations;</p> <ol style="list-style-type: none"> 5. Well-maintained equipment shall be used to perform the construction work, and, except in the case of a failure or breakdown, equipment maintenance shall be performed off site. Equipment shall be inspected daily by the operator for leaks or spills. If leaks or spills are encountered, the source of the leak shall be identified, leaked material will be cleaned up, and the cleaning materials shall be collected and will be properly disposed; 6. Inactive material stock piles must be covered at all times; 7. Construction material shall be covered every night and during any rainfall event; 8. Construction crews shall implement measures to prevent saw water and wash water from entering the Bay; 9. Active debris boxes shall be covered during rain events to prevent contact with rainwater; 10. No concrete shall be stored on-site. After trucks are finished placing concrete, they shall be washed out in a designated area, and the wash water shall be contained within plastic kid pools or similar containment. Once dried, the residual concrete shall be appropriately disposed of off-site; 11. At the end of each work day (at a minimum), the part of the Terminal One Pier deck upon which construction activities have taken place that day shall be cleaned of particulates, sediment, and debris, by manual or mechanical means such as vacuuming or sweeping. Power washing is not an acceptable method for cleaning; 12. Non-stormwater discharges to the Bay shall be prohibited unless specified in the SWPPP and approved by the City; 13. A Materials Management and Disposal Plan (MMDP) shall be prepared to prevent any debris from falling into the Bay during construction to the maximum extent practicable and also ensure the appropriate disposal of all construction-related materials. The measures identified in the MMDP shall be based on the Best Available Technology, and will include, but not be limited to, the following: <ol style="list-style-type: none"> a. During construction, any barges performing the work shall be moored in a position to capture and contain the debris generated during any sub-structure or in-water work. In the event that debris does reach the Bay, personnel in workboats within the work area shall immediately retrieve the debris for proper handling and disposal. All debris shall be disposed of at an authorized upland disposal site; b. Construction waste shall be collected and transported to an authorized upland disposal area, and per federal, state, and local laws and regulations; c. All construction material, wastes, debris, sediment, rubbish, trash, fencing, etc., shall be removed from the site once the proposed project is completed and transported to an authorized disposal area, in compliance with applicable federal, state, and local laws and regulations. 	

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	The MMDP shall be submitted to the San Francisco Bay RWQCB for review and approval.	
Impact HYD-2: The project would increase impervious surfaces which would reduce the amount of stormwater runoff available for recharge but not to the extent that it would substantially deplete groundwater supplies or interfere substantially with groundwater recharge. (Criterion b) <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
Impact HYD-3: The project would not alter the drainage pattern of the site such that it would result in substantial erosion or siltation on or off the site. (Criterion c) <i>(Less than Significant, No Mitigation Required)</i>	Project Design Feature HYD-1	Less Than Significant
Impact HYD-4: The project would not alter the drainage pattern of the site such that it would result in a 100-year flood event on- or off- the site. (Criterion d) <i>(Less than Significant, No Mitigation Required)</i>	Project Design Feature HYD-1	Less Than Significant
Impact HYD-5: The project would not create or contribute runoff water which would exceed the capacity of existing drainage systems or provide additional sources of polluted runoff. (Criterion e) <i>(Less than Significant, No Mitigation Required)</i>	Project Design Feature HYD-1	Less Than Significant
Impact HYD-6: The project could place housing or structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map; or place within a 100-year flood hazard area structured which would impede or redirect flood flows. (Criteria g, h) <i>(Less than Significant, No Mitigation Required)</i>	Project Design Feature HYD-1	Less Than Significant
Impact HYD-7: The project could expose people or structures to a significant risk of loss, injury or death involving flooding related to sea level rise. (Criterion i) <i>(Less than Significant With Mitigation)</i>	PROJECT DESIGN FEATURE HYD-2: Sea Level Rise Measures. The applicant will ensure that the project design includes the following measures to address sea level rise of up to 3 feet: <ol style="list-style-type: none">1. Placement of finished floor elevations of residential structures above 14.5 feet NAVD88, an elevation greater than the current site BFE, or 11 feet NAVD88, plus 3 feet of sea level rise and a 0.5 feet additional margin; and2. The installation of appropriate stormwater inlet infrastructure, and/or the installation of back flow prevention devices on storm drain lines (and/or the design of the stormwater infrastructure to accommodate the future installation of back flow prevention devices on an as-needed basis).3. Placement of the finished elevation of the Bay Trail Loop at or above 14.1 feet NAVD88, an elevation greater than the current site BFE (11 feet NAVD88) plus 3 feet of sea level rise;	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>If feasible, design of the Bay Trail Loop to function as a flood mitigation embankment either as initially constructed or as retrofitted on an as needed basis. Because the project site's shoreline is a VE zone, indicating it is currently susceptible to wave overtopping, the Bay Trail Loop embankment may be subject to wave runup and overtopping. These processes shall be considered when setting the Bay Trail Loop's final design and evaluating its flood mitigation performance.</p> <p>PROJECT DESIGN FEATURE HYD-3: Sea Level Rise Adaptation Strategies: The applicant shall include provisions in the project's Covenants, Conditions, and Restrictions that require the Homeowner's Association to engage a degreed coastal geomorphologist, a licensed engineer, or a comparably qualified expert in the management of flood risks associated with sea level rise to prepare an Adaptive Flood Risk Management Plan. The initial adaptive management plan shall be completed and submitted to the City for review and comment by January 1, 2035. The plan shall be updated every ten years, with the first plan update to be completed and submitted to the City for review and comment by January 1, 2045 and with subsequent updates to be completed and submitted to the City on January 1 every ten years thereafter.</p> <p>The Adaptive Flood Risk Management Plan shall include:</p> <ol style="list-style-type: none"> 1. A Monitoring and Reporting Program – to include: <ol style="list-style-type: none"> a. A review of scientific literature including up-to-date estimates of local sea level rise and available data and studies from other shoreline sites in Richmond as well as neighboring/regional jurisdictions to estimate the actual increase in sea level at the site; b. A review of federal, State, local, and regional law, regulations, and guidance that address sea level rise; c. A report that addresses the following points: <ol style="list-style-type: none"> i. A discussion of any estimated difference in sea level at the site since the previous 10-year report; ii. A discussion of how the project complies with any new applicable statutory or regulatory requirements; iii. A discussion of the observed characteristics and impacts, if any, related to flooding on the site, based on site observations and photos as well as conversations with site residents and City Public Works staff; iv. A discussion of the monitoring triggers that will be used to determine the installation schedule for: <ul style="list-style-type: none"> • Any backflow prevention devices that are required to address flood impacts associated with a 2 foot increase in sea level; • Any protective features that will enable the Bay Trail Loop (and/or other protective features as needed) to serve as a flood protection measure to address flood impacts associated with a 3-foot increase in sea level; and/or 	

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<ul style="list-style-type: none"> • Any additional adaptive flood risk management measures that will be required to address flood impacts associated with a rise in sea level of greater than 3 feet. v. A recommended schedule for implementing the adaptive flood risk management measures referenced in subsection iv. above and/or an update to a previously presented recommended schedule; and vi. A report on the adaptation measures financing mechanism (see subsection 3. below), and an estimated projection of funds that would be available 10 years into the future. <p>2. An Adaptive Flood Risk Management Strategy to address 100-year flood impacts associated with a rise in sea level of greater than 3 feet. If the monitoring program and the updated monitoring report prepared every ten years results in a projection that the rise in sea level will exceed 3 feet during the subsequent 25-year period, the Adaptive Flood Risk Management Plan shall also include:</p> <ul style="list-style-type: none"> a. An analysis of adaptive measures which, if implemented, either on a stand-alone basis or in combination with other measures, would prevent or substantially reduce human health and safety impacts as well as property loss and damage related to 100-year flooding and an increase in sea level of greater than 3 feet; b. The formulation of an adaptive measures strategy which reflects a best practices and cost-effective approach to addressing the 100-year flood risk associated with an increase in sea level greater than 3 feet; and c. An estimate of the costs and timeframes involved in implementing the adaptive measures strategy formulated in accordance with subsection b. above. <p>The nature of the adaptation measure/s to be implemented will be reviewed and approved by the City Planning Division and Public Works Department and other regulatory agencies as necessary, and will be based on the results of monitoring and reporting.</p> <p>3. A Financing Strategy which will be designed to:</p> <ul style="list-style-type: none"> a. Generate sufficient resources to cover the costs of: <ul style="list-style-type: none"> vii. The backflow prevention devices as required to address flood impacts associated with a 2 foot increase in sea level (to the extent these devices were not already installed when the storm drain system was initially constructed); viii. The protective features as required to enable the Bay Trail Loop to serve as an effective barrier to address flood impacts associated with a 3-foot increase in sea level (to the extent these protective features were not already incorporated in the Bay Trail Loop when it was originally constructed); and ix. The adaptive measures strategy formulated to address flood impacts associated with an increase in sea level of greater than 3 feet; 	

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	b. Generate such funds and to make such funds available within a timeframe to cover the flood improvement costs as they are incurred in accordance with the implementation schedule. The financing strategy may include funding from the following private and public financing mechanisms: a. Homeowner Association fees; b. Mello Roos Community Services District special taxes; c. Assessment District Assessments; and d. Other public or private financing mechanisms as determined by the Homeowner Association and the City to be appropriate and feasible.	
Impact HYD-8: The project would not would not result in or cause inundation by seiche, tsunami, or mudflow. (Criterion j) <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
<i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> HYDROLOGY AND WATER QUALITY: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to hydrology and water quality. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
4.9 Land Use and Planning		
Impact LUP-1: The proposed project would not divide an established community. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
Impact LUP-2: The project would be in general conformance with applicable regional or local plans and policies adopted for the purpose of avoiding or mitigating environmental effects. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
<i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> LAND USE AND PLANNING: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to land use and planning. <i>(Less than Significant, No Mitigation Required)</i>	None required.	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
4.10 Noise		
<p>Impact NOI-1: Construction of the project would result in a temporary increase in ambient noise levels. (Criteria a., c.) <i>(Less Than Significant with Mitigation)</i></p>	<p>Mitigation Measure NOI-1a: Construction Noise Control Measures. The applicant shall employ site-specific noise attenuation measures during project construction to reduce the generation of construction noise, including pile-driving noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City of Richmond Planning and Building Services Department to ensure that construction noise is consistent with the standards set forth in the City's Noise ordinance and other standards as appropriate. Measures specified in the Noise Control Plan and implemented during project construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> • Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds); • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to approximately 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used; • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures; and • Noise-reducing pile-driving techniques as specified in Mitigation Measure NOI-1b. <p>Mitigation Measure NOI-1b: Pile Driving Noise-Reducing Techniques and Muffling Devices. Noise-reducing pile-driving techniques shall be employed during project construction. These techniques shall include: Limiting pile driving or other impact-related noise-generating activity to 9:00 a.m. to 5:00 p.m., Monday through Friday. No pile driving or other extreme noise-generating activity is permitted on Saturdays, Sundays, and holidays;</p> <ul style="list-style-type: none"> • Installing intake and exhaust mufflers on pile-driving equipment; • Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible; • Implementing "quiet" pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; • Using cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize 	<p>Less Than Significant</p>

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
	<p>noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and</p> <ul style="list-style-type: none"> At least 48 hours prior to pile-driving activities, the applicant shall notify building owners and occupants within a minimum of 600 feet of the project site of the dates, hours, and expected duration of such activities. <p>The above measures would reduce the severity of noise generated by construction and pile driving activities and reduce the potential annoyance to nearby residents and recreational users and others who could be disturbed by pile driving.</p>	
Impact NOI-2: Occupants of the proposed new buildings could be exposed to high noise levels. (Criteria a., b.) <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
Impact NOI-3: Project operations could cause a long-term increase in ambient noise levels in the project vicinity. (Criteria b.) <i>(Less Than Significant, No Mitigation Required)</i>	None required	Less Than Significant
Impact NOI-4: Project construction could generate ground-borne vibration. (Criterion f.) <i>(Less Than Significant, No Mitigation Required)</i>	None required	Less Than Significant
<i>CUMULATIVE IMPACT:</i> Impact C-NOI-1: Construction activities of the proposed project combined with cumulative construction noise in the project area could cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity during construction. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
<i>CUMULATIVE IMPACT:</i> Impact C-NOI-2: Operation of the proposed project when considered with other cumulative development would not cause a substantial permanent increase in ambient noise levels in the project vicinity. <i>(Less Than Significant, No Mitigation Required)</i>	None required	Less Than Significant
4.11 Population and Housing		
Impact POP-1: The project would not directly or indirectly induce substantial population growth. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
<i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> POPULATION AND HOUSING: The project, in conjunction with past, present and reasonably foreseeable future	None required	Less Than Significant

**TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ**

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
<p>projects, would not result in significant cumulative impacts with respect to population and housing. (Less than Significant, No Mitigation Required)</p>		
<p>4.12 Public Services and Recreation</p>		
<p>Impact PUB-1: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. (Criteria a., b., c.) <i>(Less than Significant, No Mitigation Required)</i></p>	None required	Less Than Significant
<p><i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> PUBLIC SERVICES AND RECREATION: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to public services and recreation. (Less than Significant, No Mitigation Required)</p>	None required	Less Than Significant
<p>4.13 Transportation and Traffic</p>		
<p>Impact TR-1: The project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways. (Criterion a.) <i>(Less than Significant)</i></p>	None required	Less Than Significant
<p>Impact TR-2: The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. (Criterion b.) <i>(Less than Significant)</i></p>	None required	Less Than Significant
<p>Impact TR-3: The project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (Criterion c.) <i>(Less than Significant)</i></p>	None required	Less Than Significant

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
Impact TR-4: The project would not result in inadequate emergency access. (Criterion d.) (Less than Significant)	None required	Less Than Significant
Impact TR-5: The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Criterion e.) (Less than Significant)	None required	Less Than Significant
Impact TR-6: Project construction would result in a substantial, though temporary, adverse effect on the circulation system during the project construction period. (Criterion f.) (Less than Significant, No Mitigation Required)	None required	Less Than Significant
<i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> TRANSPORTATION AND TRAFFIC: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to transportation and traffic. (Less than Significant, No Mitigation Required)	None required	Less Than Significant
4.14 Utilities and Service Systems		
Impact UTL-1: The project would not generate an increase in demand for water supply over existing entitlements or resources, or require or result in the construction of new water treatment facilities or expansion of existing facilities. (Criteria b. and d.) (Less than Significant, No Mitigation Required)	None required	Less Than Significant
Impact UTL-2: The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, exceed wastewater treatment requirements of the San Francisco Regional Water Quality Control Board, or result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (Criteria a., b., and e.) (Less than Significant, No Mitigation Required)	None required	Less Than Significant
Impact UTL-3: The project would result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would not cause significant environmental effects. (Less than Significant, No Mitigation Required)	None required	Less Than Significant

TABLE 2-1 (Continued)
SUMMARY OF IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED EDZ

Impacts	Project Design Features and Mitigation Measures	Significance Including after Project Design Features and Mitigation
Impact UTL-4: The project would be served by a landfill with sufficient permitted capacity to accommodate the project's waste disposal needs and would comply with federal, state and local statutes and regulations related to solid waste. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant
<i>CUMULATIVE IMPACT (as summarized in Chapter 6):</i> UTILITIES AND SERVICE SYSTEMS: The project, in conjunction with past, present and reasonably foreseeable future projects, would not result in significant cumulative impacts with respect to utilities and service systems. <i>(Less than Significant, No Mitigation Required)</i>	None required	Less Than Significant

CHAPTER 6

Final Mitigation and Features Monitoring and Reporting Program

6.1 Introduction

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program. Project design features that also reduce or avoid significant project impacts may also be added to the monitoring and reporting program. The resulting Mitigation and Features Monitoring and Reporting Program (MFMRP) must be designed to ensure project compliance with mitigation measures during project implementation.

The MFMRP for the proposed project is presented in this chapter. The MFMRP includes the project design features and mitigation measures identified in the EIR required to address the significant impacts associated with the proposed project. The required project design features and mitigation measures are summarized in this program; the full text of the impact analysis, project design features, and mitigation measures are presented in the Draft EIR in Chapter 2, *Summary*, except as revised in this Final EIR.

6.2 Format

The MFMRP is organized in a table format (see **Table 6-1**), keyed to each significant impact and each EIR project design feature or mitigation measure. Only project design features and mitigation measures adopted to address significant impacts are included in this program. Each project design feature and mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Project Design Features and Mitigation Measures:** This column presents the project design feature or mitigation measure identified in the EIR.

- **Site(s) Affected:** The project design features and mitigation measures are, in some cases, site specific. This column identifies which specific sites would need to adhere to the project design feature or mitigation measure, or if the feature/measure addresses all sites.
- **Implementation Procedures:** This column identifies the procedures associated with implementation of the project design feature or mitigation measure.
- **Monitoring Responsibility:** This column contains an assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring and Reporting Action:** This column refers the outcome from implementing the project design feature or mitigation measure.
- **Schedule:** The general schedule for conducting each project design feature or mitigation task, identifying where appropriate both the timing and the frequency of the action.
- **Verification of Compliance:** This column may be used by the lead agency to document the person who verified the implementation of the project design feature or mitigation measure and the date on which this verification occurred.

6.3 Enforcement

If the project is approved, the MFMRP would be incorporated as a condition of such approval. Therefore, all project design features and mitigation measures for significant impacts must be carried out in order to fulfill the requirements of approval. A number of the project design features and mitigation measures would be implemented during the course of the development review process. These measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining project design features and mitigation measures would be implemented during the construction or project implementation phase.

**TABLE 6-1
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM**

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.1 Aesthetics					
<p>PROJECT DESIGN FEATURE AES-1: Site Lighting Strategy. The Site Lighting Strategy specifies lighting criteria for the Waterfront Park, podium gardens, and streetscapes, which the project would be required to implement. Per the Site Lighting Strategy, the applicant will ensure the following is included in project design:</p> <ul style="list-style-type: none"> • Waterfront Park Lighting Criteria: Illuminate paths of travel along the base of walls, decks, and trusses with integrated site lighting fixtures that provide low-level safety lighting without blocking nighttime views. • Podium Gardens Lighting Criteria: Illuminate garden paths with low-level bollards. Light standards to be incorporated as needed for emergency egress lighting. Standards will have cut-off shields to control light trespass into units. Amenity pavilions will include accent and task lighting as needed. Up-lighting will be avoided in order to reduce light pollution. • Streetscape Lighting: A combination of vehicle and pedestrian lighting standards will illuminate the streetscapes and Terminal One Mews to provide the required light levels on both roadways and pedestrian paths. Cutoff shields will be incorporated to control light trespass into residential units. All fixtures will be selected to minimize energy consumption and increase public safety. 	Project Applicant	City of Richmond Building Division	City shall review and approve final design plans for consistency with this measure.	Prior to issuance of building permit.	<i>Verified by:</i> <i>Date:</i>
4.2 Air Quality					
<p>Mitigation Measure AIR-1: Best Management Practices for Controlling Particulate Emissions. The following BAAQMD Best Management Practices for particulate control will be implemented for all project construction activities. These measures will reduce particulate emissions primarily during soil movement, grading and demolition activities but also during vehicle and equipment movement on unpaved project sites</p> <ol style="list-style-type: none"> 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. 	Project Applicant / Project Contractor	City of Richmond Building Division and Engineering Services Department	<p>Engineering Services Department to verify inclusion of BAAQMD BMPs in applicable construction plans and specifications.</p> <p>City of Richmond Building Division to inspect site during construction to ensure compliance with project construction plans.</p>	<p>Prior to issuance of building permit.</p> <p>Field inspections during construction.</p>	<i>Verified by:</i> <i>Date:</i>

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.2 Air Quality (cont.)					
<p>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, § 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <p>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.</p>					
<p>PROJECT DESIGN FEATURE AIR-1: Ferry Point Pump Station. As part of more detailed engineering and project planning, the applicant will evaluate the condition and capacity of the Ferry Point Pump Station, to ensure this facility has sufficient capacity to convey sanitary sewage from the project site to the RMSD Plant. The pump station may be required to be retrofitted or replaced in order to adequately convey project wastewater. If the pump station is not replaced, the applicant will confirm with the City that the recommended chemical treatment has been applied and the odor impact appropriately mitigated, prior to construction.</p>	Project Applicant / Applicant Engineer	City of Richmond Building Division and Engineering Services Department	City Engineering Department to verify project engineering conclusion (including confirmation of pump capacity), and in the event of sufficient capacity, will provide confirmation of chemical treatment prior to construction.	Prior to issuance of building permit.	Verified by: Date:
4.3 Biological Resources					
<p>Mitigation Measure BIO-1: Nesting Bird Protection Measures. If initial ground disturbance and site grading, building demolition, vegetation removal, tree removal, and other construction activities which may compromise breeding birds or the success of their nests cannot be fully avoided during nesting season (January 15 – August 31), nesting birds and their nests shall be protected during construction through the implementation of the following measures:</p> <p>1. The applicant shall ensure that a qualified wildlife biologist conduct preconstruction nesting surveys within 7 days of the start of construction or after any construction breaks of 14 days or more. Surveys will be performed for the project site and suitable habitat within 250 feet of the project site in order to locate any active passerine (perching bird) nests and within 500 feet of the project site and off-site staging areas, or line of sight, to locate any active raptor (birds of prey) or double crested cormorant nests. Distances may also be modified if obstacles such as topography, buildings, or trees obscure the construction area from active bird nests, or existing disturbances create an ambient background disturbance similar to the proposed disturbance.</p> <p>2. If active nests are located during the preconstruction bird nesting survey, a no disturbance buffer shall be established. Typically, these buffer distances are 250 feet for passerines and 500 feet for raptors; however, they may be</p>	Project Applicant	City of Richmond Building Division	<p>Review and approve a qualified biologist.</p> <p>Review pre-construction survey reports.</p> <p>If active nests are found, inspect construction site to confirm buffer zones.</p>	<p>Reviews prior to issuance of building permit.</p> <p>Field inspections 7 days prior to construction and after breaks of 14 days or longer if construction falls within nesting season (January 15 – August)</p>	Verified by: Date:

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.3 Biological Resources (cont.)					
<p>adjusted (for example, if an obstruction, such as a building or hill, is within line-of-sight between the nest and construction). Modifying nest buffers, prohibiting construction within the buffer, modifying construction, and removing or relocating active nests shall be coordinated with the CDFW as appropriate given the nests that are found on the site.</p> <p>3. Any birds that begin nesting within the project site and survey buffers amid construction activities are assumed to be habituated to construction-related or similar noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases.</p>					
<p>Mitigation Measure BIO-2: Special-Status Bats Protection. A preconstruction survey for special-status bats shall be conducted by a qualified biologist in advance of tree and structure removal within the project site to characterize potential bat habitat and identify active roost sites. Should the preconstruction survey find no bat habitat or bat roosting sites, no further action is required. Should potential roosting habitat or active bat roosts be found in trees and/or structures to be removed under the project, the following measures shall be implemented:</p> <ol style="list-style-type: none"> 1. If removal of trees and structures is to occur during the periods when bats are active (approximately between the periods of March 1 to April 15 and August 15 to October 15 [outside of bat maternity roosting season (approximately April 15 – August 31) and the months of winter torpor (approximately October 15 – February 28)] and if active bat roosts being used for maternity or hibernation purposes are found on or in the immediate vicinity of the project site where tree and/or structure removal is planned, a no disturbance buffer of 100 feet shall be established around these roost sites until they are determined to be no longer active by the qualified biologist. A 100-foot no disturbance buffer is a typical protective buffer distance; however, this buffer may be modified by the qualified biologist depending on existing screening around the roost site (such as dense vegetation or a building) as well as the type of construction activity which would occur around the roost site. 2. The qualified biologist shall be present during tree and structure removal if potential bat roosting habitat or active bat roosts are present. Trees and structures with active roosts shall be removed only when no rain is occurring or is forecast to occur for 3 days and when daytime temperatures are at least 50°F. 3. Removal of trees with potential bat roosting habitat or active bat roost sites shall follow a two-step removal process: 	Project Applicant	City of Richmond Building Division	<p>Verify inclusion of condition on construction plans. If large trees are to be removed or if vacant buildings are to be demolished, review and approve qualified biologist, pre-construction survey reports, and a construction plan that includes bat avoidance.</p> <p>Inspect construction site to confirm buffer zones, if required.</p>	<p>Prior to issuance of building permit.</p> <p>Inspect site during construction to ensure compliance with project construction plans.</p>	<p><i>Verified by:</i></p> <p><i>Date:</i></p>

**TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM**

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.3 Biological Resources (cont.)					
<p>a) On the first day of tree removal and under supervision of the qualified biologist, branches and limbs not containing cavities or fissures in which bats could roost, shall be cut only using chainsaws.</p> <p>b) On the following day and under the supervision of the qualified biologist, the remainder of the tree may be removed, either using chainsaws or other equipment (e.g. excavator or backhoe).</p> <p>4. Removal of structures containing or suspected to contain potential bat roosting habitat or active bat roosts shall be dismantled under the supervision of the qualified biologist in the evening and after bats have emerged from the roost to forage. Structures shall be partially dismantled to significantly change the roost conditions, causing bats to abandon and not return to the roost.</p>					
<p>Mitigation Measure BIO-3: Building Design and Lighting Strategies to Address Biological Resources Impacts. Prior to the issuance of the first building permit for each new building, the City of Richmond (City) shall require that the project applicant retain a qualified biologist experienced with bird strike issues to review and approve the design of the building to ensure that it sufficiently minimizes the potential for bird strikes. The City may also consult with resource agencies such as CDFW, USFWS, or others, as it determines to be appropriate during this review.</p> <p>Building Design. The project applicant shall provide to the City a written description of the measures and features of the building design that are intended to address potential impacts on birds. The building design may include, but are not limited to, some of the following measures:</p> <ol style="list-style-type: none"> 1. Employ design techniques that create “visual noise” via cladding or other design features that make it easy for birds to identify buildings as such and not mistake buildings for open sky or trees; 2. Decrease continuity of reflective surfaces using “visual marker” design techniques, which may include: <ul style="list-style-type: none"> - Patterned or fritted glass, with patterns at most 28 centimeters apart, - One-way films installed on glass, with any picture or pattern or arrangement that can be seen from the outside by birds but appear transparent from the inside, - Geometric fenestration patterns that effectively divide a window into smaller panes of at most 28 centimeters, and/or - Decals with patterned or abstract designs, with the maximum clear spaces at most 28 centimeters square. 	Project Applicant	City of Richmond Building Division	<p>Review and approve final design plans for consistency with all features of this mitigation.</p> <p>Review and approve educational material consistent with all features of this mitigation.</p> <p>Review and approve documentation process with all features of this mitigation.</p>	<p>Design and documentation approval prior to issuance of building permit for each building.</p> <p>Materials approval prior certification of occupancy.</p>	<p><i>Verified by:</i></p> <p><i>Date:</i></p>

**TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM**

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.3 Biological Resources (cont.)					
<p>3. Up to 60 feet high on building facades facing the shoreline, decrease reflectivity of glass, using design techniques such as plastic or metal screens, light-colored blinds or curtains, frosting of glass, angling glass towards the ground, UV-A glass, or awnings and overhangs;</p> <p>4. Eliminate the use of clear glass on opposing or immediately adjacent faces of the building without intervening interior obstacles such that a bird could perceive its flight path through the glass to be unobstructed;</p> <p>5. Mute reflections in glass using strategies such as angled glass, shades, internal screens, and overhangs; and</p> <p>6. Place new vegetation sufficiently away from glazed building facades so that no reflection occurs. Alternatively, if planting of landscapes near a glazed building façade is desirable, situate trees and shrubs immediately adjacent to the exterior glass walls, at a distance of less than 3 feet from the glass. Such close proximity will obscure habitat reflections and will minimize fatal collisions by reducing birds' flight momentum.</p> <p>Lighting. The project applicant shall ensure that the design and specifications for buildings implement design elements to reduce lighting usage, change light direction, and contain light. These may include, but are not limited to, the following general considerations that should be applied wherever feasible throughout the proposed project to reduce night lighting impacts on fish, marine mammals, and avian species:</p> <ol style="list-style-type: none"> 1. Avoid installation of lighting in areas where not required for public safety 2. Examine and adopt alternatives to bright, all-night, floor-wide lighting when interior lights would be visible from the exterior or exterior lights must be left on at night, including: <ul style="list-style-type: none"> - Installing motion-sensitive lighting - Installing task lighting - Installing programmable timers - Installing fixtures that use lower-wattage, sodium, and yellow-red spectrum lighting. 3. Where exterior lights are to be left on at night, install fully shielded lights to contain and direct light away from the sky. <p>Educating Residents and Occupants. The City shall ensure, as a condition of approval for every building permit, that the project applicant agrees to provide educational materials to building tenants, occupants, and residents encouraging them to minimize light transmission from windows, especially during peak spring and fall migratory periods, by turning off unnecessary</p>					

**TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM**

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.3 Biological Resources (cont.)					
<p>lighting and/or closing window coverings at night. The City shall review and approve the educational materials prior to building occupancy.</p> <p>Documentation. The project applicant and/or City shall document undertaking the activities described in this mitigation measure and maintain records that include, among others, the written descriptions provided by the building developer of the measures and features of the design for each building that are intended to address potential impacts on birds, and the recommendations and memoranda prepared by the qualified biologist experienced with bird strikes who reviews and approves the design of any proposed projects to ensure that they sufficiently minimize the potential for bird strikes.</p>					
4.4 Cultural and Paleontological Resources					
<p>Mitigation Measure CUL-1: Accidental Discovery of Archaeological Resources. During project construction, if prehistoric or historic-era cultural materials are encountered, all construction activities within 100 feet of the find shall halt and the City shall be notified. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.</p> <p>A Secretary of the Interior-qualified archaeologist shall inspect the find within 24 hours of discovery. If the find is determined to be potentially significant, the archaeologist, in consultation with the City and the appropriate Native American representative shall determine whether preservation in place is feasible. Consistent with CEQA Guidelines Section 15126.4(b)(3), this may be accomplished through: planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist, in consultation with the lead agency and the appropriate Native American representative, shall prepare and implement a detailed Archaeological Research Design and Treatment Plan (ARDTP). Treatment of unique archaeological resources shall follow the applicable requirements of Public Resources Code Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by</p>	Project Applicant / Contractor	City of Richmond Building Division	Review and approval of archaeologist. Review and approval of the construction plan that includes archaeological mitigation. Inspect site during construction.	Prior to issuance of building permit. Field inspections during construction.	Verified by: Date:

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.4 Cultural and Paleontological Resources (cont.)					
<p>the project. The ARDTP shall include provisions for analysis of data in a regional context, reporting of results within a timely manner and subject to review and comments by the appropriate Native American representative before being finalized, curation of artifacts and data at a local facility acceptable to the appropriate Native American representative, and dissemination of final confidential reports to the appropriate Native American representative, the Northwest Information Center of the California Historical Resources Information System, the City, and interested professionals.</p>					
<p>Mitigation Measure CUL-2: Accidental Discovery of Paleontological Resources. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Richmond.</p>	Project Applicant / Contractor	Project Applicant / Contractor City of Richmond Building Division	<p>If resources are encountered, Contractor to verify work is suspended as required, review and approve paleontologist and paleontologist's recommendations.</p> <p>City to inspect site during construction to ensure compliance with project construction plans.</p>	During construction.	Verified by: Date:
<p>Mitigation Measure CUL-3: Accidental Discovery of Human Remains. Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Contra Costa County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-enter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p>	Project Applicant / Contractor	City of Richmond Building Division	<p>Verify mitigation measure on construction plans.</p> <p>Inspect site during construction to ensure compliance with project construction plans.</p>	<p>Prior to issuance of a building permit.</p> <p>Field inspections during construction</p>	Verified by: Date:
4.5 Geology, Soils, and Minerals					
None required.					
4.6 Climate Change, Greenhouse Gases, and Energy					
<p>PROJECT DESIGN FEATURE GHG-1: Balanced Cut and Fill Grading. The project applicant will ensure that the grading plan provides a near balance of cut and fill on-site, thereby minimizing the need to import or export soil; substantially reducing the truck trips to and from the site; and, in the process, substantially reducing the GHG emissions those truck trips would generate.</p>	Project Applicant	City of Richmond Engineering Services Department	Verify mitigation measure on construction plans.	Prior to issuance of a building permit.	Verified by: Date:

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.6 Climate Change, Greenhouse Gases, and Energy (cont.)					
<p>PROJECT DESIGN FEATURE GHG-2: Recycling and Reuse of Demolition Materials. The project applicant will ensure that demolition activities that take place on the project site will include the recycling, reprocessing, and reuse on-site of the bulk of the materials generated by demolition of the warehouse and remaining hardscape elements, thereby minimizing the need to export the demolition waste-materials off-site as well as the need to import materials to the project site in order to satisfy the project's requirements for road base, aggregate base for the foundations, engineered fill, and other on-site uses that will be addressed by reuse of the reprocessed demolition by-products.</p>	Project Applicant	City of Richmond Building Division and Engineering Services Department	<p>Engineering Services Department to verify mitigation measure on construction plans.</p> <p>Building Division to inspect site during construction to ensure compliance with project construction plans.</p>	<p>Prior to issuance of a building permit.</p> <p>Field inspections during construction</p>	<p><i>Verified by:</i></p> <p><i>Date:</i></p>
<p>RECOMMENDED MEASURE GHG-1: The City and applicant shall consider including the following design features in the proposed project, as part of the Planned Area Plan and Design Review processes:</p> <ul style="list-style-type: none"> • Provide an electric car charging station on the project site. • Include centralized recycling collection areas within the common space in the condominium flats. • Include water recycling and rainwater catchment in the condominium buildings to recycle water. 	Project Applicant City of Richmond Building Division	City of Richmond Building Division	<p>Verify mitigation measure on construction plans.</p> <p>Inspect site during construction to ensure compliance with project construction plans.</p>	<p>Prior to issuance of a building permit.</p>	<p><i>Verified by:</i></p> <p><i>Date:</i></p>
4.7 Hazards and Hazardous Materials					
<p>Mitigation Measure HAZ-1a: Prior to issuance of any demolition permit, the project applicant shall submit to the Contra Costa Health Services Department a hazardous building material assessment prepared by qualified licensed contractors for any structure intended for demolition indicating whether LBP or lead-based coatings, and/or PCB-containing equipment, are present.</p> <p>Mitigation Measure HAZ-1b: If the assessment required by Mitigation Measure HAZ-1a indicates the presence of LBP, and/or PCBs, the project applicant shall create and implement a health and safety plan in accordance with local, state, and federal requirements to protect demolition and construction workers and the public from risks associated with such hazardous materials during demolition or renovation of affected structures.</p> <p>Mitigation Measure HAZ-1c: If the assessment required by Mitigation Measure HAZ-1a finds presence of LBP, the project applicant shall develop and implement a LBP removal plan. The plan shall specify, but not be limited to, the following elements for implementation:</p> <ol style="list-style-type: none"> 1. Develop a removal specification approved by a Certified Lead Project Designer. 2. Ensure that all removal workers are properly trained. 	Project Applicant	<p>Contra Costa Health Services RWQCB</p> <p>City of Richmond Building Division and Engineering Services Department</p>	<p>Contra Costa Health Services to confirm receipt of hazardous material assessment.</p> <p>RWQCB to verify approved measures on construction plans.</p> <p>Engineering Division to receive and review soil vapor assessment as well as confirmation that the site remedial action plan has been revised as necessary, and approved by the RWQCB, to address the construction of housing and other infrastructure (i.e., water utilities) in areas of the site not otherwise contemplated for housing or infrastructure in the 2005 Updated Proposed Remedial Action Plan, and that all remedial actions required to be completed per the</p>	<p>Prior to issuance of building permit.</p> <p>Field inspections during construction.</p>	<p><i>Verified by:</i></p> <p><i>Date:</i></p>

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.7 Hazards and Hazardous Materials (cont.)					
<p>3. Contain all work areas to prohibit off-site migration of paint chip debris.</p> <p>4. Remove all peeling and stratified LBP on building and non-building surfaces to the degree necessary to safely and properly complete demolition activities according to recommendations of the survey. The demolition contractor shall be responsible for the proper containment and disposal of intact LBP on all equipment to be cut and/or removed during the demolition.</p> <p>5. Provide on-site personnel and area air monitoring during all removal activities to ensure that workers and the environment are adequately protected by the control measures used.</p> <p>6. Clean up and/or vacuum paint chips with a high efficiency particulate air (HEPA) filter.</p> <p>7. Collect, segregate, and profile waste for disposal determination.</p> <p>8. Properly dispose of all waste.</p> <p>Mitigation Measure HAZ-1d: If the assessment required by Mitigation Measure HAZ-1a finds presence of PCBs, the project applicant shall ensure that PCB abatement is conducted prior to building demolition or renovation. PCBs shall be removed by a qualified contractor and transported in accordance with Caltrans requirements.</p> <p>Mitigation Measure HAZ-1e: Prior to issuance of any building permit, the project applicant shall submit to the City a soil vapor assessment prepared by a qualified licensed environmental consultant for any structure intended for human occupancy (i.e., occupied by a human for a minimum of 2,000 hours annually). The assessment shall consist of laboratory analysis of soil gas samples collected as part of remediation confirmation to document that soil gas concentrations will not adversely affect future occupants or visitors to proposed structures.</p> <p>Mitigation Measure HAZ-1f: Prior to issuance of any building permit, the project applicant shall submit to the City confirmation that the site remedial action plan <u>and cleanup order have</u> been revised as necessary, and approved by the San Francisco Regional Water Quality Control Board (RWQCB), to address the construction of housing and other infrastructure (i.e., water utilities) in areas of the site not otherwise contemplated for housing or infrastructure in the 2005 Updated Proposed Remedial Action Plan <u>or Order No/ R2-2004-0045</u>, and that all remedial actions required to be completed per the revised remedial action plan prior to project construction have been approved as complete, and documented as such, by the RWQCB. <u>In addition, the final occupancy permit for the project shall not be granted by the City prior to the review and approval by the RWQCB of a report documenting the completion of all required remedial and mitigation measures and confirming the correct installation and functioning of any and all required mitigation systems.</u></p>			<p>revised remedial action plan prior to project construction have been approved as complete, and documented as such, by the RWQCB.</p> <p>Building Division to inspect site during construction to ensure compliance with project construction plans.</p>		

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.7 Hazards and Hazardous Materials (cont.)					
<p>Mitigation Measure HAZ-2: During construction, the applicant's construction contractor lead/foreperson shall ensure that all earthwork activities cease upon discovery of any suspect soils (e.g., petroleum odor and/or discoloration) during construction in accordance with an updated Soil Risk Management Plan prepared by a qualified environmental consultant and approved by the San Francisco Bay Regional Water Quality Control Board (RWQCB). Upon any such discovery, the applicant or their construction contractor shall notify the RWQCB and retain a qualified environmental firm to collect soil samples to confirm the level of contamination that may be present. If contamination is found to be present, any further proposed groundbreaking activities within areas of identified or suspected contamination shall be conducted according to a site specific health and safety plan, prepared by a licensed professional. The contractor shall follow all procedural direction given by the RWQCB and in accordance with the updated Soil Risk Management Plan prepared for the site to ensure that suspect soils are isolated, protected from runoff, and disposed of in accordance with transportation laws and the requirements of the licensed receiving facility.</p>	Project Applicant / Contractor	City of Richmond Building Division	Verify approved measures on construction plans.	Prior to issuance of building permit.	Verified by: Date:
4.8 Hydrology and Water Quality					
<p>PROJECT DESIGN FEATURE HYD-1: Pre-project stormflow levels. Prior to the start of project construction, the applicant will demonstrate, to the satisfaction of the Wastewater/Stormwater Manager Director of the Public Works Department, that, upon completion of such construction, there will be sufficient detention capacity on the project site to detain the incremental increase in stormflow volume that occurs during the 24-hour, 10-year design storm, which incremental increase is due to the increase in impervious surface above pre-project levels.</p>	Project Applicant	Wastewater/ Stormwater Manager	Director of the City of Richmond Public Work Department to review and approve project stormwater plans.	Prior to issuance of building permit.	Verified by: Date:
<p>Mitigation Measure HYD-1: Water Quality Best Management Practices for All Construction Activities Over the Bay. The project applicant shall ensure that the following best management practices are included in the SWPPP prepared in accordance with the Construction General Stormwater Permit:</p> <ol style="list-style-type: none"> 1. The construction contractor shall minimize the production of debris when cutting or demolishing portions of the over-water pier components or constructing new over-water components, and shall utilize netting, containment vessels, work platforms, or the equivalent to catch any falling debris; 2. The construction contractor shall install a containment boom around the work area to contain floating debris, and shall provide a vessel to retrieve debris from the containment area at the end of each work day; 3. Straw bales, wattles, fiber rolls, gravel bags, or equivalent devices shall be installed around the perimeter of the pier and stockpiled materials that are exposed to the environment to prevent debris from being transported to the Bay via runoff; 	Project Applicant / Contractor	San Francisco Bay RWQCB City of Richmond Water Resource Recovery Department	The San Francisco Bay RWQCB to review and approve the project applicant prepared MMDP. City of Richmond Public Works Department to monitor implementation of project BMPs.	Review and approval of the MMDP prior to issuance of building permit. Field inspections during construction.	Verified by: Date:

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.8 Hydrology and Water Quality (cont.)					
<p>4. The use of hazardous materials during construction shall be minimized to the extent practical, and the amount of hazardous materials stored on the piers or adjacent to the waterfront shall be limited to what is needed to immediately support construction activities. The quantities shall not exceed 55 gallons for a specific material. All hazardous materials shall be stored safely and securely in approved containers, under cover or in an approved storage shed or cabinet, and in adequate secondary containment. Fueling of generators and other equipment shall be conducted away from the pier edge and other locations where a spill could easily enter the Bay, and adequate spill cleanup materials shall be provided during all fueling operations;</p> <p>5. Well-maintained equipment shall be used to perform the construction work, and, except in the case of a failure or breakdown, equipment maintenance shall be performed off site. Equipment shall be inspected daily by the operator for leaks or spills. If leaks or spills are encountered, the source of the leak shall be identified, leaked material will be cleaned up, and the cleaning materials shall be collected and will be properly disposed;</p> <p>6. Inactive material stock piles must be covered at all times;</p> <p>7. Construction material shall be covered every night and during any rainfall event;</p> <p>8. Construction crews shall implement measures to prevent saw water and wash water from entering the Bay;</p> <p>9. Active debris boxes shall be covered during rain events to prevent contact with rainwater;</p> <p>10. No concrete shall be stored on-site. After trucks are finished placing concrete, they shall be washed out in a designated area, and the wash water shall be contained within plastic kid pools or similar containment. Once dried, the residual concrete shall be appropriately disposed of off-site;</p> <p>11. At the end of each work day (at a minimum), the part of the Terminal One Pier deck upon which construction activities have taken place that day shall be cleaned of particulates, sediment, and debris, by manual or mechanical means such as vacuuming or sweeping. Power washing is not an acceptable method for cleaning;</p> <p>12. Non-stormwater discharges to the Bay shall be prohibited unless specified in the SWPPP and approved by the City;</p> <p>13. A Materials Management and Disposal Plan (MMDP) shall be prepared to prevent any debris from falling into the Bay during construction to the maximum extent practicable and also ensure the appropriate disposal of all</p>					

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.8 Hydrology and Water Quality (cont.)					
<p>construction-related materials. The measures identified in the MMDP shall be based on the Best Available Technology, and will include, but not be limited to, the following:</p> <ol style="list-style-type: none"> During construction, any barges performing the work shall be moored in a position to capture and contain the debris generated during any sub-structure or in-water work. In the event that debris does reach the Bay, personnel in workboats within the work area shall immediately retrieve the debris for proper handling and disposal. All debris shall be disposed of at an authorized upland disposal site; Construction waste shall be collected and transported to an authorized upland disposal area, and per federal, state, and local laws and regulations; All construction material, wastes, debris, sediment, rubbish, trash, fencing, etc., shall be removed from the site once the proposed project is completed and transported to an authorized disposal area, in compliance with applicable federal, state, and local laws and regulations. <p>The MMDP shall be submitted to the San Francisco Bay RWQCB for review and approval.</p>					
<p>PROJECT DESIGN FEATURE HYD-2: Sea Level Rise Measures. The applicant will ensure that the project design includes the following measures to address sea level rise of up to 3 feet:</p> <ol style="list-style-type: none"> Placement of finished floor elevations of residential structures above 14.5 feet NAVD88, an elevation greater than the current site BFE, or 11 feet NAVD88, plus 3 feet of sea level rise and a 0.5 feet additional margin; and The installation of appropriate stormwater inlet infrastructure, and/or the installation of back flow prevention devices on storm drain lines (and/or the design of the stormwater infrastructure to accommodate the future installation of back flow prevention devices on an as-needed basis). Placement of the finished elevation of the Bay Trail Loop at or above 14.1 feet NAVD88, an elevation greater than the current site BFE (11 feet NAVD88) plus 3 feet of sea level rise; <p>If feasible, design of the Bay Trail Loop to function as a flood mitigation embankment either as initially constructed or as retrofitted on an as needed basis. Because the project site's shoreline is a VE zone, indicating it is currently susceptible to wave overtopping, the Bay Trail Loop embankment may be subject to wave runup and overtopping. These processes shall be considered when setting the Bay Trail Loop's final design and evaluating its flood mitigation performance.</p>	Project Applicant	City of Richmond Building Division and Engineering Services Department	The City shall review and approve Project Design and Bay Trail Loop to ensure this mitigation is incorporated in the final design.	Prior to issuance of building permit.	<i>Verified by:</i> <i>Date:</i>

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.8 Hydrology and Water Quality (cont.)					
<p>PROJECT DESIGN FEATURE HYD-3: Sea Level Rise Adaptation Strategies: The applicant shall include provisions in the project's Covenants, Conditions, and Restrictions that require the Homeowner's Association to engage a degreed coastal geomorphologist, a licensed engineer, or a comparably qualified expert in the management of flood risks associated with sea level rise to prepare an Adaptive Flood Risk Management Plan. The initial adaptive management plan shall be completed and submitted to the City for review and comment by January 1, 2035. The plan shall be updated every ten years, with the first plan update to be completed and submitted to the City for review and comment by January 1, 2045 and with subsequent updates to be completed and submitted to the City on January 1 every ten years thereafter.</p> <p>The Adaptive Flood Risk Management Plan shall include:</p> <p>1. A Monitoring and Reporting Program – to include:</p> <p>a. A review of scientific literature including up-to-date estimates of local sea level rise and available data and studies from other shoreline sites in Richmond as well as neighboring/regional jurisdictions to estimate the actual increase in sea level at the site;</p> <p>b. A review of federal, State, local, and regional law, regulations, and guidance that address sea level rise;</p> <p>c. A report that addresses the following points:</p> <p>i. A discussion of any estimated difference in sea level at the site since the previous 10-year report;</p> <p>ii. A discussion of how the project complies with any new applicable statutory or regulatory requirements;</p> <p>iii. A discussion of the observed characteristics and impacts, if any, related to flooding on the site, based on site observations and photos as well as conversations with site residents and City Public Works staff;</p> <p>iv. A discussion of the monitoring triggers that will be used to determine the installation schedule for:</p> <ul style="list-style-type: none"> • Any backflow prevention devices that are required to address flood impacts associated with a 2 foot increase in sea level; • Any protective features that will enable the Bay Trail Loop (and/or other protective features as needed) to serve as a flood protection measure to address flood impacts associated with a 3-foot increase in sea level; and/or 	Project Applicant	City of Richmond Building Division and Engineering Services Department	Building Division to ensure mitigation language is provided in the projects Covenants, Conditions, and Restrictions. Engineering Services Department to receive and review Plan.	Prior to certification of occupancy. Receipt for review January 1, 2035, with subsequent updates every 10 years thereafter.	<i>Verified by:</i> <i>Date:</i>

**TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM**

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.8 Hydrology and Water Quality (cont.)					
<ul style="list-style-type: none"> • Any additional adaptive flood risk management measures that will be required to address flood impacts associated with a rise in sea level of greater than 3 feet. v. A recommended schedule for implementing the adaptive flood risk management measures referenced in subsection iv. above and/or an update to a previously presented recommended schedule; and vi. A report on the adaptation measures financing mechanism (see subsection 3. below), and an estimated projection of funds that would be available 10 years into the future. <p>2. An Adaptive Flood Risk Management Strategy to address 100-year flood impacts associated with a rise in sea level of greater than 3 feet. If the monitoring program and the updated monitoring report prepared every ten years results in a projection that the rise in sea level will exceed 3 feet during the subsequent 25-year period, the Adaptive Flood Risk Management Plan shall also include:</p> <ul style="list-style-type: none"> a. An analysis of adaptive measures which, if implemented, either on a stand-alone basis or in combination with other measures, would prevent or substantially reduce human health and safety impacts as well as property loss and damage related to 100-year flooding and an increase in sea level of greater than 3 feet; b. The formulation of an adaptive measures strategy which reflects a best practices and cost-effective approach to addressing the 100-year flood risk associated with an increase in sea level greater than 3 feet; and c. An estimate of the costs and timeframes involved in implementing the adaptive measures strategy formulated in accordance with subsection b. above. <p>The nature of the adaptation measure/s to be implemented will be reviewed and approved by the City Planning Division and Public Works Department and other regulatory agencies as necessary, and will be based on the results of monitoring and reporting.</p> <p>3. A Financing Strategy which will be designed to:</p> <ul style="list-style-type: none"> a. Generate sufficient resources to cover the costs of: <ul style="list-style-type: none"> i. The backflow prevention devices as required to address flood impacts associated with a 2 foot increase in sea level (to the extent these devices were not already installed when the storm drain system was initially constructed); 					

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.8 Hydrology and Water Quality (cont.)					
<p>ii. The protective features as required to enable the Bay Trail Loop to serve as an effective barrier to address flood impacts associated with a 3-foot increase in sea level (to the extent these protective features were not already incorporated in the Bay Trail Loop when it was originally constructed); and</p> <p>iii. The adaptive measures strategy formulated to address flood impacts associated with an increase in sea level of greater than 3 feet;</p> <p>b. Generate such funds and to make such funds available within a timeframe to cover the flood improvement costs as they are incurred in accordance with the implementation schedule.</p> <p>The financing strategy may include funding from the following private and public financing mechanisms:</p> <p>a. Homeowner Association fees;</p> <p>b. Mello Roos Community Services District special taxes;</p> <p>c. Assessment District Assessments; and</p> <p>d. Other public or private financing mechanisms as determined by the Homeowner Association and the City to be appropriate and feasible.</p>					
4.9 Land Use and Planning					
None required.					
4.10 Noise					
<p>Mitigation Measure NOI-1a: Construction Noise Control Measures. The applicant shall employ site-specific noise attenuation measures during project construction to reduce the generation of construction noise, including pile-driving noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City of Richmond Planning and Building Services Department to ensure that construction noise is consistent with the standards set forth in the City's Noise ordinance and other standards as appropriate. Measures specified in the Noise Control Plan and implemented during project construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds); 	Project Applicant / Contractor	City of Richmond Building Division and Engineering Services Department	<p>Engineering Department to review and approve project specifications and grading and construction plans for inclusion of this measure into specifications.</p> <p>Building Division to inspect site during construction to ensure compliance with project construction plans.</p>	<p>Prior to issuance of building permit.</p> <p>Field inspections during construction</p>	<p><i>Verified by:</i></p> <p><i>Date:</i></p>

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.10 Noise (cont.)					
<ul style="list-style-type: none"> • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to approximately 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used; • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures; and • Noise-reducing pile-driving techniques as specified in Mitigation Measure NOI-1b. <p>Mitigation Measure NOI-1b: Pile Driving Noise-Reducing Techniques and Muffling Devices. Noise-reducing pile-driving techniques shall be employed during project construction. These techniques shall include: Limiting pile driving or other impact-related noise-generating activity to 9:00 a.m. to 5:00 p.m., Monday through Friday. No pile driving or other extreme noise-generating activity is permitted on Saturdays, Sundays, and holidays;</p> <ul style="list-style-type: none"> • Installing intake and exhaust mufflers on pile-driving equipment; • Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible; • Implementing “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; • Using cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and • At least 48 hours prior to pile-driving activities, the applicant shall notify building owners and occupants within a minimum of 600 feet of the project site of the dates, hours, and expected duration of such activities. 					

TABLE 6-1 (Continued)
MITIGATION AND FEATURES MONITORING AND REPORTING PROGRAM

Project Design Features and Mitigation Measures	Implemented By	Monitored By	Monitoring and Reporting Action	Monitoring Schedule	Verification of Compliance
4.10 Noise (cont.)					
The above measures would reduce the severity of noise generated by construction and pile driving activities and reduce the potential annoyance to nearby residents and recreational users and others who could be disturbed by pile driving.					
4.11 Population and Housing					
None required.					
4.12 Public Services and Recreation					
None required.					
4.13 Transportation and Traffic					
None required.					
4.14 Utilities and Service Systems					
None required.					

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EXHIBIT C

SHEET INDEX

- TM1 BOUNDARY AND EXISTING CONDITIONS
- TM2 SUBDIVISION MAP FOR CONDOMINIUM PURPOSES
- TM3 SITE PLAN AND CONTEXTUAL MAP
- TM4 PRELIMINARY GRADING PLAN AND DRAINAGE

LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY IN THE CITY OF RICHMOND, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, BEING PORTIONS OF LOT 26-1/2 AND 27, SECTION 23, AND PORTIONS OF LOTS 6, 7 AND 8, SECTION 26, TOWNSHIP 1 NORTH, RANGE 5 WEST, MOUNT DIABLO BASE AND MERIDIAN, AS SHOWN ON THE MAP ENTITLED "MAP NO. 1 OF SALT MARSH AND TIDELANDS," FILED JUNE 11, 1917, IN RACK MAP NO. 9, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAN PABLO RANCHO EXTERIOR BOUNDARY STAKE NO. 347 AS SHOWN ON THE MAP ENTITLED "MAP OF THE SAN PABLO RANCHO, ACCOMPANYING AND FORMING A PART OF THE FINAL REPORT OF THE REFEREES IN PARTITION," FILED MARCH 1, 1894, AT NO. 2, MAP RACK, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA; THENCE ALONG THE NORTHERLY LINE OF LOT 26 1/2 NORTH 83°58'58" EAST 31.12 FEET TO A POINT OF INTERSECTION OF SAID LOT LINE AND THE EASTERLY LINE OF DORNAN DRIVE (FORMERLY KNOWN AS SOUTH GARRARD BOULEVARD) (60 FOOT WIDE) THE CENTER LINE OF WHICH IS DESCRIBED AS PARCEL NO. 2 IN THE DEED FROM THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY TO THE CITY OF RICHMOND FILED FEBRUARY 26, 1920 IN VOLUME 355 OF DEEDS AT PAGE 256, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTHERLY LINE OF LOT 26 1/2 NORTH 83°58'58" EAST 187.44 FEET TO STATION 348 IN SAID EXTERIOR BOUNDARY; THENCE CONTINUING ALONG SAID EXTERIOR BOUNDARY SOUTH 46°25'00" EAST 85.56 FEET TO A POINT ON THE EXTERIOR BOUNDARY OF THE SAN PABLO RANCHO, AS SHOWN ON SAID MAP OF THE SAN PABLO RANCHO, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY TO THE CITY OF RICHMOND, FILED FEBRUARY 26, 1920, IN VOLUME 359 OF DEEDS AT PAGE 270 IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA, SAID POINT ALSO BEING ON THE SOUTHWESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE GRANT OF EASEMENT FROM THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY TO THE CITY OF RICHMOND, FILED JANUARY 13, 1970, IN VOLUME 6043 OF OFFICIAL RECORDS AT PAGE 198 IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA, TO EXTERIOR BOUNDARY STAKE NO. 349 OF SAID SAN PABLO RANCHO; THENCE NORTH 83°10'43" EAST 256.68 FEET ALONG SAID EXTERIOR BOUNDARY OF THE SAN PABLO RANCHO, ALSO BEING THE NORTHERLY LINE OF SAID PARCEL (359 D 270) AND THE SOUTHERLY LINE OF SAID EASEMENT (6043 O.R. 198), TO EXTERIOR BOUNDARY STAKE NO. 350 OF SAID SAN PABLO RANCHO; THENCE NORTH 67°53'22" EAST 27.01 FEET ALONG SAID EXTERIOR BOUNDARY OF THE SAN PABLO RANCHO, ALSO BEING THE NORTHERLY LINE OF SAID PARCEL (359 D 270) AND THE SOUTHERLY LINE OF SAID EASEMENT (6043 O.R. 198); THENCE NORTH 84°52'40" EAST 44.54 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 623.69 FEET; THENCE EASTERLY AN ARC DISTANCE OF 337.29 FEET ALONG SAID 623.69 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 30°59'08" TO THE WESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE GRANT OF EASEMENT FROM RICHMOND BELT RAILWAY TO THE CITY OF RICHMOND, FILED NOVEMBER 30, 1917, IN VOLUME 310 OF DEEDS AT PAGE 45, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY CALIFORNIA, BEING ON A NON-TANGENT CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 509.28 FEET, THE CENTER OF THE CIRCLE OF SAID CURVE BEARS SOUTH 83°48'38" EAST; THENCE SOUTHERLY AN ARC DISTANCE OF 84.35 FEET ALONG SAID 509.28 FOOT RADIUS CURVE, ALSO BEING ALONG SAID WESTERLY LINE OF THE BELT RAILWAY EASEMENT (310 D 45), THROUGH A CENTRAL ANGLE OF 09°29'22"; THENCE SOUTH 03°18'00" EAST 111.44 FEET ALONG SAID WESTERLY LINE (310 D 45) TO A POINT ON A TANGENT CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 409.28 FEET; THENCE SOUTHERLY AN ARC DISTANCE OF 86.23 FEET ALONG SAID 409.28 FOOT RADIUS CURVE, ALSO BEING ALONG SAID WESTERLY LINE (310 D 45), THROUGH A CENTRAL ANGLE OF 12°04'16"; TO THE SOUTHWESTERLY CORNER OF SAID EASEMENT (310 D 45), SAID CORNER BEING ON THE SOUTHERLY LINE OF SAID LOT 27, SECTION 23; THENCE SOUTH 89°46'20" EAST 65.31 FEET ALONG THE SOUTHERLY LINE OF SAID EASEMENT (310 D 45), ALSO BEING ALONG THE SOUTHERLY LINE OF LOT 27, SECTION 23, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 453.00 FEET, THE CENTER OF THE CIRCLE OF SAID CURVE BEARS NORTH 81°46'18" WEST FROM SAID CORNER, SAID POINT AS SHOWN ON THE RECORD OF SURVEY FILED AUGUST 3, 1966, IN BOOK 44 OF LAND SURVEY MAPS AT PAGE 3, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, CALIFORNIA; THENCE SOUTHWESTERLY AN ARC DISTANCE OF 489.61 FEET ALONG SAID 453.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 61°55'34"; THENCE SOUTH 00°3'40" WEST 223.05 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 6, SECTION 26; THENCE NORTH 61°48'20" WEST 185.93 FEET ALONG SAID SOUTHERLY LINE OF LOT 6, SECTION 26, AND THE SOUTHERLY LINE OF SAID LOT 7, SECTION 26 TO A POINT ON THE UNITED STATES BULKHEAD LINE, AS SHOWN ON THE DRAWING ENTITLED, "HARBOR LINES FOR SAN FRANCISCO BAY, CALIFORNIA, VICINITY OF RICHMOND," SHEET NO.3 OF 10 SHEETS, DATED SEPTEMBER 23, 1963, PREPARED BY THE U.S. ARMY ENGINEER DISTRICT, SAN FRANCISCO CORPS OF ENGINEERS; THENCE NORTH 81°0'54" WEST 651.13 FEET, MORE OR LESS, ALONG SAID BULKHEAD LINE TO A POINT ON THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF THE AFOREMENTIONED DORNAN DRIVE; THENCE NORTH 09°24'40" EAST 240.83 FEET ALONG SAID WESTERLY LINE OF DORNAN DRIVE AND ITS SOUTHERLY EXTENSION; THENCE SOUTH 80°35'20" EAST 60.00 FEET TO THE EASTERLY LINE OF SAID DORNAN DRIVE; THENCE NORTH 09°24'40" EAST 332.37 FEET ALONG SAID EASTERLY LINE OF DORNAN DRIVE TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 13.313 ACRES, MORE OR LESS, CONSISTING OF APN NOS. 560-420-006, 560-420-007, AND 560-420-010, AS SHOWN ON ASSESSOR'S MAP FOR CONTRA COSTA COUNTY, CALIFORNIA LAST DATED 6-16-87 AT BOOK 560 PAGE 42.

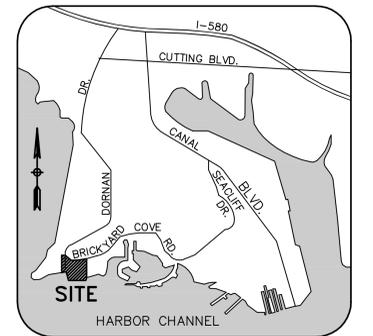
SUBJECT TO ANY EASEMENTS OF RECORD.

THE BEARING "NORTH 09°24'40" EAST" BETWEEN FOUND MONUMENTS ALONG DORNAN DRIVE AS SHOWN ON THAT CERTAIN SURVEY ENTITLED "BALANCED SURVEY OF PORTION OF THE EXTERIOR BOUNDARY OF THE SAN PABLO RANCHO, FROM S.P. STA. 347 TO S.P. STA. 364," DATED FEBRUARY 27, 1930, ON FILE IN THE OFFICE OF THE EAST BAY REGIONAL PARK DISTRICT, WAS USED AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION.

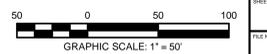
THIS PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYORS' ACT AND SHALL NOT BE UTILIZED IN ANY CONVEYANCE WHICH VIOLATES THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA OR LOCAL ORDINANCES.

LEGEND

- SUBDIVISION BOUNDARY
- PROPERTY LINE
- - - EASEMENT LINE
- CENTER LINE
- - - SECTION LINE



VICINITY MAP NOT TO SCALE



NO.	DESCRIPTION	BY	DATE	APP'D

BKF
ENGINEERS/SURVEYORS/PLANNERS
J. YOUNG
J. WHITE
R. STEPHENS

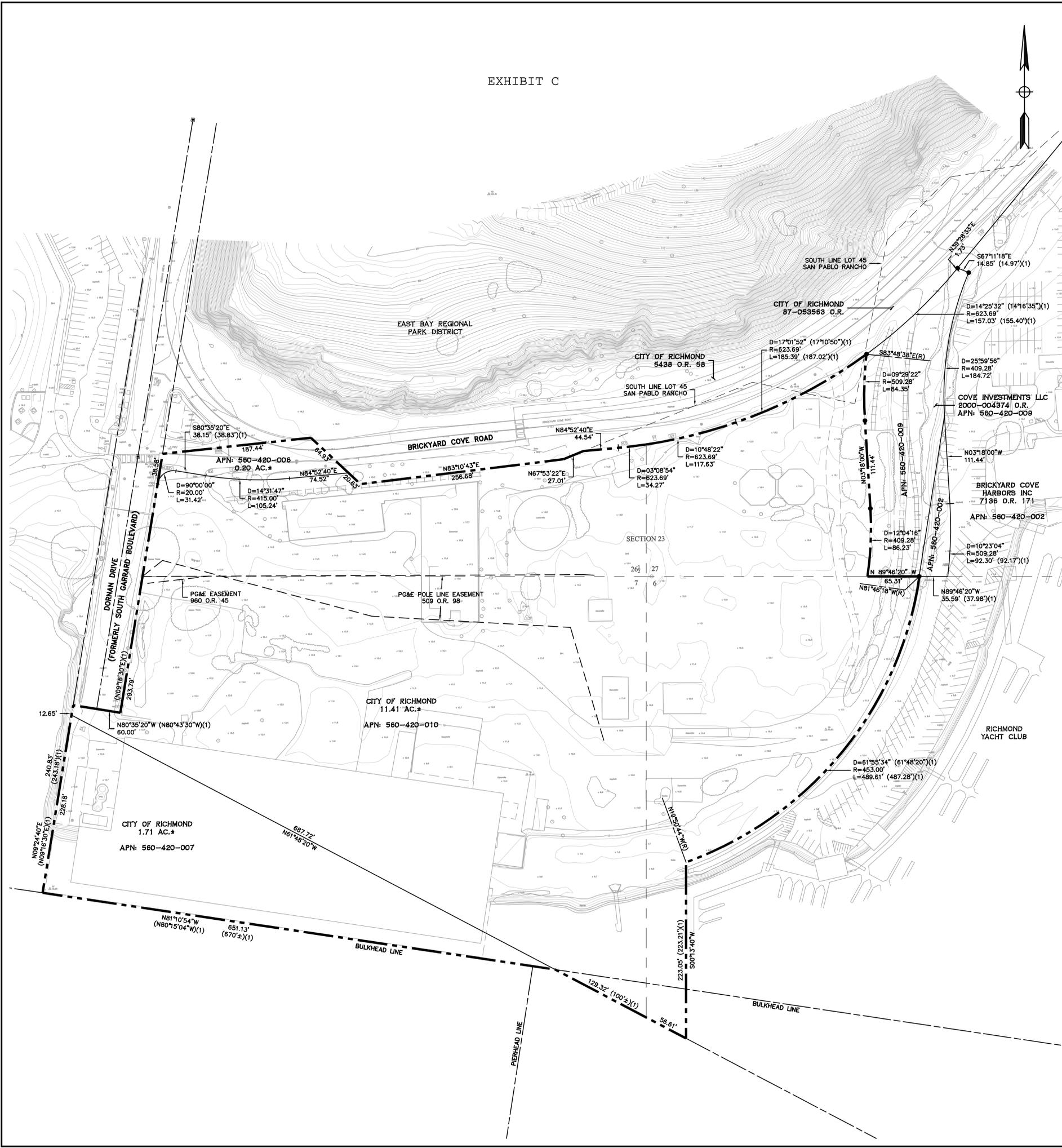
PROJECT TEAM
OWNER
CITY OF RICHMOND
CITY HALL
450 CIVIC CENTER PLAZA
RICHMOND, CA 94804
(925) 307-8091
SUBDIVIDER
TERMINAL ONE DEVELOPMENT LLC
1981 NORTH BROADWAY
SUITE 415
WALNUT CREEK, CA 94596
(925) 937-4115
BKF ENGINEERS
372 HARBOR WAY
SUITE 23
RICHMOND, CA 94801
(910) 529-0236

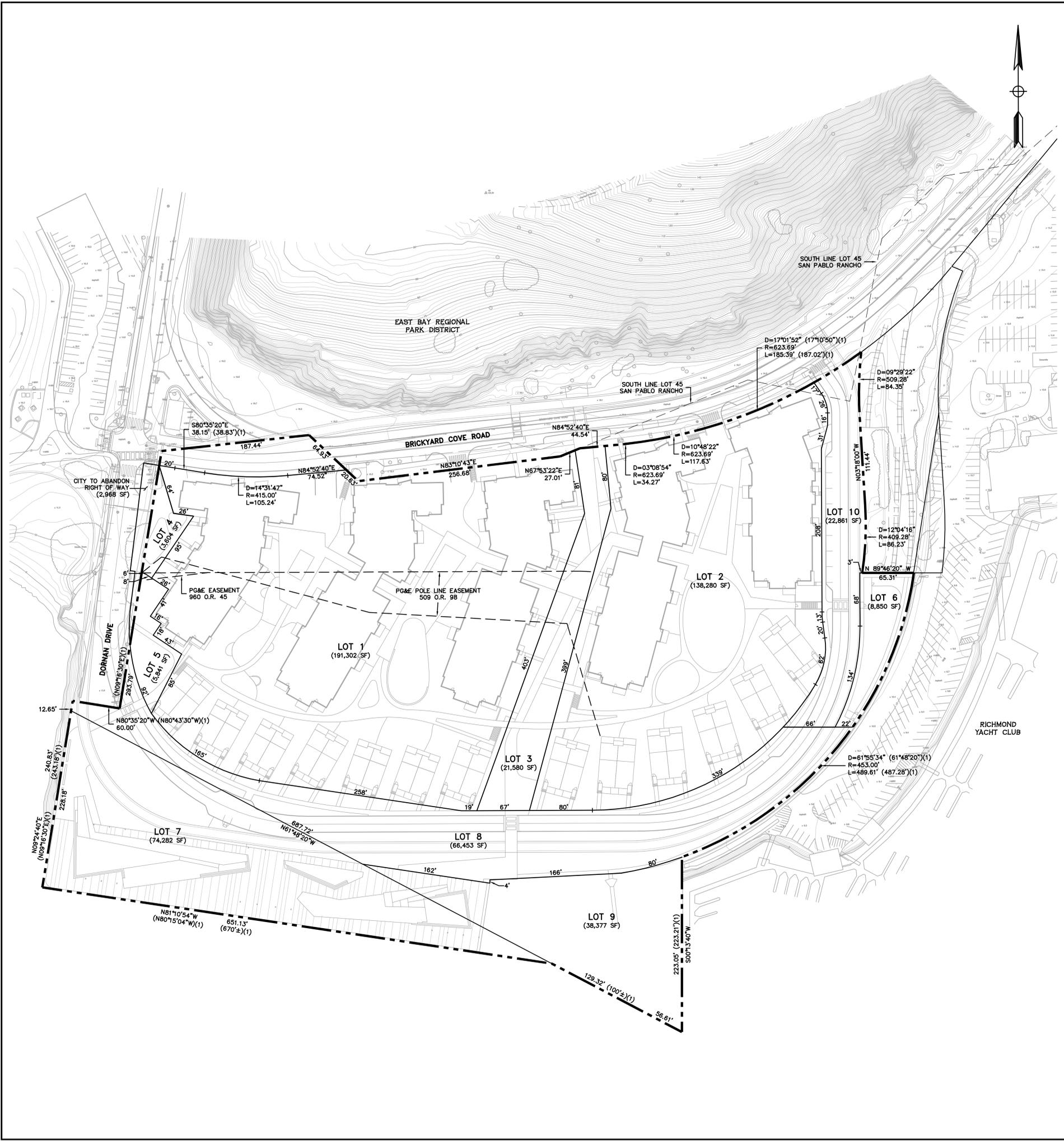
CALIFORNIA

VESTING TENTATIVE SUBDIVISION MAP
TERMINAL ONE | PLANNED AREA DISTRICT
BOUNDARY AND EXISTING CONDITIONS
CONTRA COSTA COUNTY
CITY OF RICHMOND

DATE: 04-06-16 SCALE: As Indicated
SHEET NO.: 01 OF 04
PROJECT NO.: 20145024-10
TITLED: **TM1**

DRAWING NAME: K:\Eng\14\20145024_Terminal One\EN\02_TENTATIVE_MAP\SHEETS\TM1_EX.dwg
PLOT DATE: 04-08-16 PLOTTED BY: youj





LEGEND

- SUBDIVISION BOUNDARY
- PROPERTY LINE
- - - EASEMENT LINE
- CENTER LINE
- SECTION LINE

GENERAL NOTE

1. DEVELOPER RESERVES THE RIGHT TO RECORD MULTIPLE TRACT MAPS ON THIS PROPERTY.

DRAWING NAME: K:\Eng\14\20145024_Terminal One\EN\02_TENTATIVE_MAP\SHEETS\TM2_SM.dwg
PLOT DATE: 04-08-16 PLOTTED BY: you



NO.	DESCRIPTION	BY	DATE	APP'D

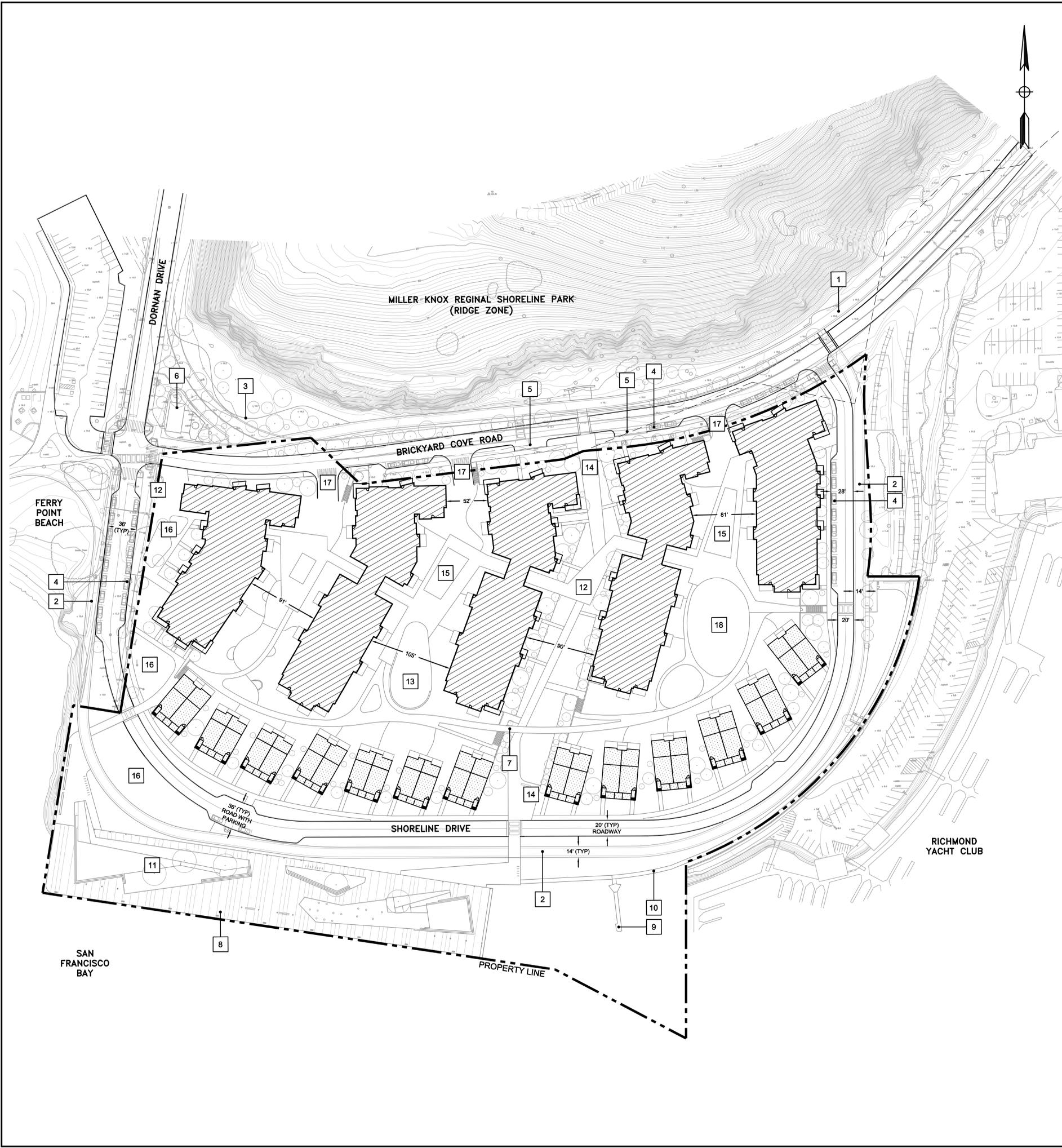
BKF
ENGINEERS / SURVEYORS / PLANNERS

PROJECT TEAM
OWNER: CITY OF RICHMOND
SUBDIVIDER: TERMINAL ONE DEVELOPMENT LLC
CIVIL ENGINEER: BKF ENGINEERS

VESTING TENTATIVE SUBDIVISION MAP
TERMINAL ONE | PLANNED AREA DISTRICT
SUBDIVISION MAP FOR CONDOMINIUM PURPOSES

CALIFORNIA
CONTRA COSTA COUNTY
CITY OF RICHMOND

DATE: 04-08-16 SCALE: As Indicated
JOB NO: 20145024-10
SHEET NO: 02 OF 04
PROJECT NO: TM2



LEGEND

HATCH PATTERN	LAND US	TOTAL SIZE SQ FT (ACRES)
	CONDOS	106,722 (2.45±)
	TOWNHOUSES	35,283 (0.81±)

KEY NOTES

- 1 EXISTING BAY TRAIL
- 2 PROPOSED BAY TRAIL LOOP
- 3 PROPOSED RIDGE TRAIL CONNECTOR
- 4 PUBLIC ON-STREET PARKING (TYP)
- 5 TRASH COLLECTION AND LOADING ZONE
- 6 EXISTING PUMP STATION
- 7 PEDESTRIAN BRIDGE AND BAY OVERLOOK
- 8 TERMINAL ONE PIER
- 9 EXISTING TIE-OFF PIER
- 10 RAIL TO TRAIL PATHWAY
- 11 BOARDWALK GARDENS
- 12 ENTRY PLAZA
- 13 PODIUM PLAY SPACE
- 14 LINEAR PARK: PEDESTRIAN / BIKE ONLY
- 15 AMENITY BUILDINGS - CLUBHOUSE / FITNESS CENTER
- 16 RAIN GARDEN LOCATION TO BE FINALIZED ON IMPROVEMENT PLANS
- 17 GARAGE ACCESS
- 18 NATIVE GRASS MEADOW ON PODIUM

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PLOT DATE: 04-08-16 PLOTTED BY: youj

NO.	DESCRIPTION	BY	DATE	APP'D

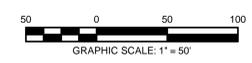
BKF
ENGINEERS / SURVEYORS / PLANNERS
322 HARBOUR WAY
SUITE 203
RICHMOND, CA 94801
510-229-0236 (TEL)
510-229-0236 (FAX)

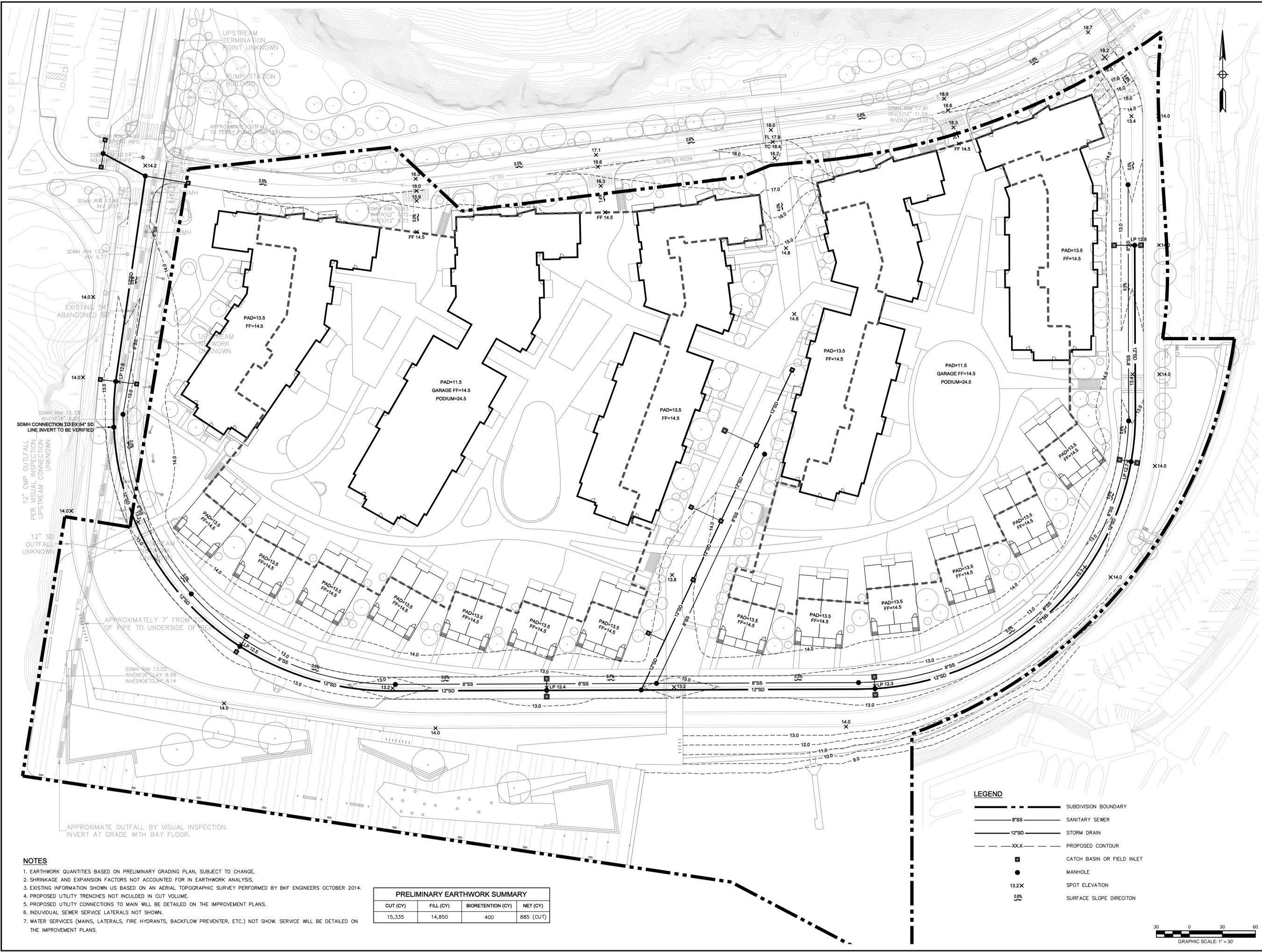
PROJECT TEAM
OWNER: CITY OF RICHMOND
SUBDIVIDER: TERMINAL ONE DEVELOPMENT LLC
CIVIL ENGINEER: BKF ENGINEERS

VESTING TENTATIVE SUBDIVISION MAP
TERMINAL ONE | PLANNED AREA DISTRICT
SITE PLAN AND CONTEXTUAL MAP

CALIFORNIA
CONTRA COSTA COUNTY
CITY OF RICHMOND

DATE: 04-08-16 SCALE: As Indicated
JOB NO.: 20145024-10
SHEET NO.: 03 OF 04
PROJECT NO.: **TM3**





NO.	DESCRIPTION	BY	DATE	APP'D

BKF
ENGINEERS/SURVEYORS/PLANNERS
J. YOUNG J. WHITE
E. STEPHENS

PROJECT TEAM
OWNER: CITY OF RICHMOND
450 CIVIC CENTER PLAZA
RICHMOND, CA 94804
(925) 307-8091
SUBDIVIDER: TERMINAL ONE DEVELOPMENT LLC
1981 NORTH BROADWAY
SUITE 415
WALNUT CREEK, CA 94596
(925) 937-4115
CIVIL ENGINEER: BKF ENGINEERS
322 HARBORWAY
SUITE 23
RICHMOND, CA 94801
(910) 529-0236

CALIFORNIA
CONTRA COSTA COUNTY
CITY OF RICHMOND

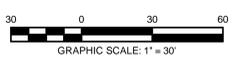
VESTING TENTATIVE SUBDIVISION MAP
TERMINAL ONE | PLANNED AREA DISTRICT
PRELIMINARY GRADING PLAN AND DRAINAGE

DATE: 04-08-16	SCALE: As Indicated
PROJECT NO: 20145024-10	
SHEET NO: 04 OF 04	
TM4	

- NOTES**
- EARTHWORK QUANTITIES BASED ON PRELIMINARY GRADING PLAN, SUBJECT TO CHANGE.
 - SHRINKAGE AND EXPANSION FACTORS NOT ACCOUNTED FOR IN EARTHWORK ANALYSIS.
 - EXISTING INFORMATION SHOWN US BASED ON AN AERIAL TOPOGRAPHIC SURVEY PERFORMED BY BKF ENGINEERS OCTOBER 2014.
 - PROPOSED UTILITY TRENCHES NOT INCLUDED IN CUT VOLUME.
 - PROPOSED UTILITY CONNECTIONS TO MAIN WILL BE DETAILED ON THE IMPROVEMENT PLANS.
 - INDIVIDUAL SEWER SERVICE LATERALS NOT SHOWN.
 - WATER SERVICES (MAINS, LATERALS, FIRE HYDRANTS, BACKFLOW PREVENTER, ETC.) NOT SHOW. SERVICE WILL BE DETAILED ON THE IMPROVEMENT PLANS.

PRELIMINARY EARTHWORK SUMMARY			
CUT (CY)	FILL (CY)	BIORETENTION (CY)	NET (CY)
15,335	14,850	400	885 (CUT)

- LEGEND**
- SUBDIVISION BOUNDARY
 - 8"SS SANITARY SEWER
 - 12"SD STORM DRAIN
 - - - - - PROPOSED CONTOUR
 - CATCH BASIN OR FIELD INLET
 - MANHOLE
 - 13.2X SPOT ELEVATION
 - 0.8% SURFACE SLOPE DIRECTION



DRAWING NAME: K:\Eng\145024_Terminal One\ENR\02_TENTATIVE_MAP\SHEETS\TM4_GR-DR.dwg
PLOT DATE: 04-08-16 PLOTTED BY: youj

Exhibit D

Conditions of Approval

DRB¹

1. Shoreline Drive curbside parking shall be increased as indicated on the applicant's Attachment 2 entitled "Revised Bay Trail (west) and Parking alignment."
2. The applicant shall meet with the EBRPD to explore the feasibility of a direct trail link to the Miller/Knox Park bluff connecting to the ridge line trail system. The applicant shall report the results of these meeting(s) to the Planning Commission prior to the issuance of building permits for the construction of the first phase of the project.
3. The south side of the top floor of Buildings 2, 3, and 4 shall be modified to have a "stepped" appearance of the project as viewed from Shoreline Drive, the Terminal One Pier, and the Bay beyond.
4. Designated parking spaces to be used exclusively by project employees shall be indicated on the drawings. The applicant shall locate some guest parking spaces in the parking podium adjacent to the townhouse units at the minimum ratio of one space for each five units.
5. All elevations and renderings shall be amended to indicate natural earth tone colors in place of the "all white or off-white" colors on all buildings.
6. The "Signs" section of the PA Plan (page 23) shall be amended to include a reference to Section 15.04.930.020 of the Zoning Ordinance, as may be amended, to require signage to be consistent with the design and review procedure outlined in the ordinance.
7. The applicant shall complete the several blank spaces in the PA Plan by inserting the information in the plan (except as modified by these conditions) prior to submittal to the Planning Commission.
8. The PA Plan and Master Plan/Design Framework documents shall be modified to incorporate the illustrative exhibits as submitted for DRB consideration at the 1/27/16 hearing prior to review by the Planning Commission.
9. To avoid multiple reviews by the design review board, the design review permit submittal shall be for all buildings and the entire project as if it was to be constructed in one phase.
10. The site plan shall be modified to show garbage collection in the dog park location, with applicant to obtain will serve letter from Richmond Sanitary of revised location.
11. The following elements shall be removed from the design reviewed by the Planning Commission if the applicant is not proposing to include them in the final design of the building:
 - A. Window boxes; and

¹ The Terminal One PA Plan and the Terminal One Master Plan and Design Framework document as approved by the City Council include changes that address and satisfy DRB Conditions Nos. 1, 3, 4, 6, 7, 8, 9, 11, and 14.

B. Recessed windows.

12. Wind screening shall be considered at the northwest Entry Plaza and Terminal One Pier.
13. The Terminal One Pier and Waterfront Park programming and design shall be reviewed as part of the Design Review Permit.
14. The top of roof shall not exceed 61'-6" above the finished floor of the building's lowest unit.
15. The project shall incorporate art and/or elements of historical relevance in the public Entry Plaza area.

Planning Commission

16. The applicant shall prepare a plan for increasing the number of electric vehicle chargers in podium as time goes on.
17. The applicant shall make a good faith effort to work with the East Bay Regional Park District to implement the roundabout (traffic circle) option at the Brickyard Cove Road and Dornan Drive intersection.

City Council

18. The Shoreline Drive street section shall be revised to provide a 3-foot landscaped buffer between the street edge and the Bay Trail.
19. The Applicant shall retain an independent, third party structural engineer to evaluate the structural integrity of the Terminal One Wharf to confirm its suitability for the proposed recreational use and improvements.
20. Prior to issuance of any permits to develop the Project, including grading and building permits, Developer shall prepare and submit to City for approval the Project O&M Plan set forth in Section 6.8 of the Terminal One Land Disposition Agreement and as required in Condition of Approval No. 29, below. The Project O&M Plan shall provide for funding the operation and maintenance of the Terminal One Wharf. This Condition of Approval No. 20 and Condition of Approval No. 29 are deemed complimentary and shall be interpreted together.
21. In order to promote labor harmony, the Developer agrees that it will not utilize any general contractor, or any sub-contractors, that is currently engaged in a labor dispute in the State of California. For the purposes of this paragraph, a labor dispute holds the same meaning as set forth in California Code of Civil Procedure Section 527.3(b)(4)(i)(ii) and (iii).
22. Because of anticipated increases in park use expected to result from the project, the Applicant shall work in good faith with the East Bay Regional Park District to support and contribute funding and/or services towards improvements at the Miller-Knox Regional Shoreline.
23. Applicant shall indemnify, defend and hold City harmless against all third party claims (including but not limited to third party claims by the Homeowner's Association and/or individual homeowners) made against City in any legal action or proceeding, including administrative proceedings, arbitrations, and regulatory actions, which arise out of or in connection with sea level rise and any impacts from sea level rise on the Project (including both the Residential Property and the

Park Property, as defined in the Terminal One Land Disposition Agreement)(the “Third Party Claims”). Applicant’s obligation to indemnify and hold City harmless shall apply to any liability, damages, losses, judgments, or costs incurred by City as a result of Third Party Claims; provided that Applicant’s indemnification and hold harmless obligations shall be exclusive of any actions brought by Applicant or Applicant’s successors-in-interest and shall not extend to any claim caused solely by the City’s negligence or willful misconduct. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys’ fees and other costs, liabilities and expenses incurred in connection with such legal actions or proceedings as referenced above. If Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City, after good faith consultation with the Applicant.

24. A financing plan shall be established for the Homeowners Association to cover the expenses related to the implementation and maintenance of adaptation measures relating to flooding on the site, as more specifically required in Project Design Feature HYD-3 of the MMRP.
25. Applicant shall enter into a \$500,000 community benefits agreement with the City prior to the issuance of first building permit.

Transportation

26. The Terminal One Land Disposition Agreement requires the applicant to prepare and submit to the City a Transit Access Plan which “evaluates the feasibility of extending existing AC Transit fixed routes to the Project.” In the event that public transit routes are extended to the project, the applicant shall install a public solar bus shelter to accommodate the transit service to the site, with the location and design of the shelter to be subject to review and approval by the City’s Department of Transportation and Engineering Services prior to installation. If routes cannot be extended to the site, the applicant shall install a public solar bus shelter at the nearest stop to the site.
27. The applicant shall provide on-site secured bicycle parking options consistent with the City’s Bicycle Plan and Transportation Mobility Management Plan to be reviewed by the City’s Department of Transportation for design prior to installation.
28. The applicant shall install six electric vehicle charging stations (three per podium) consisting of at least one level 3 Dual Cord 50 KW DC fast charger with ComboChargingSystem and CHAdeMO connectors and the remainder may be level 2 chargers. The stations shall be reviewed and approved by the City’s Department of Transportation for design compatibility and fee schedule options, and for consistency with the City’s Transportation Mobility Management Plan, if applicable.

Planning

29. Prior to the approval of any permits, including building and grading permits for the Project or Offsite Improvements if permits for the Offsite Improvements are

issued separately from or prior to the building permits for the Project, Developer shall, at its sole cost and expense, prepare and submit to City for approval, a plan for funding the operation and maintenance of: (a) the Project's internal streets and (b) the Offsite Improvements (the "Project O&M Plan"). The Project O&M Plan shall be solely Developer/Project funded using financing mechanisms that may include CFD/Assessment District and/or Home Owner Association funding.

30. The project shall comply and implement the mitigation measures identified in the Final EIR as required by the Mitigation and Features Monitoring and Reporting Program (MMRP).
31. The Project will be subject to City's Inclusionary Housing Ordinance (RMC Section 15.04.810.061). The requirements of the Inclusionary Housing Ordinance may, in the sole discretion of Developer, be satisfied by the payment of a fee to the appropriate City of Richmond authority in lieu of incorporating inclusionary housing into the Project.
32. Developer shall include in the initial phase of the Project all of the Offsite Improvements.
33. Any deviations from the development standards approved as part of the Planned Area (PA) zoning district shall be subject to separate review and approval by the City Council. Minor deviations from the project plans may be approved by the Director of Planning and Building Services.
34. The final building designs, site plan and landscape plans for the project shall be subject to review and approval by the Design Review Board.
35. Applicant shall indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City ") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City 's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to acts or omissions in any way connected to the applicant's project, but excluding any approvals governed by California Government Code Section 66474.9. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by Applicant, City, and/or parties initiating or bringing such Proceeding. If Applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.
36. The applicant shall have street improvement plans prepared for all work in the public right-of-way by a licensed civil engineer and obtain Department of Public Works approval prior to the issuance of the encroachment permit or subdivision improvement plans.

Sewer/Wastewater

37. The applicant/developer shall seal the manhole and cut back the pipe in the channel when they tie on to the existing main on Brickyard Cove Road.

Stormwater

38. Project shall comply with Municipal Regional Permit C.3 requirements.

Water Supply

39. An approved on-site water supply capable of supplying the required fire flow for on-site fire protection shall be provided to all premises upon which buildings are constructed. When any portion of a building is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Fire Marshal.

40. Fire hydrants and mains capable of supplying 2,500 gallons per minute @ 20 p.s.i. residual pressure shall be provided in approved locations. On-site fire hydrants shall be located so vehicle travel is no greater than 300 ft. between hydrants.

Hydrants

41. Fire hydrants shall be installed by the developer and made serviceable prior to any combustible building materials being delivered or stored on the site and during the time of construction.

42. There shall be no more than 300 feet between public/private fire hydrants located along the public/private street.

Access Roads

43. Access roads with a minimum unobstructed width of 20 feet shall be provided to the front and rear of structures. A minimum vertical clearance of 13 feet 6 inches shall be provided. Access roads shall be engineered to support the imposed load of our ladder truck apparatus which weighs 35 tons and shall be designed per the City Public Work's Department Standards. An access road shall be provided to within 150 feet of all exterior walls of the first floor of the building/s. The route of the access road shall be approved by the Fire Marshal.

44. Every building shall be accessible to Fire Department apparatus by way of all-weather access roadways during the time of construction. These roads shall have a minimum unobstructed width of 20' and shall be required to have a

minimum 'first lift' of pavement applied which shall support the imposed load of a fire apparatus which is typically 37 tons. **(no exceptions)** The developer shall be required to provide the Fire Marshal with a site plan showing the location, width, grades, and cross section of the proposed access roads to be used during construction. Permits shall not be issued and combustible construction shall not be allowed on the site until this site plan is reviewed and approved and stamped by the Fire Department.

45. Note: Provide specific details regarding the proposed access road that intersects the property. Provide specific details regarding the bridge that appears to go over this road.

Fire Lanes and No Parking Zones

46. The Fire Marshal shall identify on the final site development plans all Fire Lanes and areas where parking is to be restricted. The location of these lanes, signage, and curb painting shall be determined at the sole discretion of the Fire Marshal.

Fire Protection and Detection

47. Subject to the review and approval of the Fire Marshal, an Automatic Fire Sprinkler System shall be installed in accordance with N.F.P.A. 13R. Any fire sprinkler system with over twenty-five (25) heads shall be monitored for water flow by a central station approved by the Fire Marshal.
48. When multiple control valves and Fire Department Connections (F.D.C.) are installed in close proximity to one another, a signal device shall be installed on each (F.D.C.) which will be audible or visual either upon activation to clearly define which system has specifically been activated. The type of device shall be approved by the Fire Marshal.
49. A Manual Fire Alarm System, including a fire alarm control panel and all other associated equipment and devices according to the applicable standards published by N.F.P.A. shall be installed to the satisfaction of the Fire Marshal. The fire alarm panel shall clearly identify the location of the specific alarm within the building. Codes to silence the alarm system shall be provided within the fire alarm panel or Knox Box. Plans and specifications shall be submitted to the Fire Department for review and approval prior to installation.
50. The Fire Marshal shall approve the location, number, and sizes of all portable fire extinguishers prior to the issuance of any building permits.
51. All fire protection systems including, but not necessarily limited to, fire sprinkler systems, fire alarm systems, and fixed fire extinguishing systems must comply with the most recent adopted standards published by the National Fire Protection Association, (NFPA), except where specifically amended modified by Fire Department policy or ordinance.

Fire Protection and Detection System Plans

52. Plans and specifications for the installation of any new fire protection and/or detection systems or any modification to an existing system shall be submitted to the Fire Department for review and approval prior to installation. This includes all underground civil plans pertaining to all on-site fire protection.
53. All detailed plans and specifications for private fire protection and or detection systems shall be submitted separately to the Fire Marshal for review and approval. Prior to the issuance of any grading or Building Permits, the applicant shall integrate the approved plans for fire protection and detection systems into the plans submitted to the Planning Development Department for all civil improvements.

Trash Enclosures

54. All dumpsters or trash containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within five (5) feet of combustible walls, openings, or combustible roof eave lines unless protected by an automatic sprinkler system approved by the Fire Marshal.

Knox Boxes

55. An acceptable emergency access key box (Knox Model 3200) shall be located to the right side of the main entrance, no higher than six (6) feet from the ground. This key box shall be easily visible and accessible to the Fire Department. A Knox sticker shall be affixed on the door adjacent to the Knox Box.
56. Obtain a Knox application from the City Administration Offices.

Premise Identification

57. Approved numbers or addresses shall be placed on all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Unless specifically exempted by the Fire Marshal, address numbers are also required on rear doors.
58. An illuminated graphic directory, approved by the Fire Marshal, shall be provided at each main entrance to any residential or commercial condominium complex, apartment complex, townhouses, mobile home parks, and multiple tenant and commercial building complexes. The directory shall consist of the following:
- (a) a plot plan showing public and private drives;
 - (b) all emergency and non-emergency access roads;
 - (c) building locations with unit numbers and addresses;
 - (d) fire hydrant locations;

- (e) the name of the complex;
- (f) a reference point on the plot plan indicating the location of the directory;
- (g) a north direction indicator.



MEMORANDUM

DATE: July 1, 2016 (revised July 7, 2016)

TO: Lina Velasco, Lina_Velasco@ci.richmond.ca.us
Rachel Sommovilla, Rachel_Sommovilla@ci.richmond.ca.us

FROM: Christy Herron, CHerron@esassoc.com

SUBJECT: **Clarification Regarding Revisions to Section 4.7, Hazards and Hazardous Materials of the Terminal One Project Environmental Impact Report, in Support of City Council Staff Report**

This memo presents revisions to the Final Environmental Impact Report (EIR) for the Terminal One project requested by the San Francisco Regional Water Quality Control Board (RWQCB), in preparation for the July 5 City of Richmond City Council hearing for the project. Revisions to the text of Section 4.7, Hazards and Hazardous Materials of the Draft EIR are presented below. None of the revisions or corrections substantially change the analysis or conclusions presented in the Draft EIR.

Revisions to the Draft EIR are in sequential order by page in which they appear in Section 4.7. Revised or new language is underlined. Deleted language is indicated by ~~strike through~~ text.

Revisions to Section 4.7, Hazards and Hazardous Materials, of the Draft EIR

Draft EIR **page 4.7-6**, first full paragraph is revised as follows:

The Remedial Action Objectives for the site are to reduce the risk to human health and the environment by preventing direct exposure of potential receptors to soil and groundwater contamination as well as indirect exposure to soil vapors that may emanate from contaminated soil and groundwater. An additional objective is to support the long-term protection of water resources (AMEC, 2008). These Remedial Action Objectives were based on the previous redevelopment project proposal for the site, and limit portions of the site to outdoor recreational use only. The RWQCB has confirmed that the Remedial Action Objectives are required to be revised for the currently proposed project (Prowell, 2016).

Draft EIR **page 4.7-7**, second paragraph is revised as follows:

During the eight-year period between the 2006 completion of the remedial actions involving in-situ thermal desorption treatment and off-site disposal of PAH-affected soils and the 2014 City approval of the Terminal One LDA, no further remedial actions or soil testing were undertaken pending the preparation of a new site development proposal. With the 2014 submittal of a new site development proposal by the applicant, and the City's approval of the Terminal One LDA based on that proposal, the applicant proposed additional targeted testing of soils at the project site was warranted in order to better

understand both (a) the level of residual sub-surface contamination remaining after eight years of natural biodegradation and (b) the scope of the additional remedial actions that might be necessary to mitigate any remaining contamination prior to site development. The initial results of this targeted site investigation suggest that residual subsurface concentrations of petroleum hydrocarbons and solvents have been remediated through both active and natural processes to a level that will support amendment of the 2005 UPRAP and SMP to modify certain remedial actions and soil management requirements. These amendments would include revisions to the 2005 UPRAP and the 2004 Order to allow residential land uses to be safely developed on the southwest portion of the site where the UPRAP limits development to recreational uses.

Draft EIR **pages 4.7-11** and **4.7-12**, starting with the last paragraph on page 4.7-11 are revised as follows:

California Human Health Screening Levels

~~The California Human Health Screening Levels (CHHSLs) were developed as a tool to assist in the evaluation of contaminated sites for potential adverse threats to human health. Preparation of the CHHSLs was required by the California Land Environmental Restoration and Reuse Act of 2001 (SB 32 (Chapter 764, Statutes of 2001, OEHHA, 2007. The CHHSLs are concentrations of 54 hazardous chemicals in soil or soil gas the Cal/EPA considers to be below thresholds of concern for risks to human health. The CHHSLs were developed by OEHHA, an agency under the umbrella of Cal/EPA, and are contained in its report entitled *Human Exposure Based Screening Numbers Developed to Aid Estimation of Cleanup Costs for Contaminated Soil* (OEHHA and CEPA 2004). The thresholds of concern used to develop the CHHSLs are an excess lifetime cancer risk of 1 in 1 million and a hazard quotient of 1.0 for noneancer health effects. The CHHSLs were developed using standard exposure assumptions and chemical toxicity values published by USEPA and Cal/EPA. The CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSLs can be assumed to not pose a significant health risk to people who may live (residential CHHSLs) or work (commercial/industrial CHHSLs) at the site.~~

California Environmental Screening Levels

The interim final Environmental Screening Levels (ESLs) for Bay Area sites were issued by the RWQCB in February 2016. ESLs are not cleanup goals, but provide conservative screening levels for over 100 chemicals that are often found at sites with contaminated soil, soil gas, and/or groundwater. ESLs indicate levels below which it may be assumed the chemical in question would not pose a significant, long-term threat to human health or the environment. ESLs address media including soil, groundwater, soil gas, and indoor air as well as range of impacts, including vapor intrusion and impacts to aquatic life. The ESLs are updated frequently to reflect current toxicological data.

Draft EIR **page 4.7-19**, the first full paragraph is revised as follows:

In addition, the project currently proposes constructing housing in the area of the Southwestern Tank Farm Area and Northeastern Tank Farm Area. Housing in these areas is not addressed by the current UPRAP or the 2004 cleanup Order, which will be required to be revised and approved by the RWQCB to reflect the current project site plan, before homes can be developed in these areas.

Draft EIR **page 4.7-19**, Mitigation Measure HAZ-1f is revised as follows to provide a minor clarification:

Mitigation Measure HAZ-1f: Prior to issuance of any building permit, the project applicant shall submit to the City confirmation that the site remedial action plan and cleanup order have~~has~~ been revised as necessary, and approved by the San Francisco Regional Water Quality Control Board (RWQCB), to address the construction of housing and other infrastructure (i.e., water utilities) in areas of the site not otherwise contemplated for housing or infrastructure in the 2005 Updated Proposed Remedial Action Plan or Order No. R2-2004-0045, and that all remedial actions required to be completed per the revised remedial action plan prior to project construction have been approved as complete, and documented as such, by the RWQCB. In addition, the final occupancy permit for the project shall not be granted by the City prior to the review and approval by the RWQCB of a report documenting the completion of all required remedial and mitigation measures and confirming the correct installation and functioning of any and all required mitigation systems.

Draft EIR **page 4.7-24** is revised to include the following additional reference:

Prowell, Cheryl. 2016. Senior Water Resource Control Engineer. Personal communication with Lina Velasco, Senior Planner, City of Richmond Planning Division. June 30, 2016.