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Initial Study/Consistency Checklist and Addendum to the Richmond General Plan Final EIR
100 38th Street Project
City of Richmond, Contra Costa County, California

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ACRONYMS AND ABBREVIATIONS

µg/m^3	micrograms per cubic meter
°F	degrees Fahrenheit
°C	degrees Celsius (Centigrade)
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACT	Advanced Clean Truck
ACTM	Airborne Toxics Control Measure
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
AEMOD	American Meteorological Society/EPA Regulatory Model
ALUP	Airport Land Use Plan
APN	Assessor's Parcel Number
ARB	California Air Resources Board
AST	above ground storage tank
AQP	Air Quality Plan
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BERD	California Built Environment Resource Directory
BGS	below ground surface
BIOS 5	Biogeographic Information and Observation System
BMP	Best Management Practice
CalEEMod	California Emissions Estimator Model
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARE	Community Air Risk Evaluation
CASQA	California Stormwater Quality Association
CBC	California Building Standards Code
CCTA	Contra Costa Transportation Authority
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CIWMB	California Integrated Waste Management Board

CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CNPSEI	California Native Plant Society Electronic Inventory
CO	carbon monoxide
CPT	Cone Penetration Test
CRHR	California Register of Historical Resources
CWS	Community Warning System
dBA	A-weighted decibel
dB	decibel
DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
EMFAC	Emissions Factors mobile source emissions model
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
ESL	Environmental Screening Level
FAR	floor area ratio
FCS	FirstCarbon Solutions
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHG	greenhouse gas
GIS	Geographic Information System
GPA	General Plan Amendment
HCP	Habitat Conservation Plan
HRE	Historic Resource Evaluation
HVAC	heating, ventilation, and air conditioning
in/sec	inches per second
IPaC	Information for Planning and Consultation
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
IW	Water-Related Industrial
LCFS	low carbon fuel standard
L_{dn}	day-night average sound level

L_{eq}	equivalent sound level
L_{max}	maximum sound level
LOS	Level of Service
LRA	Local Responsibility Area
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCL	maximum contaminant level
mgd	million gallons per day
MIR	Maximally Impacted Sensitive Receptor
MMRP	Mitigation Monitoring and Reporting Program
mph	miles per hour
MRP	Municipal Regional Permit
MRZ	Mineral Resource Zone
MTC	Metropolitan Transportation Commission
MTSO	Multimodal Transportation Service Objectives
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NFHL	National Flood Hazard Layer
NO_x	oxides of nitrogen
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NTWS	United States National Tsunami Warning Center
NWIC	Northwest Information Center
OEHHA	California Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OHP	California Office of Historic Preservation
OPR	Governor's Office of Planning and Research
PCI	Public, Cultural, and Institutional
PG&E	Pacific Gas and Electric Company
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PM_{10}	particulate matter less than 10 microns in diameter
PPV	peak particle velocity
PV	photovoltaic
REC	recognized environmental concern
RecycleMore	West Contra Costa Integrated Waste Management Authority
RFD	Richmond Fire Department

REL	Reference Exposure Level
ROG	reactive organic gases
RPS	Renewable Portfolio Standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act
SMP	Site Management Plan
SRA	State Responsibility Area
SSMM	start-up, shutdown, maintenance, and malfunction
State Water Board	California State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
TCR	Tribal Cultural Resources
TDM	Transportation Demand Management
TIA	Traffic Impact Analysis
TPH	Total Petroleum Hydrocarbons
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
UST	underground storage tank
UWMP	Urban Water Management Plan
VHFSZ	Very High Fire Severity Zone
VMT	Vehicle Miles Traveled
VOC	volatile organic compound
WCCTAC	West Contra Costa Transportation Advisory Commission
WCCUSD	West Contra Costa Unified School District
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant
ZEV	Zero-Emission Vehicle

SECTION 1: INTRODUCTION

This Initial Study, Consistency Checklist, Addendum, and attached supporting documents have been prepared to determine whether and to what extent the Richmond General Plan 2030 Final Environmental Impact Report (General Plan FEIR, State Clearinghouse No. 2008022018) prepared for the City of Richmond remains sufficient to address the potential impacts of the proposed 100 38th Street Project (proposed project), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC], § 21000, *et seq.*).

1.1 - CEQA Assessment

The following Environmental Checklist has been prepared pursuant to CEQA Guidelines Section 15162 (Subsequent Environmental Impact Reports [EIRs] and Negative Declarations) and 15168 (Projects Consistent with Program EIR) to determine whether substantial evidence indicates the proposed project requires additional environmental review. The proposed project would make modifications to the Richmond General Plan as compared with the version analyzed in the General Plan FEIR, and this Environmental Checklist also serves as an addendum to the General Plan FEIR pursuant to CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration) that documents the changes necessary and provides evidence in support of the conclusion that none of the conditions triggering additional environmental review have occurred.

1.2 - Summary of Results

As illustrated by the following Environmental Checklist, none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. This determination is based on the following criteria:

1. There are no substantial changes in the proposed project that will require major revisions of the Richmond General Plan 2030 FEIR;
2. There are no substantial changes with respect to the circumstances under which the project will be undertaken that require major revisions of the General Plan FEIR;
3. There is no new information of substantial important, that was not known and could not have been know, that shows a new or more severe impact than analyzed in the General Plan FEIR, and
4. There are no mitigation measures or alternatives that would substantially reduce project impacts, but that the project proponent declines to adopt.

The evaluation presented in this Environmental Checklist explains the substantial evidence supporting a conclusion that the proposed project is within the scope of the General Plan FEIR, and that no further CEQA documentation is required beyond this Environmental Checklist, which serves as an Addendum under CEQA Guidelines Section 15164.

The General Plan FEIR is available at:

City of Richmond
City Hall
450 Civic Center Plaza
Richmond, CA 94804
http://www.ci.richmond.ca.us/2608/General-Plan-2030

SECTION 2: PROJECT DESCRIPTION

2.1 - Project Location and Setting

2.1.1 - Project Location

The proposed 3.1-acre project site is located at 100 38th Street in the City of Richmond, Contra Costa County, California (APN 517-340-004) as shown on Exhibit 1 and Exhibit 2. The project site is within the grounds of the Contra Costa County (Richmond) Superior Court Complex (Court Complex). The project site is bounded by the County Superior Courthouse (west), Bissell Avenue (north), a commercial building (east), and the Bay Area Rapid Transit (BART) tracks (south). The project site is located on the Richmond, California United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map, Township 1 North, Range 5 West, Unsectioned (Latitude 37° 55' 56" North; Longitude 122° 19' 59" West).

2.1.2 - Existing Development and Land Use Activities

The project site contains a decommissioned 2-story public office building, built in 1966 with a basement and a surface parking lot, and a shared plaza with the Court Complex to the west. The building was previously occupied by the Contra Costa County Health Department. Site photos (Exhibit 3) show the existing building on the site and shows the relationship of the existing building to the Court Complex and surroundings.

2.1.3 - General Plan and Zoning Designations

The project site is designated "Public, Cultural and Institutional" by the City of Richmond General Plan and is zoned "Public, Cultural, and Institutional (PCI)" by the Richmond Zoning Ordinance.

2.2 - Project Background and Previous Environmental Review

2.2.1 - General Plan

The General Plan's goals and policies represent the City's overall philosophy on public and private development and provide a foundation for public and private decision-making on related issues. The General Plan provides a framework for development that dictates decisions on how to grow, provide public services and facilities, and protect and enhance the environment. Pursuant to California law (Government Code § 65300) the General Plan is comprehensive, internally consistent, and long range. The General Plan was adopted by the Richmond City Council in 2012. As described above, the project site was designated "Public, Cultural and Institutional" as part of the General Plan.

The General Plan would guide development for the entire City, with the majority of development planned within 16 proposed change areas, in which it is anticipated that there will be new uses, development, and redevelopment. These change areas were determined to be the most suitable for a shift in intended use as compared to existing conditions because many of the change areas are underutilized, have incompatible land uses, high potential for redevelopment, or are inconsistent with current community priorities.

2.2.2 - General Plan Environmental Impact Report

The Richmond General Plan Draft Environmental Impact Report (Draft EIR), dated February 2011, was circulated for 45-day public review period in February 2011. Significant, unavoidable impacts to air quality, climate change, cultural resources, noise, public utilities, transportation and circulation, and visual resources were identified in the Draft EIR. A Final EIR was circulated that provided additional mitigation measures to eliminate the significant and unavoidable impacts identified in the Draft EIR, and was certified with adoption of a Mitigation Monitoring and Reporting Program (MMRP) on April 24, 2012. These mitigation measures are listed in Appendix A, Richmond General Plan MMRP.

2.3 - Project Description

2.3.1 - Development Summary

The project applicant, Eden Housing, is proposing to reuse the existing building and build an adjacent 5-story building, in order to develop 135 new affordable multi-family homes along with on-site offices for support staff, and an approximately 8,800 square foot daycare center on the project site.

The proposed development site plan is shown in Exhibit 4, including the existing building (Building A) and the proposed new building (Building B). The proposed project would require a General Plan Amendment (GPA) to change the land use designation to Medium-Intensity Mixed-use (Commercial Emphasis) and a zoning amendment to change the zoning to Commercial Mixed Use, Commercial Emphasis (CM-3). The project site is currently owned by Contra Costa County, which previously developed and used the project site for the West County Health Center. Although the structure remains on the project site, the County no longer intends to use the facility and is interested in redeveloping the site.

The proposed project would redevelop the existing building ("Building A") into 59 units, with a mix of 30 studio apartments, 28 one-bedroom apartments, and one two-bedroom apartment for an on-site manager. The renovations to the building would include the creation of an interior courtyard and the addition of parking in the basement level. Exhibit 5 provides elevations of the building with the proposed renovations. The new 5-story building ("Building B") would be located directly east of the existing building and would provide a total of 76 units: nine studios, 26 one-bedroom apartments, 20 two-bedroom apartments and 21 three-bedroom apartments. Building B would also provide 8,797 square feet of childcare space. Exhibit 6 shows the proposed elevations for Building B. The project would result in a total of 39 studios, 54 one-bedroom apartments, 21 two-bedroom apartments, and 21 three-bedroom apartments, for a total of 135 new multi-family units.

As a 100 percent affordable housing development, the proposed project is eligible for up to four incentives/concessions, unlimited waivers, and an automatic parking reduction under the State Density Bonus Law (Government Code § 65915).

Under the State Density Bonus Law, the City is precluded from applying any development standards that physically preclude the development of a project that qualifies for a density bonus. Because a portion of the proposed project involves the adaptive reuse of the former West County Health

Center, the remainder of the project site would be developed with more intensive uses to reach the density to which the proposed project is entitled. To accommodate the proposed density and configuration of the proposed project, it would be necessary to waive the generally applicable height limitation and building length maximum. Exhibits 5 and 6 illustrate the proposed height and length required to achieve the allowed density for the site, pursuant to State law.

2.3.2 - Design and Appearance

In addition to the interior courtyard in Building A, the existing surface parking lot perpendicular to the existing building, fronting on Bissell Avenue, would be converted to a plaza consisting of both hardscape and soft scape. This plaza would provide for both active and passive use by new resident, the new commercial tenant, childcare families, and existing County court employees and visitors. The existing plaza between Building A and the County Superior Court building would be improved. The plazas and open spaces also would provide public art, satisfying the City of Richmond public art requirement.

2.3.3 - Landscaping (to be completed after design review)

Extensive landscaping is proposed for the new plaza, the existing plaza, and the existing parking lots, as well around each building. Planters in the parking lot and around the buildings would provide stormwater drainage and bioretention, with a mix of rushes, sedge, yarrow and penstemon. Exhibit 9 shows the preliminary landscape plan with proposed courtyard improvements and the location of the landscaped interior courtyard. An interior courtyard garden is proposed for Building A.

2.3.4 - Circulation

Vehicular Circulation

Vehicles would enter the site from 37th Street via an existing driveway shared with the Court Complex. Entrance to the underground parking in Building A would be from the south parking lot.

Pedestrian Access

Pedestrian access to both buildings would be primarily from Bissell Avenue. Parking for residents and staff would be provided in the bottom of Building A, and in the parking lot on the south side of the two proposed buildings.

2.3.5 - Parking

Thirty parking spaces would be provided in the underground parking structure in Building A. Eighty-one spaces would be provided in the surface lot on the south side of the project site. Parking areas would be accessed from 37th Street or Bissel Avenue via a shared driveway with the Court Complex.

2.3.6 - Utilities

Water and Wastewater

The proposed project would utilize the existing water and sanitary sewer lines in Bissell Avenue and 39th Street, which extend through the site to serve the existing building.

Storm Drainage

Storm drainage would be collected in bioretention treatment areas before being routing off the site through connections to existing storm drains in the parking lot, Bissell Avenue, and 39th Street. New surfacing for the existing plaza and the new plazas, as well as hardscaping around the two buildings, would utilize pervious paving and bioretention basins, when possible, to reduce the amount of runoff.

Natural Gas and Electricity

Electricity would be provided by Pacific Gas and Electric Company (PG&E). Richmond Ordinance No. 06-20 NS requires all newly constructed buildings to be "all electric." The proposed project would be all electric, so natural gas would not be provided.

Phasing and Construction

Construction of the proposed project is expected to start in September 2023 and to conclude in July 2025 with a total of 500 workdays. Demolition will start at the beginning of September 2023 and continue through the end of October 2023. The construction schedule would be phased as described below for each building:

Building A

Building A construction/renovation would begin after Demolition has concluded in October 2023 and would conclude in July of 2025

- Building A Building Construction (Renovation) – October 2023 through June 2025
- Building A Architectural Coating (Renovation) – June 2025 through July 2025

Building B

Building B construction would begin at the beginning of September 2023 and would conclude in February 2025.

- Building B Site Preparation–September 2023
- Building B Grading–September 2023 through October 2023
- Building B Building Construction–October 2023 through December 2024
- Building B Paving–December 2024 through January 2025
- Building B Architectural Coating–January 2025 through February 2025

As described above, Building A renovation would occur concurrently with the construction of Building B.

Construction activities would include site grading and earthmoving activities as well as the operation of off-road construction equipment and on-road construction vehicles, vendor trucks, and haul trucks. Air Quality and Noise impacts from construction are further discussed Section III, Air Quality, and Section XII, Noise.

2.4 - Project Comparison With Development Planned in General Plan EIR

As discussed previously, the General Plan includes 16 change areas, where most of the substantial changes are expected to occur. The project site is located within Change Area 1, the Downtown/Macdonald Avenue, which includes the Civic Center, the Richmond BART/Amtrak Station, Kaiser Permanente Hospital, a number of historic buildings, and many public and cultural facilities. The project site is currently designated as Public, Cultural, and Institution and would require a GPA to allow for the proposed project, changing the designation to Medium Intensity Mixed-Use (Commercial Emphasis). Table 1 below shows the acreage for each of these land use designations for change areas that would be developed under the General Plan EIR and the proposed project.

Table 1: Comparison of Land Use Designation on the Project Site under the General Plan EIR and Proposed Project

Land Use Designation	Proposed Acreage in General Plan EIR Change Areas	Proposed Change in Acreage with Proposed Project	Change Areas Acreage with Proposed Project
Medium Density Mixed-Use (Commercial Emphasis)	290.17	+3.1	293.27
Public, Cultural, and Institutional	51.01	-3.1	47.91
Total	**341.18**	**3.1**	**341.18**

2.5 - Discretionary Approvals

A GPA is required to change the designation of the site from “Public, Cultural and Institutional” to “Medium-Intensity Mixed-Use (Commercial Emphasis).” Altogether, the following permits are required:

- GPA amendment to Medium Intensity Mixed-Use (Commercial Emphasis)
- Zoning amendment to CM-3
- Design Review Permit
- Conditional Use Permit
- Lot Line adjustment

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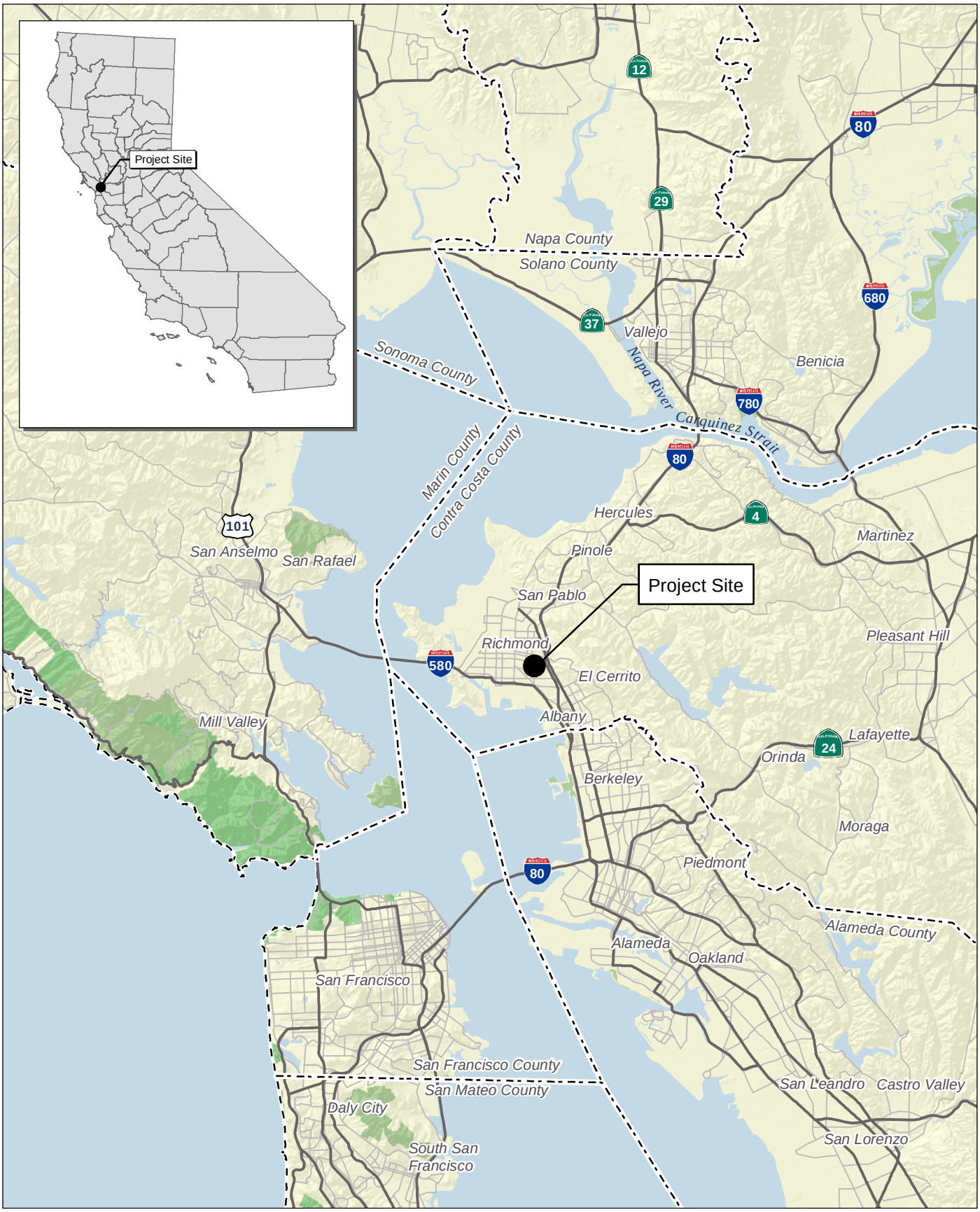

Source: Census 2000 Data, The California Spatial Information Library (CaSIL).

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5 2.5 0 5 Miles

Exhibit 1
Regional Location Map

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CITY OF RICHMOND
100 38TH STREET PROJECT
INITIAL STUDY/CHECKLIST

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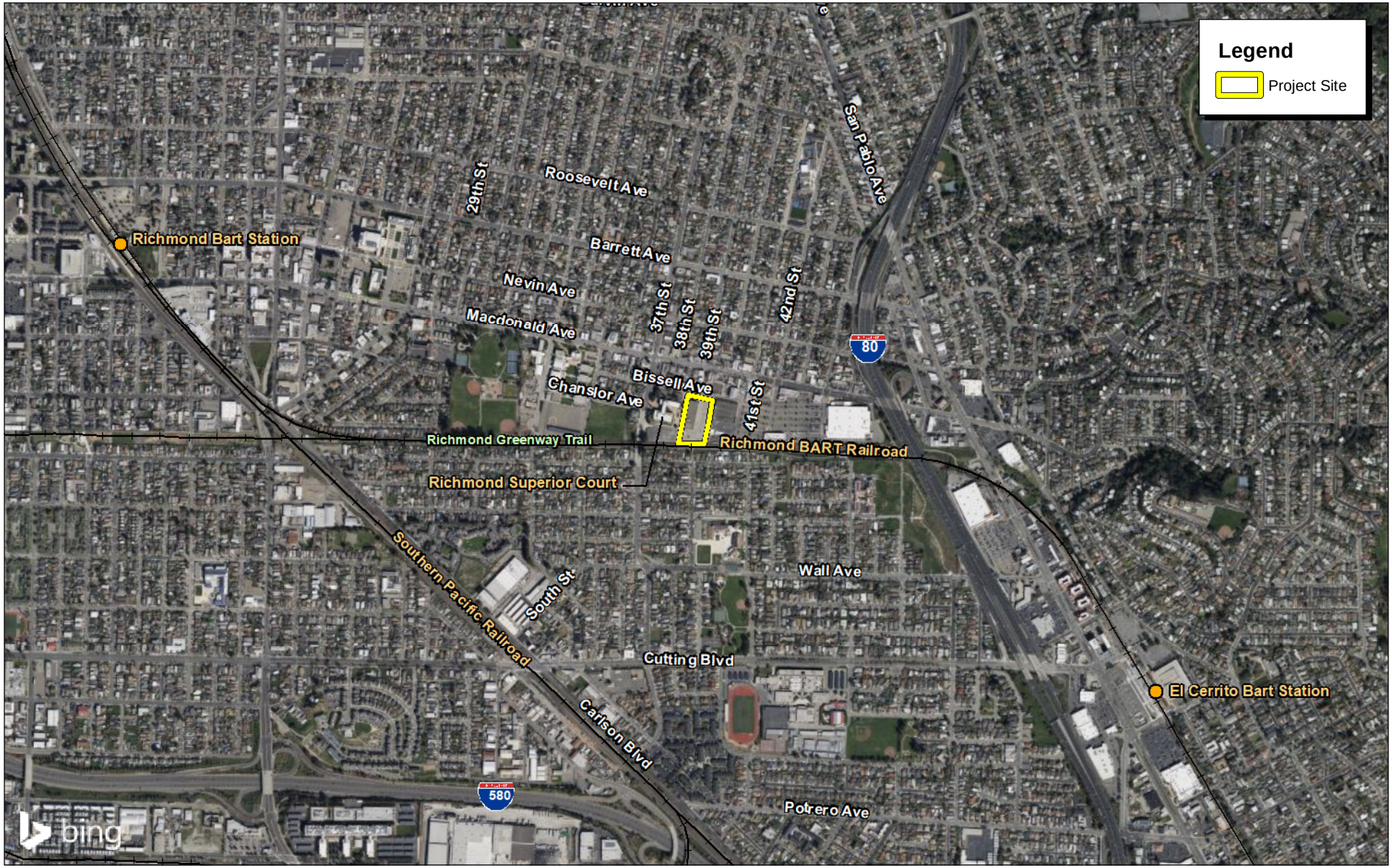

Source: Bing Aerial Imagery.

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1,400 700 0 1,400 Feet

Exhibit 2
Local Vicinity Map

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CITY OF RICHMOND
100 38TH STREET PROJECT
INITIAL STUDY/CHECKLIST

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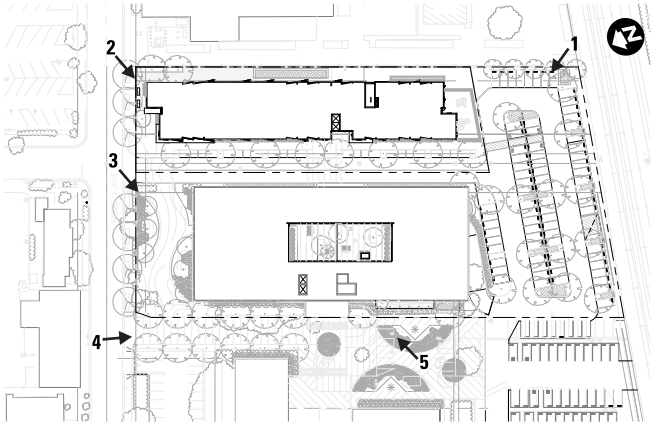
VIEW 1



VIEW 2

VIEW 3

VIEW 4

VIEW 5

Source: BAR Architects, 11/19/2020.

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Exhibit 3
Site Photographs

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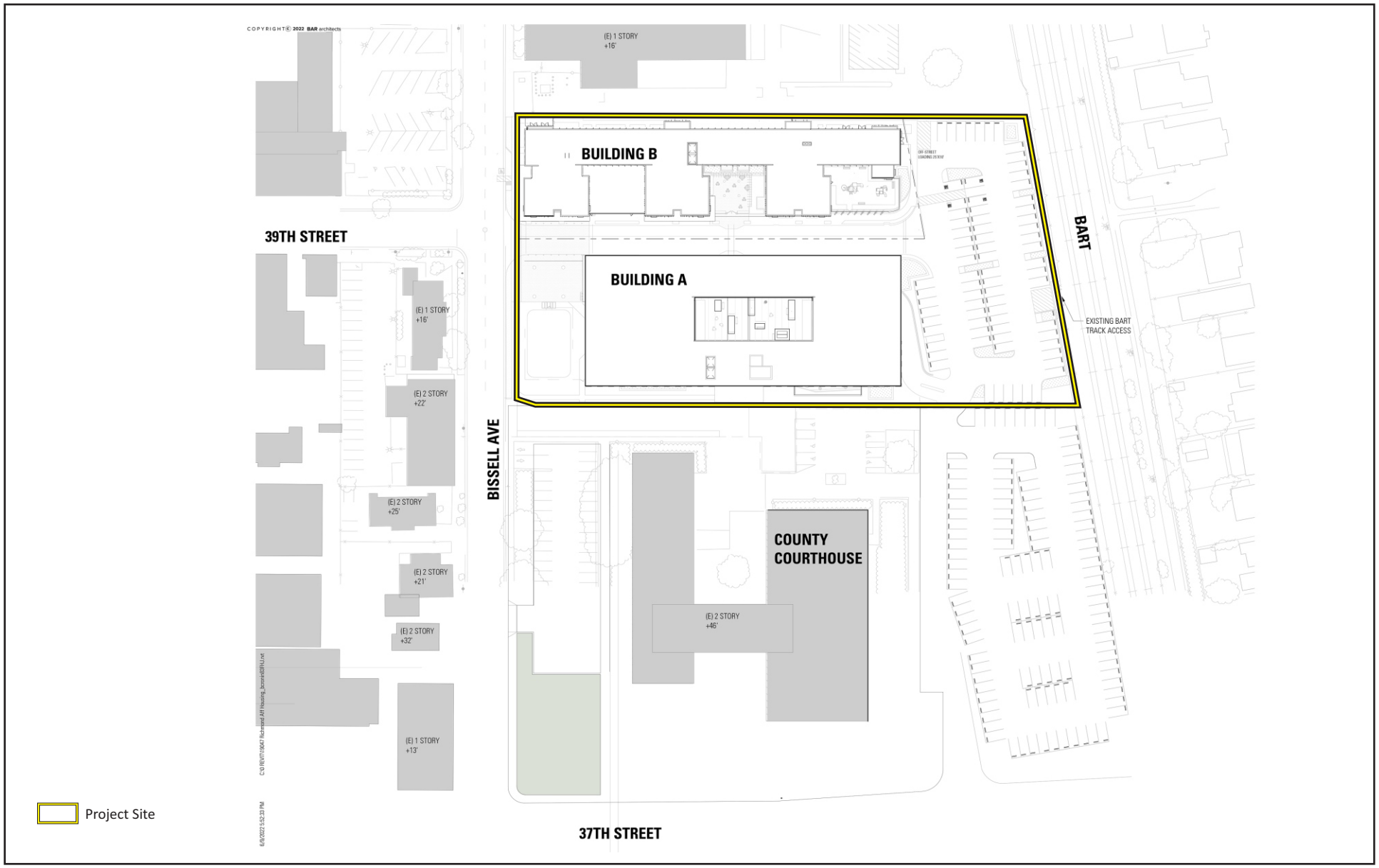

Source: BAR Architects, 06/06/2022.

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Exhibit 4
Site Plan

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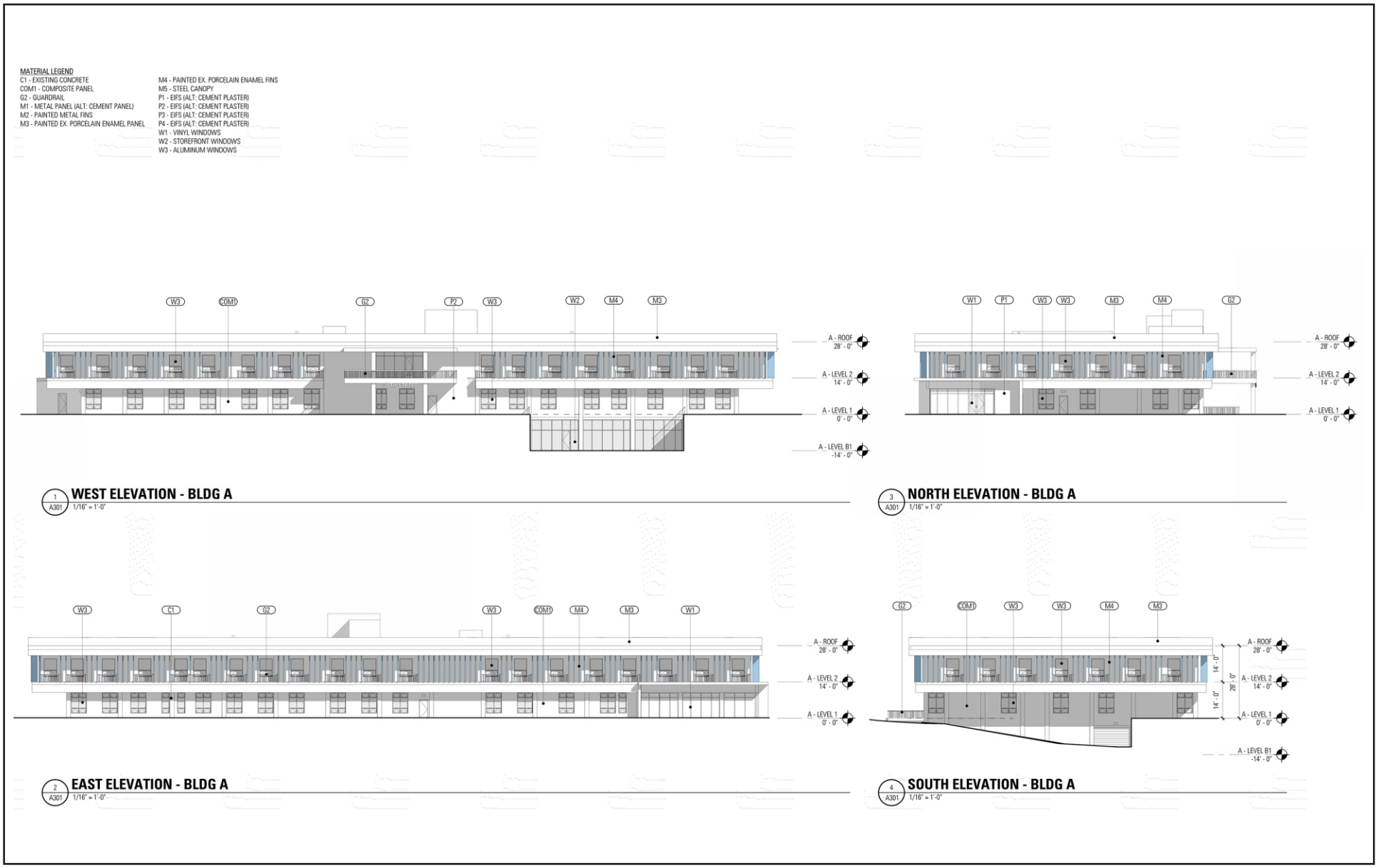

Source: BAR Architects, 06/06/2022.

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Exhibit 5
Proposed Elevations of Building A

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Source: BAR Architects, 06/06/2022.

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Exhibit 6
Proposed Elevations of Building B

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Source: BAR Architects, 06/06/2022.

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Exhibit 7
Rendering of Proposed Project, Looking East along Bissell Avenue

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Source: BAR Architects, 06/06/2022.

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Exhibit 8
Rendering of Proposed Project, Looking South from Bissell Avenue

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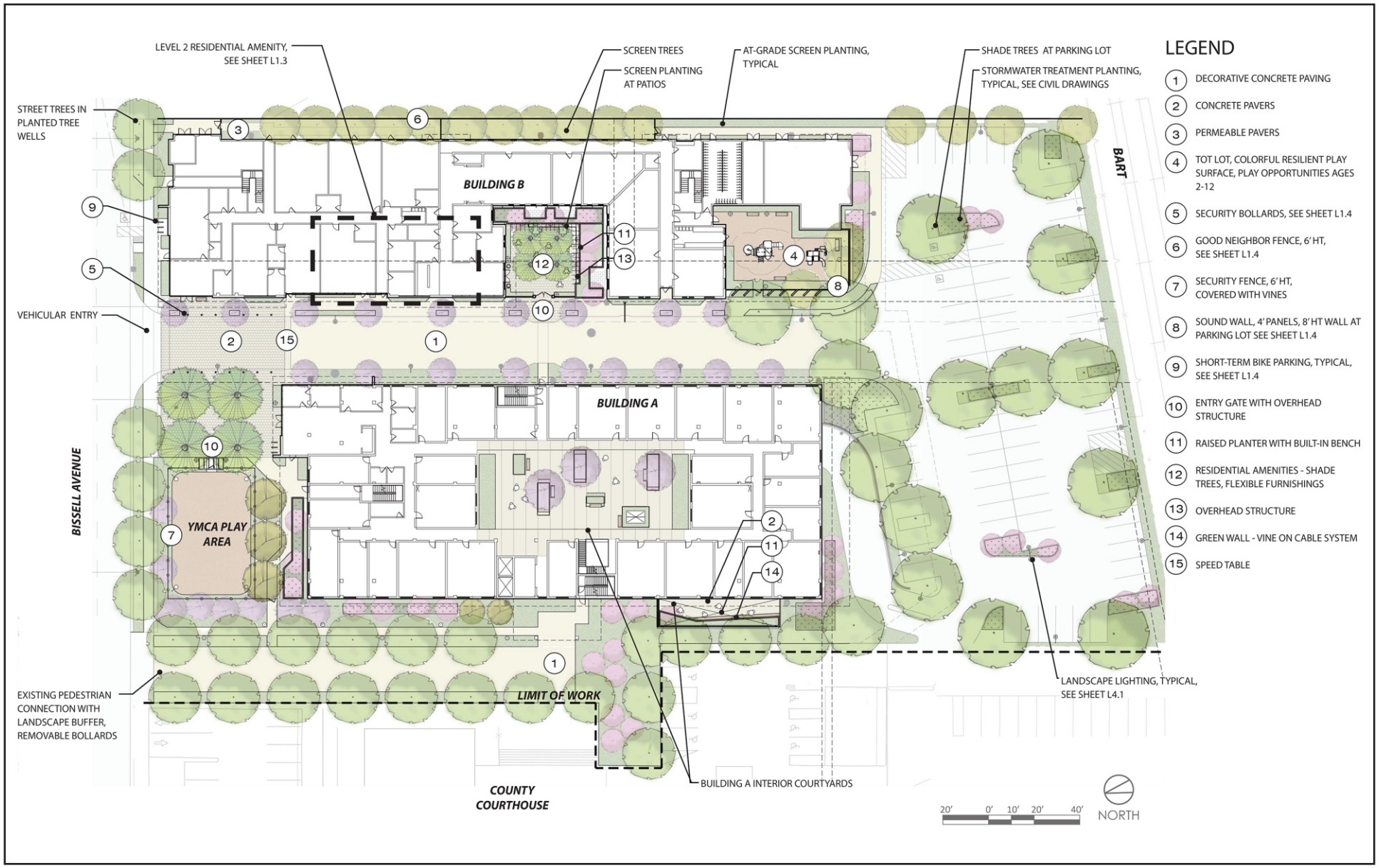

Source: JETT Landscape Architects + Design, 06/06/2022.

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Exhibit 9
Preliminary Landscape Plan

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SECTION 3: CEQA GUIDELINES SECTION 15168: PROJECTS CONSISTENT WITH PRIOR ENVIRONMENTAL DOCUMENTATION

3.1.1 - CEQA Guidelines Sections 15168 and 15164

Pursuant to CEQA Guidelines Section 15168, later activities that fit within the scope of a certified program EIR are properly examined in light of the analysis in the prior EIR to determine whether an additional environmental document must be prepared. As discussed below, CEQA instructs agencies to review later activities under the framework of Public Resources Code Section 21166 and State CEQA Guidelines Section 15162. Generally, no subsequent or supplemental environmental review is required unless new or more severe significant impact is caused by a change in the project or a changed circumstance or significant new information that could not have been known when the EIR was prepared becomes available.

When only minor changes have occurred or are proposed following the certification of a final EIR, but none of the conditions requiring subsequent environmental review are triggered, such changes shall be documented in an addendum to the EIR pursuant to CEQA Guidelines Section 15164. As with the evaluation for consistency with a program EIR, CEQA provides that an addendum may be prepared when none of the conditions describes in Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 have occurred.

CEQA suggests that lead agencies use checklists or similar mechanisms to conduct this analysis. An additional environmental document is not required unless the later activity: (1) would have new effects not examined in the prior EIR; or (2) would require new mitigation measures not previously identified in the prior EIR. If both requirements are met, the lead agency may approve the activity as being within the scope of the project covered by the prior EIR, and no additional environmental documentation is required under CEQA Guidelines Section 15168. If subsequent environmental review is not required, the lead agency may document the proposed changes via an addendum under CEQA Guidelines Section 15164. In both cases, the lead agency shall incorporate all applicable mitigation measures and alternatives developed in the prior EIR into subsequent actions in the program.

As discussed below and throughout this checklist document, the proposed project would not result in any new effects not already examined in the General Plan FEIR, nor would the proposed project require any new mitigation measures; all applicable mitigation measures have been incorporated. And although the project proposes changes to what was studied in the General Plan FEIR, the changes are minor, and, as documented in this Environmental Checklist, none of the conditions triggering subsequent environmental review have occurred. Therefore, the proposed project fits within the scope of the program analyzed in the General Plan FEIR and does not require any further environmental review beyond this Environmental Checklist.

3.1.2 - Public Resources Code Section 21166 and State CEQA Guidelines Section 15162

Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a) direct that once an EIR has been certified, no subsequent EIR shall be prepared unless the lead agency determines, based on substantial evidence, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous EIR;

b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As described in Section 4, Environmental Checklist, none of the situations requiring the preparation of subsequent or supplemental environmental documentation are present for the proposed project. In accordance with CEQA, Section 5 of this document analyzes the proposed project with respect to the General Plan FEIR, and demonstrates that all of the potential environmental impacts associated with the proposed project would be within the envelope of impacts already evaluated in the General Plan FEIR. The proposed project would not have any substantial changes that would result in significant environmental effects or result in a substantial increase in the severity of a previously identified impact. As demonstrated by the analysis herein, the proposed project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the proposed project are within the scope of impacts addressed in the General Plan FEIR and do not constitute a new or substantially increased significant impact. Based on this determination, the proposed project does not meet the requirements for preparation of a Subsequent or Supplemental EIR or negative declaration pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162.

Accordingly, the lead agency may adopt an addendum to the prior EIR to document its decision that a subsequent environmental document is not required. State CEQA Guidelines 15164(b), (e).

SECTION 4: ENVIRONMENTAL CHECKLIST

The following pages of this document contain an Environmental Checklist that examines the proposed project's potential environmental effects within the parameters in CEQA Guidelines Section 15162). The "Previous" or "Prior" FEIR used for comparison is the Richmond General Plan 2030 FEIR certified by the Richmond City Council on April 24, 2012, including all impact determinations and significance thresholds utilized therein.

In analyzing the proposed project under Public Resources Code Section 21166 and State CEQA Guidelines Section 15162, the first column of the checklist describes the conclusions from the previous EIR.

Then, the lead agency appropriately limits its analysis to discussing whether substantial evidence supports one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (second column of the checklist);
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (third column of the checklist); or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
    a) The project will have one or more significant effects not discussed in the previous EIR or significant effects previously examined will be substantially more severe than shown in the previous EIR (fourth column of the checklist).
    b) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (fifth column of the checklist).

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
I. Aesthetics, Light, and Glare *Except as provided in Public Resources Code Section 21099, would the project:*					
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.15-1
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	None identified	No	No	No	None
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.15-1
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.15-2a through MM 3.15-2d

a) Scenic Vista

Would the project: *Have a substantial adverse effect on a scenic vista?*

The General Plan FEIR concluded that various points throughout the City have views of the shoreline or the hillside that would constitute a locally recognized scenic vista or corridor. As described in the General Plan FEIR, the project site does not have views of the shoreline. Views of the East Bay hills, located approximately 2 miles to the east, are visible down Bissell Avenue.

The proposed project would redevelop an existing building and would also include construction of a new adjoining 5-story structure; as such, the proposed infill development would not result in a new effect to a scenic vista. Renovations to the project site would include an interior courtyard, basement parking, a new plaza with open space for public art, and extensive landscaping around each building and the parking lots. The proposed project would be consistent with applicable provisions of the General Plan including Mitigation Measure (MM) 3.15-1, and would be subject to review and approval by the Design Review Board. Impacts related to scenic vistas would be less than significant and the proposed project would not result in new or more severe adverse impacts than what was previously identified in the General Plan FEIR. No additional analysis necessary.

b) State Scenic Highways

Would the project: *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?*

The General Plan FEIR did not identify any impacts related to scenic resources and did not identify or discuss State Scenic Highways. Therefore, no impacts were identified.

The proposed project would not have an impact on scenic highways. According to the California Department of Transportation (Caltrans), there are no Designated or Eligible State Scenic Highways within the City.[1] The closest officially Eligible State Scenic Highway is a portion of State Route 24 located approximately 9 miles southeast of the project site. This condition precludes the potential for substantial damage to scenic resources within view of a State Scenic Highway. As a result, there would be no impacts related to State Scenic Highways and the proposed project would not result in new or more severe adverse impacts than what was discussed in the General Plan FEIR. No additional analysis necessary.

c) Visual Character

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

The City is composed of several types of areas and the General Plan includes an overarching development strategy for the City that includes "stable areas," "conservation areas," and 16 "change areas" in which it is anticipated that there will be varying degrees of new uses, development, and redevelopment. The proposed change areas largely represent areas that are underutilized, have incompatible land uses, high potential for redevelopment, or are inconsistent with current community goals and priorities. The General Plan FEIR concluded that, to the extent that development would occur in the "stable areas," it would remain generally consistent with existing land use types, which would result in similar visual characteristics as existing development. Development within the designated "change areas" would be allowed at a higher density and would

[1] California Department of Transportation (Caltrans). California Scenic Highway Mapping System: Alameda County. Website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/. Accessed October 29, 2021.

allow maximum building heights ranging from 55 feet to 135 feet, which is an increase over the existing maximum building height range of 35 to 75 feet. The tallest buildings (135 feet) could only be developed within the three activity center areas that include the "High-Intensity Mixed-Use" land use designation. This potential increase in building height would create a more urban feel and could result in a substantial change in the character of the change areas as well as those areas that have views of and beyond those change areas.

The General Plan FEIR concluded that the City is an evolving urban environment where change is the only constant, and the proposed infill development identified in the General Plan could result in change in the existing visual character of the City. The General Plan, City ordinances, the City's discretionary permit and design review process, and the CEQA process all have components designed to protect and enhance the visual character of the City while embracing the changes inherent in an urbanized area. The changing visual character of the City is protected by its ongoing evolution and implementation of adopted policies and standards. Additionally, the General Plan FEIR included MM 3.15-1, which reduces impacts to visual character to a less than significant level.

The General Plan FEIR identified a less than significant impact related to the degradation of visual character or quality. The project site is located within an urbanized area and would not conflict with the existing visual character. As detailed previously, the project site is within the grounds of the Contra Costa (Richmond) Superior Court Complex and is bounded by the Courthouse, Bissell Avenue, a commercial building, and the BART tracks. The applicant proposes to create a new campus for multi-family housing while retaining the site's architectural features.

The proposed colors for the two buildings were derived from the historic 'Rosie the Riveter' poster, which is an important part of the City of Richmond's history. Overall, the proposed project aims to expand housing opportunities, and reestablishing the site as a community asset in support of the greater revitalization of the Macdonald Avenue gateway to downtown Richmond.

The City of Richmond Design Review Board would review the project application consistent with the Municipal Code. The Design Review Board would ensure the proposed project would be compatible with surrounding uses and would evaluate the project's design, scale, massing, exterior design, and landscaping. Furthermore, the proposed project would be consistent with the applicable zoning and planned development outlined in the General Plan and would be required to adhere to the applicable standards for development and design guidelines under the "Medium Intensity Mixed-Use (Commercial Emphasis)" land use and zoning designation of CM-3. This would help ensure there is no substantial degradation of the existing visual character of the site and its surroundings. As a result, the proposed project would not result in new or more sever adverse impacts that was not previously identified in the General Plan FEIR.

d) Light or Glare

Would the project: *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The City is primarily built out, and a significant amount of light and glare from urban uses already exists. However, the General Plan FEIR concluded that the new development permitted under the

General Plan could create new sources of glare from paved surfaces, glare from reflective building surfaces, exterior building lighting, lighted recreation facilities, new street lighting, parking lot lights, and headlights of vehicular traffic. These new sources would be more noticeable from new development in large infill areas and previously undeveloped sites outside of the downtown area. As a result, these new sources of glare could affect the day or nighttime views of adjacent sensitive land uses. These sensitive land uses could generally be undeveloped lands and residential uses adjacent to commercial or industrial areas.

Daytime glare could be produced by the increased amount of surface area of proposed commercial and residential structures, which could reflect or concentrate sunlight. Daytime glare from built surfaces, such as reflective glass or public art, and nighttime glare from indoor and outdoor light sources exist and will continue to occur under evolving conditions in the future (e.g., new and retrofit structures with reflective exteriors, new and retrofit outdoor lighting of parks and other public and private spaces, and new and retrofit indoor lighting). The General Plan FEIR concluded that these changes, including increasing the overall density and intensity of the City's development pattern, do not equate to a significant adverse impact for CEQA purposes.

The General Plan FEIR concluded that the City's General Plan, ordinances, discretionary permit, design review processes, and CEQA process must all be implemented as applicable to future project-level decisions. With the implementation of these processes, the General Plan FEIR concluded that the visual quality of the City will improve, and not be the subject of "substantial degradation," as the General Plan is implemented over time. Accordingly, this impact was determined to be less than significant at the General Plan and cumulative levels with the implementation of four mitigation measures including: (1) MM 3.15-2a, which would require all street lighting to be directed downward and shielded; (2) MM 3.15-2b, which restricts the use of high-level outdoor lighting for new homes; (3) MM 3.15-2c, which requires landscaping to be incorporated along internal roads and near off-site homes to reduce light spill; and (4) MM 3.15-2d, which requires any projects containing reflective glass or metal building materials to go through the City’s design review.

The analysis under the General Plan FEIR remains accurate with respect to the proposed project. As described in the FEIR, the proposed project would introduce new sources of light and glare to the project site and vicinity (including the related off-site improvements), primarily resulting from the installation of outdoor lighting for aesthetic, safety, and security purposes. This would result in an overall increase in lighting compared to the site’s existing conditions. Additionally, day and nighttime glare would increase due to reflective building exteriors, automobile windshields, and headlights.

The project site is located in an urbanized environment that currently generates light and glare, including the Courthouse Complex, the commercial businesses to the east, and the BART tracks to the south. The proposed project is similar in size, character, and design materials to existing development in the area. Therefore, the proposed project would result in similar light and glare impacts to these other nearby existing uses. The increase in light and glare from exterior and street lighting at the project site would be minimized with the implementation of the General Plan FEIR mitigation measures, MM 3.15-2a through MM 3.15-2d. The proposed project would use typical residential construction materials such as stucco, cement, and glass, and would not use reflective materials that would result in glare. In addition, the proposed project would be subject to building

code requirements that include approval of exterior lighting plans to ensure that exterior lighting fixtures are shielded to prevent light spill. With the residential nature of the proposed project and upon the approval of the lighting plans, the proposed project would not result in new or more significant impacts related to light and glare that have not already been analyzed in the General Plan FEIR, nor would the proposed project result in more significant or more severe impacts that could not be substantially mitigated by the application of uniformly applicable development policies. Therefore, no further environmental analysis is required.

FEIR Mitigation Measures

MM 3.15-1 As a condition of authorizing development within existing undeveloped areas or demolishing commercial or industrial structures that were built prior to 1950, the City shall require the applicant to provide photographs or another appropriate form of visual record of the project location's existing physical setting, and a photograph or another appropriate form of visual record of one or more public vistas of the project location (e.g., views from public parks or civic buildings). These visual records shall be submitted to the Planning Department or its designee for appropriate storage and retrieval for future studies of the City's evolving urban character.

MM 3.15-2a All street lighting shall be directed downward and shielded to prevent light spill onto surrounding properties, sky glow, and glare.

MM 3.15-2b The City shall restrict the use of high-level outdoor lighting for new homes, particularly along the hillside ridges.

MM 3.15-2c Landscaping shall be incorporated along internal roads and near off-site homes to reduce spill light emanating from vehicles and buildings.

MM 3.15-2d The City shall require design review of any project containing reflective glass or metal building materials that exceed 50 percent of any building surface or the first three floors.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to aesthetics, light, and glare. The conclusions from the General Plan EIR regarding aesthetics, light, and glare remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
II. Agricultural and Forest Resources *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	None identified	No	No	No	None
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	None identified	No	No	No	None
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	None identified	No	No	No	None
d) Result in the loss of forest land or conversion of forest land to non-forest use?	None identified	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	None identified	No	No	No	None

a) Conversion of Important Farmland

Would the project: *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The General Plan FEIR determined that 536.52 acres of land within the City of Richmond are designated for Agricultural uses. The Agricultural land use designation includes land for grazing, crop production, small-scale farming, and community gardens while allowing from some residential uses.[2] Overall, the General Plan FEIR determined that impacts related to agriculture and forest resources would not be significant.

According to the Farmland Mapping and Monitoring Program (FMMP), the project site is listed as Urban and Built-Up Land.[3] This condition precludes the potential for new impacts associated with the conversion of farmland to non-agricultural use. Therefore, the proposed project would not result in new or more severe impacts related to conversion of farmland to a non-agricultural use beyond what was previously analyzed in the General Plan FEIR.

b) Agricultural Zoning and Williamson Act Contracts

Would the project: *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The General Plan FEIR determined that impacts related to agriculture and forest resources would not be significant.

[2] City of Richmond. 2011. General Plan EIR. Accessed August 2, 2021.

[3] California Department of Conservation. 2016. Farmland Mapping and Monitoring Program Map for Contra Costa County. Website: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/con16.pdf. Accessed August 30, 2021.

The project site is not zoned for agricultural use and is not encumbered by a Williamson Act contract.[4] As noted above, the project site is located on land listed as Urban and Built-Up Land by the FMMP. Therefore, the proposed project would not disturb or reduce agricultural land within the City, including areas protected under Williamson Act contracts. Therefore, the proposed project would not result in new or more severe impacts related to conflict with existing agricultural zoning or Williamson Act contract beyond what was previously analyzed in the General Plan FEIR.

c, d) Rezoning or Conversion of Forest Land or Timberland

Would the project: *Conflict with existing zoning for forest land or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

As previously mentioned, the General Plan FEIR determined that impacts related to forest resources, including forest land and timberland, would not be significant.

The project site does not contain forest land or significant amounts of trees. These conditions preclude the potential for new impacts associated with rezoning or conversion of forest land or timberland. Therefore, the proposed project would not result in new or more severe impacts related to rezoning or conversion of forest land beyond what was previously analyzed in the General Plan FEIR.

e) Pressures to Convert Farmland or Forest Land

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

The General Plan FEIR determined that impacts related to the conversion of farmland or forest land to non-agricultural or non-forest use would not be significant.

The project site is designated as Urban and Built-Up Land by the FMMP and does not contain forest land.[5] The project site is designated as Public, Cultural and Institutional by the General Plan, which is a non-agricultural and non-forest land designation and is intended for urban development. No part of the project site would be eligible for use as agricultural land under the current zoning or land use designations. This condition precludes the potential for new impacts associated with the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, the proposed project would not result in new or more severe impacts related to conversion of agricultural or forest land to non-agricultural or non-forest land uses beyond what was previously analyzed in the General Plan FEIR.

[4] Department of Conservation. 2017. State of California Williamson Act Contract Land. Website: https://www.sjgov.org/commdev/cgi-bin/cdyn.exe/file/Planning/EIR%20Schulte%20Road%20Logistics%20Center%20Draft/CDOC%202016_State%20of%20CA%20Williamson%20Act%20Map.pdf. Accessed August 30, 2021.

[5] California Department of Conservation. 2016. Farmland Mapping and Monitoring Program Map for Contra Costa County. Website: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/con16.pdf. Accessed August 30, 2021.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to agricultural and forest resources. The conclusions from the General Plan EIR regarding the topic remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
III. Air Quality *Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:*					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.3-1, MM 3.3-2a
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.3-2a, MM 3.3-2b, MM 3.3-2c, MM 3.3-2d, MM 3.14-3
c) Expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.3-3, MM 3.3-2a, MM 3.3-3d
d) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	Less than significant impact	No	No	No	none

a) Air Quality Plan Conflict

Would the project: *Conflict with or obstruct implementation of the applicable air quality plan?*

The Richmond General Plan 2030 FEIR (General Plan FEIR) identified that "implementation of the proposed General Plan could provide new sources of regional air emissions that would conflict with or obstruct implementation of the Clean Air Plan."[6] At the same time, the General Plan FEIR identified MM 3.3-1 that could reduce the impacts. It also states that "generally, if a project is planned in a way that results in the minimization of (Vehicle Miles Traveled [VMT]], both within the project area and the surrounding area in which it is located, and minimizes air pollutant emissions, that aspect of the project is consistent with the Clean Air Plan."

[6] City of Richmond. General Plan Final EIR. Website: https://www.ci.richmond.ca.us/2608/General-Plan-2030. Accessed November 17, 2021.

The General Plan FEIR's MM 3.3-1 recommends transportation management measures which encourage the use of public transit and active transportation to reduce the transportation-related pollutants and emissions. The General Plan FEIR determined that impacts of VMT growth would be significant and unavoidable after implementation of identified mitigation because it is uncertain that the mitigation would reduce impacts to a less than significant level.

The project site is located in the San Francisco Bay Area Air Basin (Air Basin), where the Bay Area Air Quality Management District (BAAQMD) regulates air quality. The United States Environmental Protection Agency (EPA) is responsible for identifying non-attainment and attainment areas for each criteria pollutant within the Air Basin. The Air Basin is designated non-attainment for State standards for 1-hour and 8-hour ozone, 24-hour respirable particulate matter (PM_{10}), annual PM_{10}, and annual fine particulate matter ($PM_{2.5}$).[7]

The BAAQMD has adopted several air quality policies and plans to address regional air quality, the most recent of which is the 2017 Clean Air Plan. The 2017 Clean Air Plan was adopted in April of 2017 and serves as the regional Air Quality Plan (AQP) for the Air Basin for attaining National Ambient Air Quality Standards and California Ambient Air Quality Standards. The primary goals of the 2017 Clean Air Plan are to protect public health and protect the climate. The 2017 Clean Air Plan acknowledges that the BAAQMD's two stated goals of protection are closely related. As such, the 2017 Clean Air Plan identifies a wide range of control measures intended to decrease both criteria pollutants[8] and greenhouse gas (GHG) emissions.[9] The 2017 Clean Air Plan also accounts for projections of population growth provided by the Association of Bay Area Governments and VMT provided by the Metropolitan Transportation Commission and identifies strategies to bring regional emissions into compliance with federal and State air quality standards. A project would be judged to conflict with or obstruct implementation of the 2017 Clean Air Plan if it would result in substantial new regional emissions not foreseen in the air quality planning process.

The BAAQMD does not provide a numerical threshold of significance for project-level consistency analysis with AQPs. Therefore, the following criteria will be used for determining a project's consistency with the AQP.

- **Criterion 1:** Does the project support the primary goals of the AQP?
- **Criterion 2:** Does the project include applicable control measures from the AQP?
- **Criterion 3:** Does the project disrupt or hinder the implementation of any AQP control measures?

[7] Bay Area Air Quality Management District (BAAQMD). 2017. California Environmental Quality Act. Air Quality Guidelines. Website: https://www.baaqmd.gov/~/media/files/planning-and research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed November 17, 2021.

[8] The EPA has established National Ambient Air Quality Standards (NAAQS) for six of the most common air pollutants—carbon monoxide, lead, ground-level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide—known as "criteria" air pollutants (or simply "criteria pollutants").

[9] A greenhouse gas (GHG) is any gaseous compound in the atmosphere that is capable of absorbing infrared radiation, thereby trapping and holding heat in the atmosphere. By increasing the heat in the atmosphere, greenhouse gases are responsible for the greenhouse effect, which ultimately leads to global warming.

Criterion 1

The primary goals of the 2017 Clean Air Plan, the current AQP to date, are to:

- Attain air quality standards;
- Reduce population exposure to unhealthy air and protect public health in the Bay Area; and
- Reduce GHG emissions and protect the climate.

A measure for determining whether the proposed project supports the primary goals of the AQP is if the proposed project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQP. This measure is determined by evaluating whether the proposed project was reasonably accounted for in the AQP.

The BAAQMD estimates the regional emissions inventory for the Air Basin, in part, from the regional population, housing, and employment projections developed by the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC). These demographic trends are incorporated into Plan Bay Area 2040, compiled by ABAG and the MTC, to determine priority transportation projects and estimate VMT in the Bay Area and are based on cities and counties' general plan land use designations. Therefore, these regional demographic projections derived from local jurisdictions' land use patterns form the foundation of the emissions inventory for the 2017 Clean Air Plan. As such, projects consistent with the local general plan are considered consistent with the applicable AQP, the 2017 Clean Air Plan. Large projects that exceed regional employment, population, and housing planning projections have the potential to be inconsistent with the regional inventory compiled as part of the 2017 Clean Air Plan.

The applicable General Plan for the proposed project is the Richmond General Plan 2030 (General Plan). The General Plan was adopted in 2012, which was considered in the growth assumptions of the BAAQMD's latest 2017 AQP. The project site is designated "Public, Cultural and Institutional" by the City of Richmond General Plan and is zoned "Public, Cultural, and Institutional (PCI)" by the Richmond Zoning Ordinance.[10]

The General Plan lists allowable uses under Public, Cultural and Institutional designation. The Industrial Public, Cultural and Institutional designation is not intended for residential uses. The proposed project would require a GPA to designate the project site for Medium-Intensity Mixed-Use (Commercial Emphasis) and a zoning amendment to Commercial Mixed-Use, Commercial Emphasis (CM-3). The Medium-Intensity Mixed-Use (Commercial Emphasis) designation allows for up to 50 dwelling units per acre on the 3.1-acre project site, for a total base density of up to 155 units. At 135 units, the proposed project would be within the density permitted by the General Plan. However, the proposed project presents an inconsistency with the existing land use designation and therefore the growth assumptions contained in the AQP. As such, the proposed project's anticipated population growth of 396 people, as discussed in Section XIII, Population and Housing, would add to the City's 2021 population estimate of 110,130 people to result in a cumulative population of 110,526 people following project

[10] City of Richmond. General Plan 2030. https://www.ci.richmond.ca.us/2608/General-Plan-2030. Accessed November 12, 2021.

implementation.[11] As the Plan Bay Area 2040 forecasted the City of Richmond to experience a population of 126,385 people in 2020,[12] the proposed project's anticipated population growth would be within the growth assumptions contained in the Plan Bay Area 2040 and by extension the AQP. Therefore, the proposed project would be consistent with the land use assumptions used in the AQP.

Furthermore, as discussed in Impact III(b) and Impact III(c), implementation of the proposed project would not exceed the BAAQMD operational or construction thresholds for criteria pollutants. As such, development of the project site has been reasonably accounted for in the AQP. Because the proposed project would not exceed BAAQMD regional thresholds of significance on an average daily or annual basis, the proposed project would be consistent with the first criterion.

Criterion 2

The 2017 Clean Air Plan contains control measures to reduce air pollutants and GHGs at the local, regional, and global levels. Along with the traditional stationary, area, mobile source, and transportation control measures, the 2017 Clean Air Plan contains many control measures designed to protect the climate and promote mixed use, compact development to reduce vehicle emissions and exposure to pollutants from stationary mobile sources. The 2017 Clean Air Plan also includes an account of the implementation status of control measures identified in the prior 2010 Clean Air Plan.

Table 2 lists the relevant Clean Air Plan policies to the proposed project and evaluates its consistency with the policies. As shown below, the proposed project would be consistent with applicable measures.

Table 2: Project Consistency with Applicable Clean Air Plan Control Measures

Control Measure	Project Consistency
Buildings Control Measures	
BL1: Green Buildings	**Consistent.** The proposed project would not conflict with implementation of this measure. The proposed project would comply with the latest energy efficiency standards and incorporate applicable energy efficiency features designed to reduce project energy consumption.
BL4: Urban Heat Island Mitigation	**Consistent.** The proposed project would provide 16,602 square feet of landscaping which would serve to reduce the urban heat island effect and would include the planting of shade trees.

[11] California Department of Finance (DOF). 2021. E-1 Population Estimates for Cities, Counties, and the State – January 1, 2020, and 2021. Website: https://dof.ca.gov/Forecasting/Demographics/Estimates/e-1/. Accessed December 3, 2021.

[12] Association of Bay Area Governments (ABAG). 2017. Projections 2040. Website: http://projections.planbayarea.org/data. Accessed December 3, 2021.

Control Measure	Project Consistency
Energy Control Measures	
EN1: Decarbonize Electricity Generation	**Consistent.** The project applicant would, at a minimum, be required to conform to the energy efficiency requirements of the California Building Standards Code, also known as Title 24. The 2019 Title 24 Standards are the current State building regulations, which went into effect on January 1, 2020. Proposed buildings that would receive building permits after January 1, 2020, would be subject to the 2019 Title 24 Standards, including the proposed project. Moreover, the proposed project would be required to comply with Richmond's Code of Ordinances 100.0(e).2.A, which would require the proposed project to include solar panels and exclude natural gas infrastructure in the project design.[13]
EN2: Decrease Electricity Demand	
Natural and Working Lands Control Measures	
NW2: Urban Tree Planting	**Consistent.** The proposed project would include 16,602 square feet of landscaped area. Plantings would include trees, shrubs, and groundcover.
WA3: Green Waste Diversion	**Consistent.** The waste service provider for the proposed project will be required to meet the Assembly Bill (AB) 341 and Senate Bill (SB) 939 and SB 1374 requirements that require waste service providers to divert green waste. All vegetation refuse generated during operations of the proposed project would be disposed of off-site by the waste service provided.
WA4: Recycling and Waste Reduction	**Consistent:** The waste service provider for the proposed project will be required to meet the AB 341, SB 939 and SB 1374 requirements that require waste to be recycled.
Stationary Control Measures	
SS36: Particulate Matter from Trackout	**Consistent with Mitigation.** Mud and dirt that may be tracked out onto the nearby public roads during construction activities shall be removed promptly by the contractor based on BAAQMD's requirements. General Plan FEIR MM 3.3-2a, identified under Impact III(b), would require implementation of BMPs recommended by BAAQMD for fugitive dust emissions during construction.

[13] City of Richmond. Code of Ordinances. 2021. Website: https://library.municode.com/ca/richmond/codes/code_of_ordinances?nodeId=ARTVIBURE_CH6.02BUCORI_6.02.030AMADDE. Accessed December 1, 2021.

Control Measure	Project Consistency
SS37: Particulate Matter from Asphalt Operations	**Consistent.** Asphalt used during the construction of the proposed project would be subject to BAAQMD Regulation 8, Rule 15-Emulsified and Liquid Asphalts. Although this rule does not directly apply to the proposed project, it does limit the reactive organic gas (ROG) content of asphalt available for use during construction through regulating the sale and use of asphalt. By using asphalt from facilities that meet BAAQMD regulations, the proposed project would be consistent with this Clean Air Plan measure.
Transportation Control Measures	
TR9: Bicycle and Pedestrian Access and Facilities.	**Consistent.** There are existing sidewalks along the proposed project's frontage on Bissell Avenue. Several bus stops are located within a short walking distance of the site, including the Macdonald Avenue and 37th Street stop, located 530 feet northwest of the project site; the Macdonald Avenue and 39th Street, located 470 feet north of the project site; and the Macdonald Avenue and 42nd Street stop, located 590 feet northeast of the project site. Therefore, the proposed project would not conflict with the BAAQMD's efforts to encourage planning for bicycle and pedestrian facilities.
Source: Bay Area Air Quality Management District (BAAQMD). 2017. Final 2017 Clean Air Plan. April 19. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed August 12, 2021.	

In summary, the proposed project would not conflict with any applicable measures under the 2017 Clean Air Plan after the implementation of General Plan FEIR MM 3.3-2a; therefore, the proposed project would be consistent with Criterion 2 after incorporation of mitigation.

Criterion 3

The proposed project is located close to a range of public transit options therefore would not discourage the use of public transit and active transportation. The proposed project would not preclude the extension of a transit line or bike path, propose excessive parking beyond parking requirements, or otherwise create an impediment or disruption to implementation of any AQP control measures. As shown in Table 2 above, the proposed project would incorporate several AQP control measures as project design features such as complying with energy efficiency standards contained in the 2019 California Building Standards Code (CBC) and installing landscaping across the project site. Considering this information, the proposed project would not disrupt or hinder implementation of any AQP control measures therefore it is consistent with Criterion 3.

Summary

As addressed above, the proposed project would be consistent with all three criteria after the incorporation of General Plan FEIR MM 3.3-2. Thus, the proposed project would not conflict with the 2017 Clean Air Plan and this impact would be less than significant with mitigation. Therefore, the proposed project would not result in new or more severe impacts related to conflicts with or obstructions to the applicant AQP than what was previously analyzed in the General Plan FEIR.

b) Air Quality Standard, Criteria Pollutants

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

This impact is related to the cumulative effect of a project's regional criteria pollutant emissions. By its nature, air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The non-attainment status of regional pollutants is a result of past and present development within the Air Basin, and this regional impact is a cumulative impact. Therefore, new development projects (such as the proposed project) within the Air Basin would contribute to this impact only on a cumulative basis. No single project would be sufficient in size, by itself, to result in non-attainment of regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively considerable when evaluated in combination with past, present, and future development projects.

The Richmond General Plan FEIR concluded that regional air quality impacts would be potentially significant and unavoidable due to the uncertainty of individual project operational emissions impacts.[14] Implementation of General Plan FEIR MM 3.3-2a through 3.3-2d would reduce emissions impacts during both construction and operation of the proposed project. Implementation of MM 3.3-2a and 3.3-2b, which address project review and incorporation of BAAQMD-recommended BMPs, would reduce construction emissions impacts to less than significant while implementation of MMS 3.3-2c and 3.3-2d, which address the incorporation of all feasible emissions reduction measures. Upon certification of the General Plan FEIR, the City ultimately concluded that incorporation of identified mitigation would reduce impacts to less than significant levels for individual development projects.

Potential localized and regional impacts would result in exceedances of State or federal standards for oxides of nitrogen (NO_X), particulate matter (PM_{10} and $PM_{2.5}$), or CO. NO_X emissions are of concern because of potential health impacts from exposure to NO_X emissions during both construction and operation and as a precursor in the formation of airborne ozone. PM_{10} and $PM_{2.5}$ are of particular concern during construction because of the potential to emit exhaust emissions from the operation of off-road construction equipment and fugitive dust during earth-disturbing activities (construction fugitive dust). CO emissions are of particular concern during project operation because operational CO hotspots are related to increases in on-road vehicle congestion.

[14] City of Richmond. General Plan Final EIR. Website: https://www.ci.richmond.ca.us/2608/General-Plan-2030. Accessed November 17, 2021.

ROG emissions are also important because of their participation in the formation of ground-level ozone. Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and that can cause substantial damage to vegetation and other materials. Elevated ozone concentrations result in reduced lung function, particularly during vigorous physical activity. This health problem is particularly acute in sensitive receptors such as the sick, elderly, and young children.

The cumulative analysis focuses on whether a specific project would result in cumulatively considerable emissions. According to Section 15064(h)(4) of the CEQA Guidelines, the existence of significant cumulative impacts caused by other projects alone does not constitute substantial evidence that the project's incremental effects would be cumulatively considerable. Rather, the determination of cumulative air quality impacts for construction and operational emissions is based on whether the project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. The thresholds of significance represent the allowable amount of emissions each project can generate without generating a cumulatively considerable contribution to regional air quality impacts. Therefore, a project that would not exceed the BAAQMD thresholds of significance on the project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts. Construction and operational emissions are discussed separately below.

Construction Emissions

During construction, fugitive dust would be generated from site grading and other earthmoving activities. The majority of this fugitive dust would remain localized and would be deposited near the project site. However, the potential for health impacts from fugitive dust exists unless control measures are implemented to reduce the emissions from this source. Exhaust emissions would also be generated from the operation of the off-road construction equipment and from on-road construction worker vehicles, vendor trucks, and haul trucks.

Construction Fugitive Dust

As previously mentioned, fugitive dust (PM_{10} and $PM_{2.5}$) would be generated during earthmoving activities but would largely remain localized near the project site. The BAAQMD does not recommend a numerical threshold for fugitive dust particulate matter emissions. Instead, the BAAQMD bases the determination of significance for fugitive dust on considering the control measures to be implemented. If all appropriate emissions control measures are implemented for a project as recommended by the BAAQMD, then fugitive dust emissions during construction are not considered significant.

As required General Plan FEIR MM 3.3-2, the proposed project would implement BMPs recommended by BAAQMD for fugitive dust emissions during construction. As such, with mitigation, short-term construction impacts associated with fugitive dust emissions would not violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Construction Air Pollutant Emissions: ROG, NO_X, PM_{10}, and $PM_{2.5}$

The California Emissions Estimator Model (CalEEMod), Version 2020.4.0, was used to estimate the proposed project's construction emissions. CalEEMod provides a consistent platform for estimating construction and operational emissions from a wide variety of land use projects and is the model recommended by the BAAQMD for estimating project emissions. Estimated construction emissions are compared with the applicable thresholds of significance established by the BAAQMD to assess ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$ construction emissions to determine significance.

Construction of the proposed project is expected to start in September 2023 and to conclude in July 2025. For the purpose of this analysis, construction of the proposed project was assumed to correspond to these dates. If the construction schedule moves to later years, construction emissions would likely decrease because of improvements in technology and more stringent regulatory requirements that would affect future construction equipment. The duration of construction activities and associated equipment represent a reasonable approximation of the expected construction fleet as required by CEQA Guidelines.

As shown in Table 3, the proposed project would be constructed in a total of 500 workdays. For a more detailed description of the construction parameters used in estimating air pollutant emissions modeling, please refer to Appendix B.

Table 3: Preliminary Construction Schedule

Phase	Phase Start Date	Phase End Date	Total Number of Working Days per Week	Total Number of Working Days
Demolition	9/1/2023	10/23/2023	5	37
Building A Building Construction (Renovation)	10/24/2023	6/13/2025	5	429
Building A Architectural Coating (Renovation)	6/14/2025	7/31/2025	5	34
Building B Site Preparation	9/1/2023	9/19/2023	5	13
Building B Grading	9/20/2023	10/25/2023	5	26
Building B Building Construction	10/26/2023	12/18/2024	5	300
Building B Paving	12/19/2024	1/23/2025	5	26
Building B Architectural Coating	1/24/2025	2/28/2025	5	26

The calculations of pollutant emissions from the construction equipment account for the type of equipment, horsepower, and load factors of the equipment, along with the duration of use. Project construction emissions are presented in Table 4 and compared with the appropriate significance thresholds. As shown therein, emissions generated during project construction would not exceed the BAAQMD's significance thresholds.

Table 4: Construction Emissions (Unmitigated Average Daily Rate)

Parameter	Air Pollutants[1] (tons)			
	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Building A Construction				
Demolition–2023	0.03	0.29	0.01	0.01
Building Construction–2023	0.04	0.32	0.01	0.01
Building Construction–2024	0.22	1.61	0.06	0.06
Building Construction–2025	0.09	0.69	0.02	0.02
Architectural Coating–2025	1.20	0.02	<0.01	<0.01
Building B Construction				
Site Preparation–2023	0.01	0.08	<0.01	<0.01
Grading–2023	0.02	0.29	0.01	0.01
Building Construction–2023	0.04	0.30	0.01	0.01
Building Construction–2024	0.21	1.56	0.06	0.06
Paving–2023	0.00	0.03	<0.01	<0.01
Paving–2024	0.01	0.05	<0.01	<0.01
Architectural Coating–2025	0.31	0.02	<0.01	<0.01
Total Emissions (tons)	**2.18**	**5.24**	**0.20**	**0.19**
Daily Average				
Total Emissions (lbs)	4,354.34	10,489.72	393.58	377.82
Average Daily Emissions (lbs/day)[2]	8.71	20.98	0.79	0.76
Significance Threshold (lbs/day)	**54**	**54**	**82**	**54**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
lbs = pounds
ROG = reactive organic gases
NO_X = oxides of nitrogen
PM_{10} = particulate matter 10 microns in diameter
$PM_{2.5}$ = particulate matter 2.5 microns in diameter
[1] Totals may not add up due to rounding. Calculations use unrounded totals.
[2] Calculated by dividing the total lbs of emissions by the total number of nonoverlapping working days of construction (500 workdays).
Source: CalEEMod Output (see Appendix B).

As shown in Table 4, total construction emissions considering all construction activities are below the recommended thresholds of significance; therefore, project construction would have less than significant impact related to emissions of ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$. As previously discussed, the proposed project would implement General Plan FEIR MM 3.3-2a for dust control

BMPs recommended by the BAAQMD to reduce potential impacts related to fugitive dust emissions during project construction. As such, project construction would have a less than significant impact with mitigation. Therefore, the proposed project would not result in new or more severe impacts related to construction emissions than what was previously analyzed in the General Plan FEIR.

Operational Emissions

Operational Air Pollutant Emissions: ROG, NO_X, PM_{10}, and $PM_{2.5}$

Operational emissions would be generated from area, energy, and mobile sources. Area sources include emissions from architectural coatings, consumer products, and landscape equipment, while energy sources include emissions from the combustion of natural gas for water and space heating, as applicable. Mobile sources include exhaust and road dust emissions from the vehicles that would travel to and from the project site. Pollutants of concern include ROG, NO_X, PM_{10}, and $PM_{2.5}$.

Project operations were analyzed starting in 2025, the first calendar year following construction operations. The major sources for proposed operational emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ include motor vehicle traffic, use of landscaping maintenance equipment, and the occasional repainting of buildings.

As discussed in Section 2.3, Project Description, the proposed project would convert a two-story public office building into 59 housing units in Building A and construct Building B with 76 multi-family dwelling units. It should be noted that the existing land use's operational emissions are not included above. As such, the emissions estimates contained herein represent a conservative assessment of project impacts. Operational emissions of the respective pollutants were calculated using CalEEMod, Version 2020.4.0. For detailed assumptions used to estimate emissions, see Appendix B. The estimated average daily emissions are presented in Table 5, while annual emissions from project operations are presented in Table 6.

Table 5: Average Daily Operational Emissions (Unmitigated)

Emissions Source	Pounds per Day			
	ROG	NO_X	PM_{10}	$PM_{2.5}$
Area	4.62	0.06	0.03	0.03
Energy	0	0	0	0
Mobile (Motor Vehicles)	1.67	1.39	2.73	0.74
Total Daily Project Emissions[1]	6.29	1.45	2.76	0.77
Thresholds of Significance[2]	**54**	**54**	**82**	**54**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
ROG = reactive organic gases
NO_X = nitrous oxides.
PM_{10} = particulate matter 10 microns or less in diameter
$PM_{2.5}$ = particulate matter 2.5 microns or less in diameter
[1] Totals may not add up due to rounding. Calculations use unrounded totals.
[2] Calculated by dividing the total lbs of emissions by the total number days in a year (365 workdays).
Source: CalEEMod Output (see Appendix B).

Table 6: Annual Operational Emissions (Unmitigated)

Emissions Source	Tons per Year			
	ROG	NO_X	PM_{10}	$PM_{2.5}$
Area	0.84	0.01	0.01	0.01
Energy	0	0	0	0
Mobile (Motor Vehicles)	0.30	0.25	0.50	0.14
Estimated Net Annual Project Emissions[1]	**1.15**	**0.26**	**0.50**	**0.14**
Thresholds of Significance	**10**	**10**	**15**	**10**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
ROG = reactive organic gases NO_X = oxides of nitrogen
PM_{10} = particulate matter 10 microns or less in diameter
$PM_{2.5}$ = particulate matter 2.5 microns or less in diameter
[1] Totals may not add up due to rounding. Calculations use unrounded totals.
Source: CalEEMod Output (see Appendix B).

As shown in Table 5 and Table 6, the proposed project would not exceed the BAAQMD's thresholds of significance during operation, indicating that ongoing project operations would not be considered to have the potential to generate a significant quantity of air pollutants. It should be noted that the existing land use's operational emissions are not included above. As such, the emissions estimates contained herein represent a conservative assessment of project impacts. Long-term operational impacts associated with criteria pollutant emissions generated by the proposed project would be less than significant. Therefore, the proposed project would not result in new or more severe impacts related to operational criteria pollutant emissions than what were previously analyzed in the General Plan FEIR.

Operational Carbon Monoxide Hotspot

The CO emissions from traffic generated by the proposed project are a concern at the local level. Congested intersections can result in the potential for high, localized concentrations of CO, known as a CO hotspot.

The BAAQMD recommends a screening analysis to determine whether a project has the potential to contribute to a CO hotspot. The screening criteria identify when site-specific CO dispersion modeling is necessary. The proposed project would result in a less than significant impact to air quality for local CO if the following screening criteria are met:

1. The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans; or
2. The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; or

3. The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

As discussed in Section XVI, Transportation, the Draft Traffic Impact Study (TIS) prepared for the proposed project[15] notes that existing transit routes are adequate to accommodate project-generated transit trips. Existing stops along Macdonald Avenue are within an acceptable walking distance of the site. The volume of riders that would be generated by the proposed project would be accommodated by existing bus services, with several lines and frequent headways, near the project site. In accordance with MM 3.14-3, the City will continue to coordinate with transit agencies to seek further improvements and enhancements to the existing system. As such, the proposed project would not conflict with the local congestion management plan after incorporated of General Plan FEIR mitigation.

As indicated in the TIS prepared for the proposed project,[16] the proposed project would result in a net increase of 879 daily trips, with a net increase of 74 trips in the AM peak-hour and a net increase of 85 trips in the PM peak-hour. According to the Existing Plus Project intersection volumes estimated in the TIS, the intersection of 37th Street and Macdonald Avenue would be the intersection to experience the greatest peak-hour traffic volumes with 1,855 vehicles during the PM peak-hour. Therefore, the proposed project would not result in any nearby intersection to have peak-hour traffic volumes exceeding 44,000 vehicles per hour.

Nonetheless, CO hotspots can occur when a transportation facility's design or orientation, including that of the proposed parking structure, prevents the adequate dispersion of CO emissions from vehicles, resulting in the accumulation of local CO concentrations. The design or orientation of a transportation facility which may prevent the dispersion of CO emissions include tunnels, parking garages, bridge underpasses, natural or urban canyons, below-grade roadways, or other features where vertical or horizontal atmospheric mixing is substantially limited. Adjacent roadways that would receive new vehicle trips generated by the proposed project do not include roadway segments where vertical or horizontal atmospheric mixing is substantially limited. Based on the above criteria, the proposed project would not exceed the CO screening criteria and would have a less than significant impact related to CO. Therefore, the proposed project would not result in new or more severe impacts related to CO hotspots than what was previously analyzed in the General Plan FEIR.

Summary

As addressed above, air pollutants from both the construction and operation of the proposed project are well below the BAAQMD's threshold of significance. As required by General Plan FEIR MM 3.3-2a, the proposed project would implement BMPs recommended by BAAQMD to reduce fugitive dust emissions during construction. Therefore, with mitigation, short-term construction impacts associated with fugitive dust emissions would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. In addition, as shown above, the proposed project would

[15] W-Trans. 2021. Draft Traffic Impact Study for the 100 38th Street Mixed Use Project. Accessed November 11, 2021.
[16] Ibid.

generate criteria pollutant emissions below the BAAQMD's applicable significance thresholds. Finally, the vehicle traffic generated by the proposed project would not exceed the BAAQMD's applicable screening criteria for the potential generation of a CO hotspots. As such, impacts would be less than significance with existing General Plan FEIR mitigation. Therefore, the proposed project would not result in new or more severe impacts related to criteria pollutant emissions, during construction and operation, and the generation of a CO hotspot than what was previously analyzed in the General Plan FEIR.

c) Sensitive Receptors

Would the project: *Expose sensitive receptors to substantial pollutant concentrations?*

The General Plan FEIR determined that implementation of MM 3.3-3 would ensure impacts would be less than significant. MM 3.3-3 requires all new industrial and commercial development projects that have the potential to emit toxic air contaminants (TAC) to be located an adequate distance from existing and proposed development used by sensitive receptors, including residences, schools, day care facilities, congregate care facilities, hospitals, or other places of long-term residency. MM 3.3-3 also requires that proposed sensitive receptors be sited an adequate distance from land uses known to emit TACs, as identified in the California Air Resources Board's (ARB) *Air Quality and Land Use Handbook: A Community Health Perspective*.[17] As the proposed project would constitute the development of residences beyond distances recommended in the ARB's *Air Quality and Land Use Handbook: A Community Health Perspective* with respect to existing land uses which generate pollutants of concern, the proposed project is considered to implement General Plan FEIR MM 3.3-3 by design.

The BAAQMD defines a sensitive receptor as the following: "Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas." As specified by the BAAQMD, health risk and hazard impacts should be analyzed for sensitive receptors within a 1,000-foot radius of the project site.[18] The closest existing sensitive receptors include the following:

- Single-family residences, as close as 100 feet northwest of the project site;
- A Little World Montessori School daycare, as close as 550 feet north of the project site;
- A residential neighborhood, as close as 650 feet north of the project site;
- A residential neighborhood, as close as 430 feet west of the project site;
- DeJean Middle School, as close as 950 feet west of the project site;
- Single-family residences, as close as 80 feet south of the project site; and
- King Elementary School, as close as 775 feet south of the project site.

[17] California Air Resources Board (ARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. April. Website: https://www.arb.ca.gov/ch/handbook.pdf. Accessed December 6, 2021.

[18] Bay Area Air Quality Management District (BAAQMD). 2017. California Environmental Quality Act Air Quality Guidelines. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed April 11, 2021.

The following four criteria were applied to determine the significance of project emissions to sensitive receptors:

- **Criterion 1:** Construction of the project would not result in an exceedance of the health risk significance thresholds.
- **Criterion 2:** The cumulative health impact would not result in an exceedance of the cumulative health risk significance thresholds.
- **Criterion 3:** Operation of the project would not result in an exceedance of the health risk significance thresholds.
- **Criterion 4:** A CO hotspot assessment must demonstrate that the project would not result in the development of a CO hotspot that would cause an exceedance of the CO ambient air quality standards.

Criterion 1: Project Construction Toxic Air Pollutants

An assessment was made of the potential health impacts to surrounding sensitive receptors resulting from TAC emissions during construction. A summary of the assessment is provided below, while the detailed assessment is provided Appendix B.

Diesel particulate matter (DPM) has been identified by the ARB as a carcinogenic substance. Major sources of DPM include off-road construction equipment and heavy-duty delivery truck and worker activities. For purposes of this analysis, DPM is represented as exhaust emissions of $PM_{2.5}$.

Estimation of Construction DPM Emissions

Construction DPM emissions were estimated using CalEEMod, Version 2020.4.0, as described under the discussion for Impact III(b). As presented in Table 3, the proposed project's construction is anticipated to occur from September 2023 through July 2025. Construction emissions were calculated for each construction activity, as displayed in Table 4. On-site and off-site emissions generated during project construction were modeled with a working schedule of 8 hours per day, 5 days per week.

Based on the analysis presented in this section, emissions were estimated for an unmitigated scenario and a mitigated scenario demonstrating use of construction equipment which meet the EPA and ARB's Tier IV Interim standards for engines greater than 50 horsepower. Equipment tiers refer to a generation of emission standards established by the EPA and the ARB that apply to diesel engines in off-road equipment. The "tier" of an engine depends on the model year and horsepower rating; generally, the newer a piece of equipment is, the greater the tier it is likely to have. Table 7 summarizes the emission rates of unmitigated and mitigated DPM during construction of the proposed project, as analyzed for construction of the proposed project. Note that the "unmitigated" DPM emissions shown below do not incorporate implementation of General Plan FEIR MM 3.3-3d.

Table 7: Project DPM Construction Emissions

Scenario	Annual Average Construction Emissions	
	On-site DPM (tons/year)	Off-site DPM[1] (tons/year)
Unmitigated	0.1848	0.0041
Mitigated[2]	0.0615	0.0041

Notes:
1 The off-site emissions are estimated over all anticipated construction vehicle travel routes from within approximately 1,000 feet of the project site.
2 Mitigated DPM estimates shown above consider the use of Tier IV Interim engines for construction equipment greater than 50 horsepower.
Source: CalEEMod Output and Construction Health Risk Assessment Calculations; see Appendix B.

Estimation of Cancer Risks and Hazards

Cancer risks are estimated as the upper-bound incremental probability that an individual will develop cancer as a direct result of exposure to potential carcinogens over a specified exposure duration. The estimated risk is expressed as a probability. The cancer risk attributed to a chemical is calculated by multiplying the chemical intake or dose at the human exchange boundaries (e.g., lungs through inhalation) by the chemical-specific cancer potency factor (CPF).[19] For example, a risk level of 10 in a million implies a likelihood (or risk) that up to 10 persons, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of TACs over a specified duration of time. This risk would be an excess cancer risk that is in addition to any environmental cancer risk borne by a person not exposed to these air toxics.

The BAAQMD has developed a set of guidelines for estimating cancer risks resulting from exposure to TAC.[20,21] These guidelines recommend the use of Hotspots Analysis and Reporting Program (HARP2) software to identify the cancer risk associated with DPM exposure. Therefore, the HARP2 was applied to calculate the cancer risks resulted from the DPM generated from the construction and operations of the proposed project. The input options used are as follows:

Residential Receptors

- Analysis Type: Cancer Risk
- Receptor Type: Individual Resident
- Exposure Duration: User Defined (Tier 2)–3 Years, 3rd Trimester Start Age
- Intake Rate Percentile: Risk Management Policy (RMP)–"Inhalation Only"
- Selected: "Apply Molecular Weight Adjustment Factor" factor

[19] A Cancer potency factor (CPF) is a parameter that arises during the quantitative risk assessment of chemicals or agents being evaluated as carcinogens. It is a plausible upper-bound estimate of the probability that an individual will develop cancer if exposed to a chemical for a lifetime of 70 years.
[20] Bay Area Air Quality Management District (BAAQMD). 2016. BAAQMD Air Toxics NSR Program Health Risk Assessment Guidelines. December. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/permit-modeling/hra_guidelines_12_7_2016_clean-pdf.pdf?la=en. Accessed November 17, 2021.
[21] Bay Area Air Quality Management District (BAAQMD). 2020. BAAQMD Health Risk Assessment Modeling Protocol. December. Website: https://www.baaqmd.gov/~/media/files/ab617-community-health/facility-risk-reduction/documents/baaqmd_hra_modeling_protocol-pdf.pdf?la=en. November 17, 2021.

- Pathways to Evaluate: Inhalation Only
- Selected: "Apply fraction of time at residence to age bins less than 16 years"
- Selected: "Apply fraction of time at residence to age bins greater than or equal to 16 years"
- Selected: "Use Tier 2 breathing rates (L/kg-day)" factor
- Selected: "Use Tier 2 fraction of time at residence" factor

Daycare Receptors

- Analysis Type: Cancer Risk
- Receptor Type: Individual Resident
- Exposure Duration: User Defined (Tier 2)–3 Years, 2 years old Start Age
- Intake Rate Percentile: 95th (High End)
- Selected: "Apply Molecular Weight Adjustment Factor" factor
- Pathways to Evaluate: Inhalation Only
- Selected: "Apply fraction of time at residence to age bins less than 16 years"
- Selected: "Apply fraction of time at residence to age bins greater than or equal to 16 years"
- Selected: "Use Tier 2 breathing rates (L/kg-day)" factor
- Selected: "Use Tier 2 fraction of time at residence" factor

Elementary School Receptors

- Analysis Type: Cancer Risk
- Receptor Type: Individual Resident
- Exposure Duration: User Defined (Tier 2)–3 Years, 5 years old Start Age
- Intake Rate Percentile: 95th (High End)
- Selected: "Apply Molecular Weight Adjustment Factor" factor
- Pathways to Evaluate: Inhalation Only
- Selected: "Apply fraction of time at residence to age bins less than 16 years"
- Selected: "Apply fraction of time at residence to age bins greater than or equal to 16 years"
- Selected: "Use Tier 2 breathing rates (L/kg-day)" factor
- Selected: "Use Tier 2 fraction of time at residence" factor
- Selected: "Adjustment for workers or 8-hour chronic risk" with "Worker Adjustment Factor" as 1 and Exposure Frequency (days/year)" as 180.

Middle School Receptors

- Analysis Type: Cancer Risk
- Receptor Type: Individual Resident
- Exposure Duration: User Defined (Tier 2)–3 Years, 11 years old Start Age
- Intake Rate Percentile: 95th (High End)
- Selected: "Apply Molecular Weight Adjustment Factor" factor
- Pathways to Evaluate: Inhalation Only
- Selected: "Apply fraction of time at residence to age bins less than 16 years"
- Selected: "Apply fraction of time at residence to age bins greater than or equal to 16 years"
- Selected: "Use Tier 2 breathing rates (L/kg-day)" factor
- Selected: "Use Tier 2 fraction of time at residence" factor
- Selected: "Adjustment for workers or 8-hour chronic risk" with "Worker Adjustment Factor" as 1 and Exposure Frequency (days/year)" as 180.

Estimation of Non-Cancer Chronic Hazards

TACs can also cause chronic (long-term) effects related to non-cancer illnesses such as reproductive effects or birth defects, or adverse environmental effects. Non-cancer health risks are conveyed in terms of the hazard index (HI), a ratio of the predicted concentration of the facility's reported TAC emissions to a concentration considered acceptable to public health professionals. A significant risk is defined as an HI of 1 or greater. An HI of less than 1 indicates that no significant health risks are expected from the facility's TAC emissions. The relationship for the non-cancer hazards of TACs is given by the following equation:

$$HI = C_{ann}/REL$$

Where:

HI = Hazard Index: an expression of the potential for chronic non-cancer health risks
C_{ann} = Annual average TAC concentration ($\mu g/m^3$)
REL = Reference Exposure Level: the DPM concentration at which no adverse health effects are anticipated

Annual concentrations of DPM as predicted by the air dispersion model are used to estimate chronic non-cancer hazards. The OEHHA has defined a REL for DPM of 5 $\mu g/m^3$.

Estimation of Health Risks and Hazards from Project Construction

To assess impacts to off-site sensitive receptors, receptor locations within the American Meteorological Society/EPA Regulatory Model (AERMOD) model were identified at existing residences, parks, and daycares located within approximately ½-mile of the project boundary. As previously discussed, project construction is anticipated to start in September 2023 and conclude by July 2025 and would occur over two concurrent construction phases.

The Maximally Impacted Sensitive Receptor (MIR), among all previously identified sensitive receptors in the project vicinity, was found at a single-family residence located approximately 80 feet south of the project site. Table 8 presents a summary of the proposed project's construction cancer risk, chronic non-cancer hazard, and annual $PM_{2.5}$ concentration impacts at all identified receptor types prior to the application of any equipment mitigation. As discussed in Impacts III(a) and (b), General Plan FEIR MM 3.3-2a would be required to reduce fugitive dust emissions during construction. It should be noted that inclusion of General Plan FEIR MM 3.3-2a only reduces $PM_{2.5}$ total and not $PM_{2.5}$ exhaust.

Table 8: Estimated Health Risks and Hazards during Project Construction—Unmitigated

Impact Scenario[1]	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index[2]	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Risks and Hazards at the MIR: Daycare	0.41	<0.01	0.01
Risks and Hazards at the MIR: Elementary School	0.14	<0.01	<0.01

Impact Scenario[1]	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index[2]	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Risks and Hazards at the MIR: Middle School	0.10	<0.01	<0.01
Risks and Hazards at the MIR: Residence	17.10	0.11	0.05
BAAQMD Thresholds of Significance	**10**	**1**	**0.3**
Exceeds Individual Source Threshold?	**Yes**	**No**	**No**

Notes:
MIR = Maximally Impacted Sensitive Receptor
[1] The MIR is a single-family residence located approximately 80 feet south of the project site.
[2] Chronic non-cancer hazard index was estimated by dividing the annual DPM concentration (as $PM_{2.5}$ exhaust) by the REL of 5 $\mu g/m^3$.
Source: Appendix B.

As shown above in Table 8, construction of the proposed project would exceed the applicable BAAQMD thresholds for cancer risk to a single-family residence approximately 80 feet south of the project site prior to the application of mitigation that is required by General Plan FEIR MM 3.3-2d. This represents a potentially significant construction TAC exposure impact. Therefore, application of General Plan FEIR MM 3.3-2d is required to reduce the impact during the construction period to below a level of significance.

As a planning-level document, the General Plan FEIR determined that individual projects that were included in the development of the City were not planned to the level of detail where pollution sources could be identified and emissions quantified. Therefore, the General Plan FEIR included MM 3.3-3d which requires the City to consult the BAAQMD to identify TAC sources and determine the need for and requirements of a Health Risk Assessment for proposed development. As detailed above, the Health Risk Assessment prepared for the proposed project determined that a requirement is necessary to meet the BAAQMD-established significance thresholds. As part of General Plan FEIR MM 3.3-3d, the project applicant and/or construction contractor shall provide documentation to the City of Richmond that all off-road diesel-powered construction equipment greater than 50 horsepower meet EPA or ARB Tier IV Interim off-road emissions standards. Table 9 shows the health risks and non-cancer hazard index at the residential MIR for construction with implementation of Tier IV Interim mitigation. As no other identified receptors would experience cancer risk or non-cancer hazard beyond BAAQMD significance thresholds, the residential MIR is the only receptor analyzed with mitigated emission results.

Table 9: Estimated Health Risks and Hazards during Project Construction—Unmitigated

Impact Scenario	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index[2]	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Risks and Hazards at the MIR: Residence	5.72	<0.01	0.02
BAAQMD Thresholds of Significance	**10**	**1**	**0.3**
Exceeds Individual Source Threshold?	**No**	**No**	**No**

Impact Scenario	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index[2]	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Notes: MIR = Maximally Impacted Sensitive Receptor 1 The MIR is a single-family residence located approximately 80 feet south of the project site. 2 Chronic non-cancer hazard index was estimated by dividing the annual DPM concentration (as $PM_{2.5}$ exhaust) by the REL of 5 $\mu g/m^3$. Source: Appendix B.			

As shown above in Table 9, the proposed project's construction DPM emissions would not exceed the BAAQMD's cancer risk, chronic non-cancer hazard index, and annual $PM_{2.5}$ thresholds of significance at the MIR after incorporation of General Plan FEIR MM 3.3-2a and General Plan FEIR MM 3.3-3d. Therefore, the proposed project's construction emissions would not result in significant health impacts to nearby sensitive receptors after the incorporation of mitigation measures that were adopted in connection with the certification of the General Plan FEIR.

Criterion 2: Cumulative Health Risk Assessment

The BAAQMD recommends assessing the potential cumulative impacts from sources of TACs within 1,000 feet of a project. For a project-level analysis, BAAQMD provides several tools for use in screening potential sources of TACs. The BAAQMD-provided tools used to assess the potential cumulative impacts from TACs are described below:

- **Health Risks from Local Roadways.** The BAAQMD pre-calculated concentrations and the associated potential cancer risks and $PM_{2.5}$ concentration increases for each county within their jurisdiction for roadways that carry at least 30,000 average daily trips. For certain areas, the BAAQMD also included local roadways that meet BAAQMD's "major roadway" criteria of 10,000 vehicles or 1,000 trucks per day. The latest available screening tool is in the form of a Geographic Information System (GIS) raster file. As the proposed project is located in a Community Air Risk Evaluation (CARE) Program area,[22] the BAAQMD screening tool includes local roadways that meet BAAQMD's "major roadway" criteria for the project area.
- **Freeway Screening Analysis Tool**. The BAAQMD prepared a GIS tool that contains pre-estimated cancer risk and $PM_{2.5}$ concentration increases for highways within the Bay Area. The nearest freeway to the project site is Interstate 80, approximately 1,650 feet east of the project site.
- **Stationary Source Risk and Hazard Screening Tools**. The BAAQMD prepared a GIS tool[23] with the location of permitted sources and provides a health risk calculator that estimates and refines screen-level cancer risk, a non-cancer health hazard index, and $PM_{2.5}$ concentrations using emissions data from BAAQMD's permitting database.[24] For each emissions source, the

[22] Bay Area Air Quality Management District (BAAQMD). 2014 (includes updates as recent as 2018). "Community Air Risk Evaluation Program." August 20. Website: https://www.baaqmd.gov/community-health/community-health-protection-program/community-air-risk-evaluation-care-program. Accessed November 17, 2021.

[23] Bay Area Air Quality Management District (BAAQMD). 2019. Permitted Stationary Sources Risk and Hazards. Permitted Stationary Sources Risk and Hazards. Website: https://baaqmd.maps.arcgis.com/apps/webappviewer/index.html?id=2387ae674013413f987b1071715daa65. Accessed November 17, 2021.

[24] Bay Area Air Quality Management District (BAAQMD). 2020. Tools and Methodologies: BAAQMD Health Risk Calculator Beta 4.0. Website https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools. Accessed November 17, 2021.

BAAQMD provides conservative estimates of cancer risk and $PM_{2.5}$ concentrations. Based on information from the GIS tool, two BAAQMD-permitted stationary sources exist within 1,000 feet of the project site.

- **Rail Screening Tools.** The BAAQMD prepared GIS tools that contain estimated cancer risks and $PM_{2.5}$ concentrations from railroad operations at any point within the Air Basin. One existing railway borders the project site's southern boundary. No other railways are within 1,000 feet of the project site.

Cumulative Health Risk Assessment at the Maximum Impacted Receptor

A cumulative Health Risk Assessment was performed that examined the cumulative impacts of the proposed project's construction emissions and sources of TAC emissions within 1,000 feet of the proposed project.

The cumulative health risk results, including health risks from the existing stationary source, are summarized during project construction in Table 10. Cumulative health risk results shown therein are representative of the health risks to the MIR which would experience the highest concentration of pollutants.

Table 10: Summary of the Cumulative Health Impacts at the MIR during Construction

Source	Source Type	Distance from Project Site (feet)	Distance from MIR[1] (feet)	Cancer Risk (per million)	Chronic HI	$PM_{2.5}$ Concentration ($\mu g/m^3$)
Project						
Mitigated Project Construction	Diesel Construction Equipment	0	80	5.72	<0.01	0.02
Existing Stationary Sources (BAAQMD Facility Number)[2]						
City of Richmond/Accounts Payable (17297)	Generators	380	600	0.17	0.00	0.00
Contra Costa County (14133)[3]	Generators	0	80	4.36	0.00	0.01
Existing Roadways						
Existing Local Roadways		350	550	0.75	N/A	0.01
Existing Highways						
Existing Highways		1,650	1,950	5.79	N/A	0.11
Existing Rail						
Existing Railways		20	20	2.81	N/A	<0.01
Cumulative Health Risks						
Cumulative Total with Mitigated Project Construction	**19.60**		**<0.01**		**0.15**	

Source	Source Type	Distance from Project Site (feet)	Distance from MIR(1) (feet)	Cancer Risk (per million)	Chronic HI	$PM_{2.5}$ Concentration ($\mu g/m^3$)
BAAQMD's Cumulative Thresholds of Significance	**100**		**10**		**0.8**	
Applicable Threshold Exceeded in Either Scenario?	**No**		**No**		**No**	

Notes:
1 The Maximally Impacted Sensitive Receptor (MIR) is a single-family residence approximately 80 feet south of the project site.
2 Assumes emissions remain constant with time.
3 For conservative assessment, generator located at same address as project site is assumed to not be removed as part of project.
N/A = no data available
Source: Appendix B.

As noted in Table 10, the cumulative impacts from the project construction and existing sources of TACs would be less than the BAAQMD's cumulative thresholds of significance. Thus, the cumulative health risk impacts from project construction would be less than significant and not exceed those analyzed in the General Plan FEIR.

Criterion 3: Operational Emissions

The proposed project would result in the development of a residential complex and would not generate substantial on-site sources of TACs during operation. As described in the Draft TIS, the proposed project is expected to generate 879 daily vehicle trips.[25] The proposed project would primarily generate trips from a mix of residents and employees traveling to and from the project site, which would primarily consist of passenger vehicles. Because nearly all passenger vehicles are gasoline-fueled, the proposed project would not generate a significant amount of DPM emissions during operation; however, gasoline-fueled vehicles would still emit relatively small amounts of gasoline TACs such as benzene, isopentane, and toluene during project operation. Nonetheless, the potential cancer risks associated with non-diesel TACs emitted from gasoline vehicles in the San Francisco Bay Air Basin are substantially less than the potential cancer risks associated with DPM emissions[26] and are therefore not included in this analysis. Furthermore, these emissions would be dispersed throughout the local roadway network and would not solely be generated at the project site. Therefore, the proposed project would not result in additional significant health impacts beyond those determined in the General Plan FEIR to nearby sensitive receptors during operation.

[25] W-Trans. 2021. Draft Traffic Impact Study for the 100 38th Street Mixed Use Project. Accessed November 11, 2021.
[26] California Air Resources Board (ARB). 2008. Health Risk Assessment for the Union Pacific Railroad Oakland Railyard. Website: https://ww2.arb.ca.gov/sites/default/files/classic//railyard/hra/up_oak_hra.pdf?_ga=2.229617876.913681903.1594937953-503090677.1594937953. Accessed November 17, 2021.

Criterion 4: Carbon Monoxide Hotspot Assessment

As discussed above under Impact III(b) and Impact III(c), the Draft TIS for the proposed project demonstrated that project operation would result in a net increase of approximately 879 daily vehicle trips, with a net increase of 74 trips in the AM peak-hour and a net increase of 85 trips during the PM peak-hour. As such, under Existing Plus Project conditions, the intersection to receive project-generated traffic that would experience the greatest traffic volumes would be the intersection of 37th Street and Macdonald Avenue with an estimated 1,855 vehicle trips during the PM peak-hour. This level of peak-hour vehicle trips would not substantially add to nearby intersection traffic volumes causing an exceedance in the BAAQMD screening thresholds of 44,000 vehicles per hour or 24,000 vehicles per hour through an intersection with limited vertical and/or horizontal mixing. Therefore, the proposed project is not reasonably expected to exceed the BAAQMD's CO screening criteria and would have a less than significant impact related to localized CO hotspots, not exceeding the level of impact as analyzed in the General Plan FEIR.

Summary

As described above, the proposed project would not expose sensitive receptors to substantial pollutant concentrations during either construction or operations after the incorporation of General Plan FEIR MM 3.3-3d. Therefore, the proposed project would not result in new or more severe impacts related to exposure of sensitive receptors to substantial pollutant concentrations than previously analyzed in the Richmond General Plan FEIR.

d) Odors

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

The Richmond General Plan 2030 FEIR determined that development proposed under full buildout of the General Plan would be subject to CEQA review, ensuring that specific projects would not result in the creation of objectionable odors that would affect a substantial number of people. As stated in the BAAQMD 2017 Air Quality Guidelines, odors are generally regarded as an annoyance rather than a health hazard. The ability to detect odors varies considerably among the populations and is subjective. The BAAQMD does not have a recommended odor threshold for construction activities. However, the BAAQMD recommends operational screening criteria that are based on the distance between receptors and types of sources known to generate odors. For projects within the screening distances, the BAAQMD has the following threshold for project operations:

> An odor source with five or more confirmed complaints per year averaged over 3 years is considered to have a significant impact on receptors within the screening distance shown in Table 3-3 [of the BAAQMD's guidance].

Two circumstances have the potential to cause odor impacts:

1. A source of odors is proposed to be located near existing or planned sensitive receptors, or
2. A sensitive receptor land use is proposed near an existing or planned source of odor.

Projects that would site an odor source or a receptor farther than the applicable screening distance, shown in Table 11 below, would not likely result in a new or more significant odor impact than those identified the General Plan FEIR.

Table 11: Odor Screening Distances

Land Use/Type of Operation	Project Screening Distance
Wastewater Treatment Plant	2 miles
Wastewater Pumping Facilities	1 mile
Sanitary Landfill	2 miles
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	2 miles
Chemical Manufacturing	2 miles
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Rendering Plant	2 miles
Coffee Roaster	1 mile
Food Processing Facility	1 mile
Confined Animal Facility/Feed Lot/Dairy	1 mile
Green Waste and Recycling Operations	1 mile
Source: Bay Area Air Quality Management District (BAAQMD). 2017. Final 2017 Clean Air Plan. April 19. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. Accessed April 11, 2021.	

Project Construction

Diesel exhaust and ROGs would be emitted during construction of the proposed project, which are objectionable to some; however, emissions would disperse rapidly from the project site and therefore would not create objectionable odors affecting a substantial number of people. As such, construction odor impacts would be less than significant. Therefore, would not result in new or more severe impacts related to odors during project construction than what was previously analyzed in the General Plan FEIR.

Project Operation

Proposed Project as an Odor Generator

Land uses typically associated with odors include wastewater treatment facilities, waste disposal facilities, agricultural operations, or other operations listed in Table 11. The proposed project would

involve the development of residences whose operations could lead to odors from associated laundry cleaning, vehicle exhaust, outdoor cooking, and waste disposal. However, such odors generated by project operation would be small in quantity and duration and would not pose an objectionable odor impact to future and existing receptors.

Proposed Project as a Receptor

Using GoogleMaps, seven automobile body shops and one chemical manufacturing facility were identified within the associated screening distances, as provided in Table 11. Public records retrieved from the BAAQMD show that no odor complaints were filed for any of the locations during 2018 to 2021 by the time at which this analysis was prepared. Therefore, the proposed project would not result in new or more severe impacts related to odors during project construction than what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

Mitigation Measures

MM 3.3-2a Implement BAAQMD Best Management Practices During Construction

All construction projects under the implementation of the General Plan shall incorporate the most recent Best Management Practices (BMPs) as required by the Bay Area Air Quality Management District (BAAQMD). Therefore, the BMPs, as recommended by the BAAQMD, shall be implemented during construction:

- All active construction areas shall be watered at least two times per day.
- All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least three times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- 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.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
- 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.

- The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The City of Richmond and the construction contractor shall take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

MM 3.3-3d The City of Richmond shall consult with the Bay Area Air Quality Management District (BAAQMD) to identify TAC sources and determine the need for and requirements of a Health Risk Assessment for proposed developments. As determined by the Health Risk Assessment prepared for the project based on BAAQMD cancer risk thresholds, the following requirement shall be implemented:

During construction activities, all off-road equipment with engines greater than 50 horsepower shall meet either United States Environmental Protection Agency (EPA) or California Air Resources Board (ARB) Tier 4 Final off-road emission standards. The construction contractor shall maintain records concerning its efforts to comply with this requirement, including equipment lists. Off-road equipment descriptions and information may include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number.

MM 3.14-3 The City shall continue to cooperate and coordinate with transit agencies and work with the community to promote and advocate for improved transit services and increased transit capacity to meet anticipated General Plan implementation and cumulative impacts for transit service, and seek grant funding opportunities to supplement available transit service.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to air quality. The conclusions from the General Plan EIR regarding air quality impacts remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
IV. Biological Resources *Would the project:*					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact	No	No	No	None
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact	No	No	No	None
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact	No	No	No	None
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant impact	No	No	No	None
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?	No impact	No	No	No	None

Field Survey

An FCS Biologist conducted a general biological survey of the project site on July 9, 2021. Weather conditions were sunny with an average temperature of 72°F (degrees Fahrenheit). The project site contains a vacant office building, parking lot, and ornamental landscaping and trees. The habitat present within the project site can be classified as Urban/Developed. This habitat type is characterized as areas that have been constructed upon or otherwise physically altered to an extent that natural vegetation is no longer supported and retains little or no soil substrate. Developed land is characterized by permanent or semi-permanent structures, pavement, or hardscape, and landscaped areas that often require irrigation.

Plant species observed consisted of ornamental trees including Chinese elm (*Ulmus parvifolia*) and Deodar cedar (*Cedrus deodara*) and ornamental shrubs such as creeping juniper bush (*Juniperus horizontalis*) and Indian hawthorn bush (*Rhaphiolepis Indica*) in planters around the vacant building. Ruderal plants (weeds) such as bristly oxtongue (*Helminthotheca echioides*), Jersey cudweed (*Helichrysum luteoalbum*), short pod mustard (*Hirschfeldia incana*) and panicled willow herb (*Epilobium brachycarpum*), were observed growing in cracks within site and around periphery of the project site.

Wildlife species observed on-site consisted exclusively of avian species and included California gull (*Larus californicus*) and rock pigeon (*Columba livia*).

a) Special-status Species

Would the project: H*ave a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?*

The City primarily consists of urban development, including commercial, residential, and industrial land uses that do not provide habitat for any State or federally listed, or other special-status species. While acknowledging that some undeveloped open space areas exist within the General Plan Update area, the General Plan FEIR concluded that impacts to special-status species would be less than significant. In reaching this conclusion, the General Plan FEIR notes that Policy CN1.1 in the General Plan requires proposed projects within the City to "require mitigation of impacts to sensitive species ensuring that a project does not contribute to the decline of the affected species populations in the region" as well as to "identify mitigations in coordination with the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW) and other regulatory agencies."[27]

In accordance with this guidance, an FCS Biologist compiled a list of threatened, endangered, and otherwise special-status species previously recorded within the project vicinity based on a search of the USFWS Information for Planning and Consultation (IPaC) database,[28] the California Natural Diversity Database (CNDDB) and the CNPS Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California for the *Richmond, California,* USGS 7.5-minute Topographic Quadrangle Maps and the eight surrounding quadrangles.[29,30] The CNDDB Biogeographic Information and Observation System (BIOS 5) was used to determine the distance between the known occurrences of special-status species and the project site.[31]

Fifteen special-status plant species and 25 special-status wildlife species have been recorded within 5 miles of the project site (Exhibit 10). Tables 1 and 2 in Appendix C includes each species' status, required habitat, and a summary analysis of the potential for each of these species to occur within the project site. However, due to developed state of the project site and the lack of suitable habitat, the majority of species evaluated in Tables 1 and 2 do not have potential to occur, aside from nesting birds and roosting bats. No special-status plants are expected to occur as well due to the lack of natural vegetation communities and lack of suitable substrate.

[27] City of Richmond. 2012. Richmond General Plan 2030. Element 7 Conservation, Natural Resources and Open Space. Published April 25, 2012

[28] United States Fish and Wildlife Service (USFWS). 2021. Information for Planning and Consultation (IPaC). Website: https://ecos.fws.gov/ipac/. Accessed January 19, 2021.

[29] California Department of Fish and Wildlife (CDFW). 2021. CNDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: https://map.dfg.ca.gov/rarefind/view/RareFind.aspx. Accessed July 19, 2021.

[30] California Native Plant Society (CNPS). 2021. California Native Plant Society Rare and Endangered Plant Inventory. Website: http://www.rareplants.cnps.org/. Accessed July 19, 2021.

[31] California Department of Fish and Wildlife (CDFW). 2021. Biogeographic Information and Observation System (BIOS 5). Website: https://map.dfg.ca.gov/bios/. Accessed July 19, 2021.

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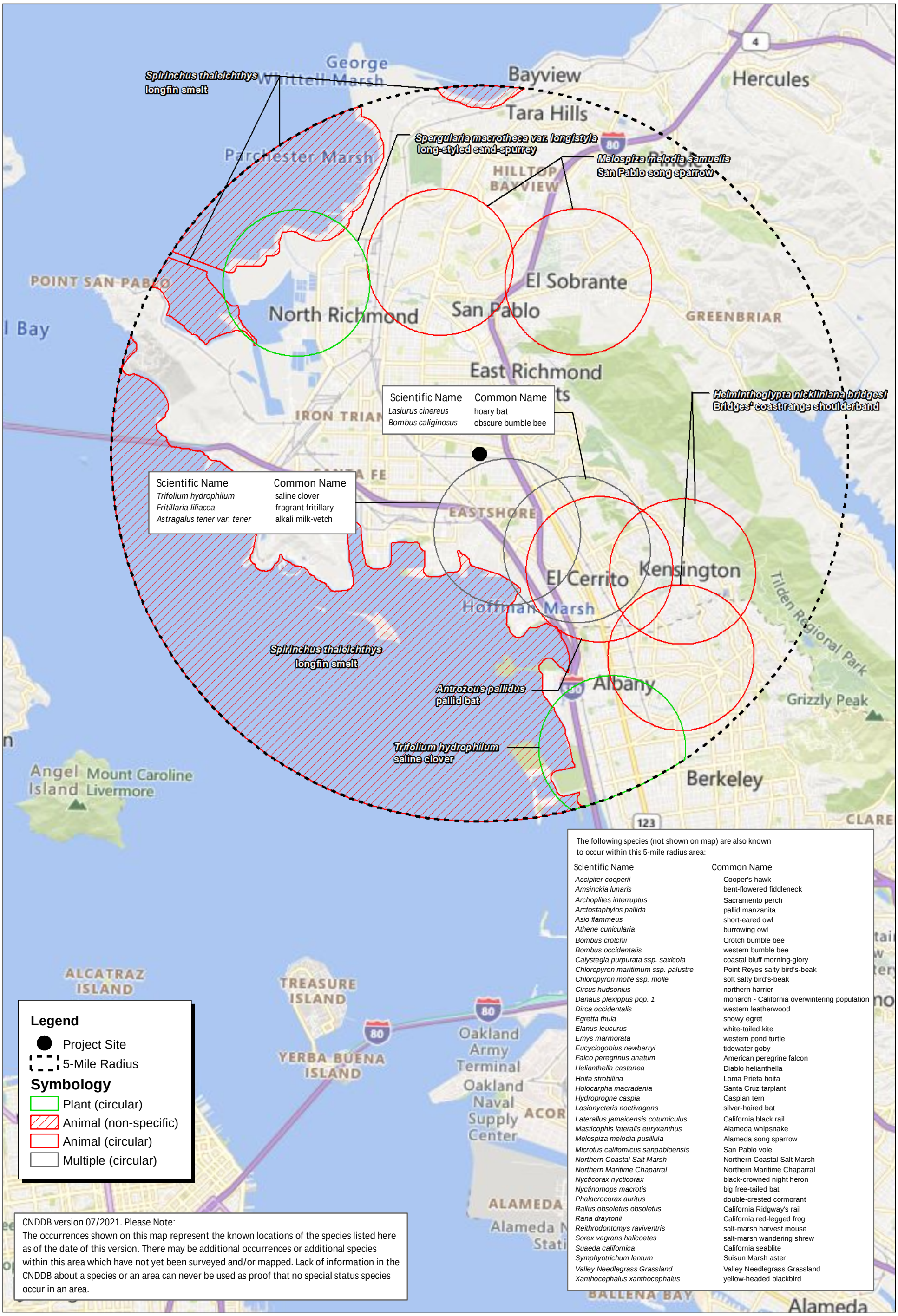

Source: Bing Street Imagery. California Natural Diversity Database (CNDDB), July 2021.

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6,400 3,200 0 6,400 Feet

Exhibit 10
CNDDB Special-Status Species Occurrences (5-mile radius)

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Nesting Birds

The vacant building and ornamental trees present on-site may provide suitable nesting habitat for bird species protected under the Migratory Bird Treaty Act (MBTA) and other nesting special-status birds covered by Fish and Game Code Section 3503, including Cooper's hawk (*Accipiter cooperii)*, and white-tailed kite (*Elanus leucurus*). No active nests were observed during the field survey.

Construction activities could disturb nesting and breeding birds in trees and shrubs within and around the construction site. Potential impacts on special-status and migratory birds that could result from construction and operation of the proposed project include destruction of eggs or occupied nests, mortality of young, and abandonment of nests with eggs or young birds prior to fledging.

Therefore, in accordance with the MBTA, the applicant shall be required to conduct a pre-construction survey if construction activities occur during the nesting season (February 1 to August 31) and to implement further avoidance and minimization measures, if an active protected bird nest is found. No action is necessary if no active nests are found during pre-construction surveys or if construction occurs during the nonbreeding season (September 1 through January 31). The implementation of these uniformly applied MBTA measures would ensure compliance with the General Plan policies and would further ensure the protection of nesting birds, if present.

Roosting Bats

Although of no sign of bat activity was observed during the field survey, the existing vacant buildings may provide suitable roosting habitat for special-status bat species including pallid bat (*Antrozous pallidus*) and Townsend's big-eared bat (*Corynorhinus townsendii*). The existing building is expected to be partially demolished and renovated as part of the proposed project. Potential direct and indirect impacts could occur to any roosting bats inhabiting the project site due to removal of potential roosting habitat during project demolition. These activities could potentially subject bats to risk of death or injury, and they are likely to avoid using the area until such construction activities have dissipated or ceased. Relocation, in turn, could cause hunger or stress among individual bats by displacing them into adjacent territories belonging to other individuals. Fish and Game Code Section 2000 and 4150 state that it unlawful to take or possess a number of species, including bats, without a license or permit as required by Section 3007. Therefore, in accordance with the Fish and Game Code, the project applicant shall be required to conduct a pre-construction survey and shall implement further avoidance and minimization measures (if necessary) to ensure the protection of roosting bats, if present. The implementation of these uniformly applied Fish and Game Code measures would ensure compliance with General Plan policies and would further ensure the protection of roosting bats, if present.

Therefore, the development of the proposed project would not result in new or more severe impacts related to special-status species beyond what was previously analyzed in the General Plan FEIR.

b) Riparian Habitat and Sensitive Natural Communities

Would the project: *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?*

The General Plan FEIR determined that potential impacts to riparian habitat and sensitive natural communities would be less than significant. In reaching this conclusion, the General Plan FEIR noted that Policy CN1.1 in the General Plan requires proposed projects within the City to "Protect and restore creek corridors and riparian areas by restoring riparian habitat with appropriate vegetation and channel design; removing culverts and hardened channels where appropriate; improving creek access; avoiding future culverting or channelization of creeks; and ensuring appropriate and ongoing maintenance."[32]

The project site is entirely developed and does not contain any riparian habitat or other sensitive natural communities. The nearest sensitive habitat, coastal salt marsh, can be found approximately 1.4 miles to the south of the project site.[33] Therefore, the development of the proposed project and would not result in new or more severe impacts related to riparian habitat or other sensitive natural communities beyond what was previously analyzed in the General Plan FEIR.

c) Federally Protected Wetlands

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

The General Plan FEIR determined that potential impacts to wetlands would be less than significant. In reaching this conclusion, the General Plan FEIR noted that Policy CN1.1 in the General Plan requires proposed projects within the City to "Protect wetlands from direct and indirect impacts of new and existing development and infrastructure. Ensure that direct and indirect impacts to wetland habitats are minimized by environmentally sensitive project siting and design."

The project site is entirely developed and does not contain on any State or federally protected wetlands. The nearest potential jurisdictional water body is located approximately 0.5 mile to the southeast, west of Interstate 80 (I-80).[34] Therefore, the development of the project would not result in new or more severe impacts related to wetlands and waters of the US beyond what was previously analyzed in the General Plan FEIR.

[32] City of Richmond. 2012. Richmond General Plan 2030. Element 7 Conservation, Natural Resources and Open Space. Published April 25, 2012

[33] California Department of Fish and Wildlife (CDFW). 2021. Biogeographic Information and Observation System (BIOS 5). Website: https://map.dfg.ca.gov/bios/. Accessed July 19, 2021.

[34] California Department of Fish and Wildlife (CDFW). 2021. Biogeographic Information and Observation System (BIOS 5). Website: https://map.dfg.ca.gov/bios/. Accessed July 19, 2021.

d) Fish or Wildlife Movement

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

The General Plan FEIR concluded impacts related to fish or wildlife movement would be less than significant through compliance with General Plan Policy CN1.1. The General Plan FEIR also notes that "To facilitate this compliance, project applicants must retain a qualified Biologist to evaluate whether a project would potentially interfere with wildlife movement, migration, or breeding/nesting. If potential to affect wildlife movement, migration, or nesting is discovered, project applicants or their consulting biologists would be required to coordinate with the appropriate resource agency to ensure that impacts are either avoided, or mitigated to a less than significant level."

As confirmed through a site visit by a qualified Biologist, the project site is entirely developed and surrounded by urban development in all directions. The site does not contain any natural or man-made features that could serve a suitable corridor for wildlife movement, which precludes the possibility for impact. Therefore, the development t of the proposed project would not result in new or more severe impacts related to fish or wildlife movement corridors beyond what was previously analyzed in the General Plan FEIR.

e) Conflict with Local Policies or Ordinances

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

The General Plan FEIR concluded impacts related to conflicts with local policies and ordinances would be less than significant through compliance with the City Code Chapter 10.08 (Tree Ordinance).

The project site contains several ornamental trees located in planters surrounding the vacant building on-site. The development of the project site would likely require the removal of all existing trees on-site. The City of Richmond Municipal Code, Chapter 10.08 *Trimming, Pruning, Care, Planting, Removal and Moving of Trees, Shrubs or Plants* prohibits trimming or removing trees in or on any "street, park, pleasure ground, boulevard, alley or public place" without first obtaining a permit from the Recreation and Parks Director of the City of Richmond or any of his or her authorized deputies. The project applicant would be required by law to comply with Municipal Code Chapter 10.08 by obtaining the necessary permits prior to trimming or removal of any trees related to development. Additionally, the project applicant would be required to place protective structures around any trees that would remain after construction to protect them from harm during construction of development projects.[35] Therefore, the development of the proposed project would not result in new or more severe impacts related to local policies or ordinances beyond what was previously analyzed in the General Plan FEIR.

[35] City of Richmond. Richmond, Chapter 10.08 Trimming, Pruning, Care, Planting, Removal and Moving of Trees, Shrubs or Plants. Accessed July 20, 2021. Website: https://library.municode.com/ca/richmond/codes/code_of_ordinances?nodeId=ARTXVZOSU_CH15.04ZOSURE_SERIES_600GEST_ART15.04.613WAFILA_15.04.613.050RETR

f) Habitat Conservation Plan/Natural Community Conservation Plan

Would the project: *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?*

The General Plan FEIR noted that "No Habitat Conservation Plans or Natural Community Conservation Plans have been designated within the City boundaries. The closest HCP/NCCP is the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan, which is a joint venture between the cities of Brentwood, Clayton, Oakley, and Pittsburg and Contra Costa County. The City of Richmond is not a part of this plan."

As noted in the General Plan FEIR, the project site does lie within the boundaries of any adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) or any other approved local, regional, or State Habitat Conservation Plan. Therefore, the development of the proposed project would not result in new or more severe impacts related to adopted conservation plans beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

None.

The following uniformly applied measures to ensure compliance with the MBTA and Fish and Game Code will be included as conditions of approval for the proposed project, and shall be implemented consistent with General Plan Policy CN 1.1:

Nesting Birds

If any tree removal is necessary, then it shall occur outside the nesting season between September 1 through January 31, if feasible. If trees cannot be removed outside the nesting season, then pre-construction surveys shall be conducted no more than 7 days prior to tree removal to verify the absence of active nests if the removal of any trees is scheduled between February 1 and August 31.

If a protected active nest is located during pre-construction surveys, construction activities shall be restricted as necessary to avoid disturbance and nest abandonment. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment) or alteration of the construction schedule.

If the active nest belongs to State or federally listed species, then United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest.

A qualified Biologist shall determine an appropriately sized buffer around the active nest depending on the species. The applicant shall implement the buffer using environmentally sensitive area fencing, pin flags, and or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.

Roosting Bats

A qualified Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no less than 7 days and no more than 14 days prior to beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.).

Visual surveys will include trees within 500 feet of project construction activities, where accessible. Not more than two weeks prior to building demolition, the applicant shall ensure that a qualified Biologist (i.e., one familiar with the identification of bats and signs of bats) survey building proposed for demolition for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the structure, demolition may proceed. If the Biologist determines or presumes bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization. Building demolition shall only commence after the Biologist verifies 7 to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from May 1 through October 1. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).

Conclusion

The construction of the proposed project would be consistent with the findings of the General Plan FEIR and would not introduce any new or more severe impacts that would affect protected or regulated biological resources.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
V. Cultural and Tribal Cultural Resources *Would the project:*					
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.5-1
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.5-2a
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.5-2b
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	Less than significant impact with mitigation incorporated	No	No	No	MM 3.5-1
e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section	Not addressed	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					

Setting

This section describes the existing cultural resources setting and potential effects from project implementation on the project site and its surrounding area. Descriptions and analysis in this section are based, in part, on information provided by the Native American Heritage Commission (NAHC), Northwest Information Center (NWIC), National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historic Landmarks list, California Points of Historical Interest list, California Built Environment Resource Directory (BERD) for the City of Richmond, the California Historical Resources Inventory, and a Historic Resource Evaluation (HRE) prepared by South Environmental. Non-confidential records search results, pedestrian survey photos, correspondence with the NAHC and Tribal representatives, and the HRE Report are included in Appendix C.

Northwest Information Center

A record search and literature review for the project site and its 0.5-mile radius was conducted on July 13, 2021, at the NWIC, located at Sonoma State University in Rohnert Park, California. The purpose of this review was to access existing cultural resource survey reports, archaeological site records, historic aerial photographs, and historic maps and evaluate whether any previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or other resources exist within or near the project area.

The results of the records search indicate that there are three recorded cultural resources within the 0.5-mile search radius, none of which are located within in the project site. In addition, 17 area-specific survey reports are on file with the NWIC for the 0.5-mile search radius, but none are within the project site itself, suggesting that the project site has not been previously surveyed for cultural resources. A records search map identifying the project boundaries and a 0.5-mile search radius along with relevant non-confidential records search results can be found in Appendix C.

Pedestrian Survey and Site Visit

On July 20, 2020, FCS Senior Archaeologist, Dr. Dana DePietro, conducted a pedestrian survey for unrecorded cultural resources at the project site. The survey covered the project site in its entirety, beginning in the northeast corner of the project site and moving west, using north–south transects spaced at standard 15-meter intervals whenever possible. The project site is entirely developed and hardscaped, consisting of a single multi-story medical administrative building situated in the

northwest corner of the project parcel. The rest of the property is entirely hardscaped, consisting of a wrap-around parking lot and limited landscaping elements. Visibility of native soils was therefore almost non-existent, ranging from 1-2 percent across the property, and only in highly disturbed landscaping elements running along the northern site boundary. Observed soils were largely composed of medium brown (Munsel 7YR 3/3) sandy soil with low clay content, interspersed with small (1 to 2 centimeter) stones primarily composed of schist.

Survey conditions were documented using digital photographs and field notes. During the survey, Dr. DePietro examined all areas of the exposed ground surface for prehistoric artifacts (e.g., fire-affected rock, milling tools, flaked stone tools, tool-making debris, ceramics), soil discoloration and depressions that might indicate the presence of a cultural midden, faunal and human osteological remains, and features indicative of the former presence of structures or buildings (e.g., postholes, standing exterior walls, foundations) or historic debris (e.g., glass, metal, ceramics). Particular attention was paid to the built environment and recording the administrative building, which appears to be more than 45 years in age.

All areas of the project site were closely inspected for culturally modified soils or other indicators of potential historic or prehistoric resources. No prehistoric cultural resources or raw materials commonly used in the manufacture of tools (e.g., obsidian, Franciscan chert) were observed. The administrative building was identified as being more than 45 years in age. The building was subsequently evaluated by architectural historian Samantha South of South Environmental in an HRE. The HRE concluded that none of the buildings meet the significance criteria to qualify on the CRHR or NRHP. Pedestrian Survey photographs and the South HRE can be found in Appendix C.

Native American Heritage Commission

On July 2, 2021, FCS contacted the NAHC to determine whether any sacred sites were located within the project site or its vicinity. A response was received on July 27, 2021, indicating that the Sacred Lands File (SLF) search produced a positive result for Native American cultural resources in the project area. The NAHC included a list of nine tribal representatives available for consultation. To ensure that all Native American knowledge and concerns over potential Tribal Cultural Resources (TCRs) that may be affected by the proposed project are addressed, a letter containing project information was sent to each tribal representative on August 2, 2021. A second round of letters were sent to each tribal representative on October 15, 2021. No responses have been received to date. NAHC correspondence and copies of the NAHC letters can be found in Appendix C.

a) Historical Resources

Would the project: *Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?*

The General Plan FEIR found the development activities associated with the proposed Richmond General Plan Update could cause a substantial adverse change in the significance of historic resources as defined in Section 15064.5 of the CEQA Guidelines. Based on additional evaluation and MM 3-5.1, potential impacts to historic resources from implementation of the General Plan were mitigated to a less than significant level.

In accordance with MM 3.5-1, an FCS Archaeologist conducted a records search at the NWIC. The results of the NWIC record search indicated that there are no previously known or recorded historical resources in the project site. There are three recorded resources within a 0.5-mile radius of the project area, two of which are historic and one of which is prehistoric. The pedestrian survey identified a building on the project site that is more than 45 years in age and thus may qualify as a historical resource. A historical assessment of the existing structures on the project site concluded that none of the buildings meet the significance criteria to qualify on the CRHR or NRHP, and thus, should not be considered historic resources under CEQA. Therefore, there are no potential impacts to historical resources that were not identified in the General Plan FEIR, and no new information has been added.

While unlikely, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. As required by the General Plan FEIR, the project applicant shall be required to implement uniformly applied mitigation measures consistent with General Plan FEIR MM 3.5-1 to ensure that any historic resources inadvertently uncovered during construction are evaluated and treated appropriately.

b) Archaeological Resources

Would the project: *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

The General Plan Final EIR found that development activities associated with the proposed Richmond General Plan Update could cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines or disturb human remains, including those interred outside of formal cemeteries. With the implementation of MM 3.5-2a, this impact was determined to be less than significant.

The 2021 NWIC record search indicated that there are no previously recorded prehistoric resources within the project site. There is one prehistoric resource within a 0.5-mile radius of the project area. In addition, there are several known and significant prehistoric archaeological sites within the City of Richmond. The pedestrian survey of the project site did not uncover any evidence of prehistoric or archaeological resources; however, this was largely because the site was entirely hardscaped, making an examination of subsurface soils impossible. Therefore, no additional information or impacts beyond those determined by the General Plan Final EIR were found. While FCS considers the potential for encountering archaeological resources during subsurface construction to be low, in accordance with MM 3.5-2a of the General Plan FEIR, the applicant shall be required to implement uniformly applied measures to ensure that any archaeological resources inadvertently uncovered during construction are evaluated and treated appropriately.

c) Human Remains

Would the project: *Disturb any human remains, including those interred outside of formal cemeteries?*

As noted in the pedestrian survey, the project site has been significantly disturbed and developed. Therefore, the potential for the disturbance of any human remains is considered low. While it is highly unlikely that human remains exist within or near the project site, there is always a possibility that subsurface construction activities associated with the proposed project, such as grading or trenching, could potentially damage or destroy previously undiscovered human remains. In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 must be followed. In accordance with MM 3.5-2b of the General Plan FEIR, the project applicant shall be required to implement uniformly applied measures in compliance with required guidelines and statutes, to ensure that any human remains inadvertently uncovered during construction are evaluated and treated appropriately.

d) Listed or Eligible Tribal Cultural Resources

Would the project: *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

A review of the CRHR, local registers of historic resources, and NWIC record search results failed to identify any previously listed TCRs that may be adversely affected by the proposed project. The NAHC SLF did produce a positive result for TCRs within the project area. To ensure that all Native American knowledge and concerns over potential TCRs that may be affected by the proposed project are addressed, a letter containing project information was sent to each tribal representative on August 2, 2021. A second round of letters was sent to each tribal representative on October 15, 2021. No responses have been received to date. Tribal consultation efforts conducted by the City of Richmond pursuant to Assembly Bill (AB) 52 to identify additional significant TCRs meeting the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 is ongoing and will be completed prior to the proposed project being considered by the Planning Commission.

e) Lead Agency Determined Tribal Cultural Resources

Would the project: *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

Tribal consultation efforts conducted by the City of Richmond pursuant to AB 52 to identify additional significant TCRs meeting the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 is ongoing and will be completed prior to the project being considered by the Planning Commission.

The following measures shall be included as conditions of approval for the project, and shall be implemented in accordance with General Plan MM 3.5-1, MM 3.5-2a and MM 3.5-2b.

FEIR Mitigation Measures

MM 3.5-1 Future projects shall implement the City's Historic Structures Code to minimize impacts on historical resources by requiring thorough scrutiny for compliance with applicable legal requirements, including but not limited to compliance with the General Plan's historic resource protection policies, and compliance with State and federal historic resource protection laws, before any resource may be demolished and ensuring that alteration conforms to the Secretary of the Interior's Standards for the Treatment of Historic Properties

MM 3.5-2a The City shall require that impacts on unique archaeological resources be mitigated to a less than significant level through methods identified in Public Resources Section 21083.2, including planning construction to avoid archaeological sites, deeding archaeological sites into permanent conservation easements, capping or covering archaeological sites with a layer of soil before building on the sites, or planning parks, greenspace, or other open space to incorporate archaeological sites.

MM 3.5-2b The City shall require new development within the City to evaluate the potential for impacts on human remains. The City shall require that the treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws, including notification of the County Coroner and, in the event of the Coroner's determination that the human remains are Native American remains, notification of the Native American Heritage Commission (NAHC).

Measure to be Implemented in Compliance with General Plan

FEIR MM 3.5-2a An Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology should conduct a pedestrian survey following removal of asphalt and building demolition at the site, and prior to trenching and grading. This may be followed by regular periodic or "spot-check" archaeological monitoring as determined by the Archaeologist. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the find. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified archaeologist shall make

recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources include, but are not limited to, stone, bone, glass, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Richmond, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.

Measure to be Implemented in Compliance with General Plan

FEIR MM 3.5-2b In the event of an accidental discovery or recognition of any human remains, Public Resource Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Contra Costa County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98, or
2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project area in a location not subject to further subsurface disturbance:
   - The NAHC is unable to identify a most likely descendant, or the most likely descendant failed to make a recommendation within 48 hours after being notified by the commission;
   - The descendant identified fails to make a recommendation; or
   - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Conclusion

Pending results from ongoing Native American consultation, the conclusions form the General Plan Final EIR remain unchanged.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
VI. Geology, Seismicity, and Soils *Would the project:*					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less than significant impact	No	No	No	None
ii) Strong seismic ground shaking?	Less than significant impact	No	No	No	None
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact	No	No	No	None
iv) Landslides?	Less than significant impact	No	No	No	None
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact	No	No	No	None
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than significant impact	No	No	No	None
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less than significant impact	No	No	No	None
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant impact	No	No	No	None

a) Earthquake Hazards

Would the project: *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; (ii) Strong Seismic Ground Shaking; (iii) Seismic-related ground failure, including liquefaction; or (iv) Landslides.*

i) Fault Rupture

The General Plan FEIR determined that surface fault rupture could occur within the Hayward Fault, which is a designated Alquist-Priolo Earthquake Fault Zone and trends southeast to northwest through the City. The General Plan FEIR identified State regulations, such as the CBC, that would require seismic-resistant design standards are implemented in new development and local regulations, such as Municipal Code Section 6.12, which requires seismic retrofitting of older, unreinforced buildings within the City. The General Plan FEIR concluded that implementation of General Plan policies and seismic structural design standards contained in the 2019 CBC would ensure impacts to surface fault rupture would be less than significant.

The closest active faults in the area are the Hayward, Hayward-Rodgers, Concord, and Green Valley Faults. The Hayward-Rodgers Creek Fault is closest to the project site located approximately 1.29 miles northeast of the site. The Hayward-Rodgers Creek Fault Zone has the potential to produce an earthquake with a moment magnitude of 7.58.[36,37] However, the project site is not located within a recognized Alquist-Priolo Earthquake Fault Zone, which precludes the potential for new impacts associated with surface fault rupture. As with all development within the City, the proposed project would comply with the 2019 CBC design standards to minimize adverse effects in the event of surface fault rupture. Therefore, the proposed project would not result in new or more severe impacts related to surface fault rupture beyond what was previously analyzed in the General Plan FEIR.

ii) Ground Shaking

The General Plan FEIR determined that strong ground shaking impacts could occur and areas located within or around the Hayward Fault. The General Plan FEIR concluded that seismic shaking impacts could be reduced to a less than significant level with implementation of standard seismic structural design standards contained in the most recent CBC and implementation of General Plan Policies and Actions.

The seismicity of the site is governed by the activity of the Hayward, Hayward-Rodgers, and Concord Faults, although ground shaking from future earthquakes on other faults will also be felt at the site. According to the Geotechnical Investigation, strong to very strong shaking could occur at the site during a large earthquake on one of the nearby faults.[38] In addition, consistent with the General Plan FEIR, the proposed project would adhere to seismic design standards and General Plan policies. Therefore, the proposed project would not result in new or more severe impacts related to seismic ground shaking beyond what was previously analyzed in the General Plan FEIR.

iii) Ground Failure

The General Plan FEIR determined that areas near the San Francisco Bay shoreline and adjacent areas could be susceptible to liquefaction, but impacts could be reduced to a less than significant level with implementation of standard seismic structural design standards contained in the 2019 CBC and General Plan policies.

Historically, ground surface displacements closely follow the trace of geologically young faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. According to the Geotechnical Investigation, it is therefore concluded that the risk of fault offset at the site from a known active fault is very low.[39]

The majority of the soil underlying the site is sufficiently dense and/or cohesive to resist liquefaction; however, the geological analysis indicates there are thin layers of granular soils (primarily sand, silty

[36] United States Geological Survey (USGS). 2020. Quaternary Faults. Website: https://earthquake.usgs.gov/education/geologicmaps/qfaults.php. Accessed August 2, 2021.
[37] Rockridge Geotechnical. 2020. Preliminary Geotechnical Investigation. Regional Seismicity and Faulting, pages 4-5.
[38] Rockridge Geotechnical. 2020. Preliminary Geotechnical Investigation. Ground Shaking, page 7.
[39] Rockridge Geotechnical. 2020. Preliminary Geotechnical Investigation. Ground Surface Rupture, page 7.

sand, and sandy silt) below a depth of about 11 feet below the existing ground surface (BGS) that are susceptible to liquefaction during a major earthquake. The geological analysis indicates that the non-liquefiable soil overlaying the potentially liquefiable soil layers at the project site is sufficiently thick and the uppermost potentially liquefiable layers are sufficiently thin such that the potential for the subsurface manifestations of liquefaction is low.[40]

The proposed project is located in Zone IV –liquefaction potential zone unknown. Although the liquefaction potential is unknown, the General Plan FEIR indicates that liquefaction occurs along creeks and within the Bay Plain area. The nearest creek is Wildcat Creek, located approximately 1.9 miles east of the project site. However, as part of the City's standard practice, the proposed project would be required to adhere to seismic design standards and General Plan policies, which the General Plan concluded would be sufficient to reduce impacts to less than significant. Therefore, the proposed project and would not result in new or more severe impacts related to seismically related ground failure beyond what was previously analyzed in the General Plan FEIR.

iv) Landslides

The General Plan FEIR identified previous areas in the City that have experienced landslides: the El Sobrante Valley, Point Richmond area, and the Berkeley Hills. The General Plan FEIR determined that earthquake induced landslides could occur in areas where landslides previously occurred and on slopes greater than 15 percent, but impacts could be reduced to a less than significant level with implementation of standard seismic structural design standards contained in the most recent CBC and General Plan policies.

The project site has a low potential for landslides to occur because the site is relatively flat with no slopes over 15 percent and is located within a highly urbanized area with no exposed, steep slopes susceptible to landslides.[41] Therefore, the proposed project would not result in new or more severe impacts related to seismically induced landslides beyond what was previously analyzed in the General Plan FEIR.

b) Erosion

Would the project: *Result in substantial soil erosion or the loss of topsoil?*

The General Plan FEIR determined that erosion of topsoil could occur in sloped upland areas, during construction activity, and in areas with exposed, non-vegetated slopes. However, the General Plan FEIR determined that implementation of the National Pollutant Discharge Elimination System (NPDES) permit and associated Best Management Practices (BMPs), such as a Storm Water Pollution Prevention Plan (SWPPP) and General Plan policies, would prevent substantial erosion or loss of topsoil and impacts would be less than significant.

The proposed project would be required to implement requirements contained in Municipal Code Chapter 12.44, Excavation, Grading and Construction, which would prevent substantial erosion or

[40] Rockridge Geotechnical. 2020. Preliminary Geotechnical Investigation. Liquefaction and Associated Hazards, pages 8-9.
[41] United States Department of Agriculture (USDA). 2020. National Cooperative Soil Survey – Web Soil Survey. Website: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed August 3, 2021.

loss of topsoil through the implementation of an Erosion and Sediment Control Plan during construction activity.[42] In addition, in compliance with General Plan policies, the proposed project would implement construction and operational standards contained in the City's NPDES permit and SWPPP that would further prevent substantial erosion or loss of topsoil. Therefore, the proposed project would not result in new or more severe impacts related to erosion of topsoil beyond what was previously analyzed in the General Plan FEIR.

c) Unstable Soils or Geologic Units

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

The General Plan FEIR disclosed that impacts related to unstable geologic units could occur throughout the City including subsidence, landslides, and liquefaction. However, the General Plan FEIR determined that implementation of General Plan policies would reduce impacts related to unstable soils or geologic units to a less than significant level.

Historically, ground surface displacements closely follow the trace of geologically young faults. The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. According to the Geotechnical Investigation, it is therefore concluded that the risk of fault offset at the site from a known active fault is very low.

Lateral spreading occurs when a continuous layer of soil liquefies at depth and the soil layers above move toward an unsupported face, such as a shoreline slope, or in the direction of a regional slope or gradient. Considering the potentially liquefiable soil layers are discontinuous, the geotechnical analysis concludes the potential for lateral spreading to occur at the project site is low.[43]

Consistent with the General Plan FEIR, the proposed project would be required to adhere to seismic design standards and General Plan policies which would reduce impacts to unstable soils or geologic units. Implementation of the proposed project would reuse the existing building and would reduce the amount of development that would require ground disturbance. The construction of the proposed adjoining Building B adjacent to the existing building would require ground disturbance; however, site does not contain loose saturated, sandy soils. This condition precludes the likelihood of construction activity being on unstable or unsuitable land for development. Therefore, the proposed project would not result in new or more severe impacts related to unstable soils or geologic units beyond what was previously analyzed in the General Plan FEIR.

d) Expansive Soils

Would the project: *Be located on expansive soil, creating substantial direct or indirect risks to life or property?*

[42] City of Richmond. 2021. City of Richmond Municipal Code – Chapter 12.44 – Excavation, Grading, and Earthwork Construction.
[43] Rockridge Geotechnical. 2020. Preliminary Geotechnical Investigation. Liquefaction and Associated Hazards, page 9.

The General Plan FEIR determined that expansive soils could occur in areas of the City as expansive soil is prevalent in the Bay Plain area. However, implementation of General Plan policies would ensure modern building techniques are implemented, such as removal of weak soils and replacement with engineered fill consistent with General Plan Policy SN1.1,[44] regarding Geologic and Seismic Safety, which would regulate land use and apply development standards and construction practices to reduce the risk to humans and property in the event of an earthquake or other geological event. Thus, the General Plan FEIR concluded that impacts would be less than significant.

The Preliminary Geotechnical Investigation performed by Rockridge Geotechnical concludes near-surface soil at the project site is highly expansive due to highly expansive near-surface soil with plasticity indices ranging from 31 to 33 found in close proximity to the project site.[45] Expansive near-surface soil is subject to volume changes during seasonal fluctuations in moisture content. These volume changes can cause movement and cracking of foundations, slabs, and pavements. Therefore, foundations and slabs should be designed and constructed to resist the effects of the expansive clay. These effects can be mitigated by moisture-conditioning the expansive soil below slabs, providing non-expansive soil blow slabs, and either supporting foundations below the zone of severe moisture change or providing a stiff, shallow foundation that can limit deformation of the superstructure as the underlying soil shrinks and swells. The City's standard plan check process will ensure that these recommendations are reflected in the grading and building plans.

To address the potential effect of highly expansive, near-surface soil on floor slabs for the proposed building and new exterior concrete flatwork associated with the new development, the consulting engineer preliminarily recommended the upper 18 inches of soil subgrade beneath slab-on-grade floors and the upper eight inches of soil subgrade beneath exterior concrete flatwork consist of non-expansive fill. For slab-on-grade floors, the 12 inches of non-expansive fill should be measured from the bottom of the capillary moisture break. For exterior concrete flatwork, the upper 4 inches of the select fill should consist of Class 2 aggregate base. The 12 inches of non-expansive fill may be omitted if the building is supported on a mat foundation that is at least 18 inches thick; however, a 2- to 3-inch-thick unreinforced concrete ("rat") slab or four inches of compacted Class 2 aggregate base should be placed on the mat subgrade to prevent moisture changes in the underlying soil during mat construction. The City's standard plan check process will ensure that these recommendations are reflected in the grading and building plans.

According to the United States Department of Agriculture (USDA) Web Soil Survey, the project site does not contain expansive soils that could experience shrink and swell potential during times of precipitation leading to cracked or damaged building foundations.[46] Consistent with the General Plan FEIR, the proposed project would adhere to General Plan policies requiring conformance with State regulations, such as the 2019 CBC. Therefore, the proposed project would not result in new or more severe impacts related to expansive soils beyond what was previously analyzed in the General Plan FEIR.

[44] City of Richmond. 2011. Richmond General Plan 2030 EIR. Page 3.7-23.
[45] Rockridge Geotechnical. 2020. Preliminary Geotechnical Investigation. Subsurface Conditions, page 3.
[46] United States Department of Agriculture (USDA). 2020. National Cooperative Soil Survey – Web Soil Survey. Website: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed August 3, 2021.

e) Septic Tanks

Would the project: *Have soils incapable of supporting the use of septic tanks or other alternative wastewater disposal systems where sewers are not available?*

The General Plan FEIR determined that the City would contain sufficient wastewater treatment capacity to serve future buildout and implementation of General Plan policies would ensure no impacts would occur related to septic tanks or alternative wastewater disposal systems. The General Plan FEIR noted that there would be no impacts related to soils supporting septic tanks or alternative wastewater disposal systems because wastewater is conveyed and treated within the City's wastewater collection system. As a result, this potential impact would not be relevant in Richmond and no additional analysis was required.

The proposed project would connect to an existing wastewater line to the project site and, therefore, would not include the use of alternative wastewater disposal systems. As stated in the Project Description, the project would utilize the existing water and sanitary sewer lines in Bissell Avenue and those in 39th Street, which extend through the site. This condition precludes the potential for new impacts associated with the use of septic tanks. Therefore, the proposed project would not result in new or more severe impacts related to soils capable of supporting septic tanks beyond what was previously analyzed in the General Plan FEIR.

f) Destruction of Paleontological Resource or Unique Geologic Feature

Would the project: *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

The General Plan FEIR determined that development activities associated with General Plan buildout could directly or indirectly destroy a paleontological resource or a unique geologic feature. This is due to sediment and rock formations underlying the City of Richmond are known to be rich in subsurface paleontological resources. However, through implementation of General Plan policies and mitigation measures for areas susceptible to destruction of paleontological resources, impacts would be reduced to a less than significant level.

The proposed project is not located in an area with paleontological resources or unique geologic features. This condition precludes the possibility of destroying a paleontological resource and therefore, no impact would occur.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to geology and soils. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
VII. Greenhouse Gas Emissions and Energy *Would the project:*					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than significant with mitigation incorporated	No	No	No	MM 3.6-1a, MM 3.6-1b through MM 3.6-1q
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.3-1, MM 3.3-2, and MM 3.6-1
c) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant impact	No	No	No	none
d) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	N/A	No	No	No	none

a) Greenhouse Gas Emissions

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

The General Plan FEIR determined that implementation of BAAQMD BMPs, as well as General Plan Policies (EC2.1, EC2.2, and EC4.3), Actions (EC3.E, EC4.G, and EC4.H), and MM 3.6-1a, would ensure that construction emissions of GHGs would be less than significant. The General Plan FEIR also stated that future development under the proposed General Plan would be subject to review to determine construction climate change impacts in accordance with CEQA.

However, the General Plan FEIR concludes that even with the implementation of General Plan Policies (EC1.1 through EC1.2, EC2.1 through EC2.7, EC3.1 through EC3.5, EC4.1 through EC4.5, EC5.1

through EC5.3, EC6.1 through EC6.3) and Actions (EC1.A through EC1.C, EC2.A through EC2.K, EC3.A through EC3.H, EC4.A through EC4.I, EC5.A through EC5.C, EC6.A through EC6.F), and all feasible mitigation measures (MM 3.6-1b through MM 3.6-1o), the impacts of operational emissions would remain uncertain and, therefore, be considered significant and unavoidable. Nonetheless, upon certification of the General Plan FEIR, the City added FEIR MMs 3.6-1p and 3.6-1q and ultimately concluded that incorporation of identified mitigation would reduce impacts to less than significant levels for individual development projects.

Both construction and operational activities have the potential to generate GHG emissions. The proposed project would generate GHG emissions during temporary (short-term) construction activities such as site preparation and grading, running of construction equipment engines, movement of on-site heavy-duty construction vehicles, hauling materials to and from the project site, asphalt paving, and construction worker, vendor, and haul truck motor vehicle trips.

Long-term, operational GHG emissions would result from project-generated vehicular traffic, operation of any landscaping equipment, off-site generation of electrical power over the life of the proposed project, the energy required to convey water to and wastewater from the project site, and the emissions associated with the hauling, and disposal of solid waste from the project site.

The 2017 BAAQMD Thresholds contain the following for thresholds GHGs:

> For land use development projects (including residential, commercial, industrial, and public land uses and facilities), the threshold is compliance with a qualified GHG Reduction Strategy; or annual emissions less than 1,100 metric tons per year of carbon dioxide equivalent (CO_2e); or 4.6 metric tons CO_2e/service population/year (residents + employees).

It should be noted that the BAAQMD's thresholds of significance was established based on meeting the 2020 GHG targets set forth in the AB 32 Scoping Plan. For developments that would occur beyond 2020, the service population threshold of significance was adjusted to a "substantial progress" threshold that was calculated based on the SB 32 target of 40 percent below 1990 levels and the forecasted 2030 service population.

To determine significance, the proposed project's GHG emissions are assessed against the 2020 BAAQMD bright line threshold of 1,100 metric tons (MT) CO_2e/year and the projected 2030 bright line threshold of 660 MT CO_2e/year.

Short-term Construction Impacts

The proposed project would emit GHG emissions during construction from the off-road equipment, worker vehicles, and any hauling that may occur. General Plan FEIR MM 3.6-1a requires that all construction projects shall incorporate the most recent BAAQMD-recommended BMPs to reduce GHG emissions, including using alternative fueled construction vehicles/equipment of at least 15 percent of the fleet; using local building materials of at least 10 percent, and recycling or reusing at least 50 percent of construction waste or demolition materials. The BAAQMD does not presently provide a construction-related GHG emission threshold but recommends that construction-generated GHG emissions be quantified and disclosed. The BAAQMD also recommends that lead

agencies (in this case, the City of Richmond) make a determination of the level of significance of construction-generated GHG emissions.

While implementation of General Plan FEIR MM 3.6-1a would reduce GHG emissions during construction, potential emission reductions achieved through implementation of MM 3.6-1a could not be quantified with sufficient certainty. Therefore, the GHG emission estimates contained herein do not consider implementation of MM 3.6-1a and therefore represent a conservative assessment of project impacts. Total GHG emissions generated throughout project construction are presented in Table 12. In the absence of a construction emission threshold, construction GHG emissions are amortized over the expected lifetime of the proposed project (30 years). The proposed project's amortized construction GHG emissions are then added to the proposed project's operational GHG emissions in Table 13.

Table 12: Construction GHG Emissions

Construction Phase	MT CO_2e per year
Demolition	53
Building A Building Construction	572
Building A Architectural Coating	5
Building B Site Preparation	10
Building B Grading	71
Building B Building Construction	401
Building B Paving	16
Building B Architectural Coating	4
Total Construction Emissions	**1,132**
Emissions Amortized Over 30 Years[1]	**38**

Notes:
MT CO_2e = metric tons of carbon dioxide equivalent
[1] Construction GHG emissions are amortized over the 30-year lifetime of the proposed project.
Source: CalEEMod Output (Appendix B).

Long-term Operational Impacts

Operational GHG emissions were estimated using CalEEMod, Version 2020.4.0 and are shown in Table 13. The proposed project was analyzed assuming full buildout in the year 2025. The estimated total annual project-generation emissions, including operational emissions and amortized construction emissions, were compared with the BAAQMD's bright line threshold of 1,100 MT CO_2e/year to determine significance at project buildout in the year 2025. The estimated total annual GHG emissions generated by the proposed project in the year 2030 were compared with the applicable significance threshold of 660 MT CO_2e/year. It should be noted that the emissions estimates contained herein represent a conservative assessment of project impacts as the existing land use's operational emissions are not considered.

Table 13: Operational GHG Emissions

Emission Source	Year 2025 Total Emissions (MT CO_2e per year)	Year 2030 Total Emissions (MT CO_2e per year)
Area	2	2
Energy	64	58
Mobile (Vehicles)	415	361
Waste	26	26
Water	19	18
Total Operational Emissions	526	465
Amortized Construction Emissions[1]	38	38
Total Project Emissions	564	503
Applicable Significance Threshold (MT CO_2e/year)	**1,100**	**660**
Does project exceed threshold?	**No**	**No**

Notes:
MT CO_2e = metric tons of carbon dioxide equivalent
[1] Construction GHG emissions are amortized over the 30-year lifetime of the proposed project.
Source: CalEEMod Output (Appendix B).

As shown in Table 13, the proposed project would generate approximately 564 MT CO_2e/year in the year 2025 and 503 MT CO_2e/year in the year 2030 in terms of total (amortized construction plus operational) project GHG emissions. Therefore, the proposed project would not exceed the BAAQMD's threshold of 1,100 MT CO_2e/year at project buildout or the adjusted significance threshold of 660 MT CO_2e/year for the 2030 GHG emissions. This represents a less than significant impact, so that the proposed project would not add to or increase the level of impact previously analyzed in the General Plan FEIR.

Summary

As addressed above, the proposed project's GHG emissions would be below the significance thresholds and would have a less than significant impact. In addition, the proposed project would be required to implement General Plan FEIR MM 3.6-1a, which requires all construction projects to incorporate the most recent BAAQMD-recommended BMPs to reduce construction GHG emissions. Furthermore, General Plan FEIR MM 3.6-1b through 3.6-1q provide feasible measures to reduce operational GHG emissions. Therefore, the proposed project's GHG impacts would be less than significant after incorporation of identified mitigation adopted in connection with the General Plan FEIR, and the proposed project would not result in new or more severe impacts related to GHG emissions during project operation than what was previously analyzed in the General Plan FEIR.

b) Greenhouse Gases Emissions Reduction Plan Conflict

Would the project: *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

The General Plan FEIR evaluated whether buildout of the General Plan would conflict California's AB 32 Climate Change Scoping Plan. The General Plan FEIR concluded that implementation of the specific measures contained in MM 3.3-1, 3.3-2, and 3.6-1 and General Plan policies would reduce this impact to less than significant.

As provided by BAAQMD's 2017 Air Quality Guidelines:[47]

> BAAQMD's approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce Statewide GHG emissions needed to move us toward climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact, and would be considered significant.

Thus, if a project is less than the BAAQMD's threshold of significance for GHGs, it stands to reason that the proposed project would not substantially conflict with existing California legislation adopted to reduce Statewide GHG emissions.

The following analysis also evaluates whether the proposed project would conflict with either the City of Richmond Climate Action Plan (CAP) or the 2017 Climate Change Scoping Plan Update.

City of Richmond Climate Action Plan

The City of Richmond adopted its CAP in October 2016.[48] The City of Richmond CAP serves as a roadmap for how the City will reduce greenhouse gas emissions and prepare for the impacts of climate change on public health, infrastructure, ecosystems, and public spaces in the community. The City of Richmond CAP supports the community's goals and policies identified in the City's General Plan 2030[49] and enables the City to implement strategies to fulfill the requirements of AB 32 and SB 375. The City of Richmond CAP provides goals, objectives, strategies, and associated implementing actions. The implementing actions demonstrate how the City plans to implement its 40 strategies, and in turn, meet its objectives and goals. The majority of the 449 implementing actions apply to government agencies and not to individual development; therefore, project compliance is assessed by evaluating the proposed project's consistency with the applicable goals and implementing actions of the City's CAP.

[47] Bay Area Air Quality Management District (BAAQMD). 2017. CEQA Air Quality Guidelines. Website: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed November 17, 2021.

[48] City of Richmond. 2016. Climate Action Plan. October. Website: https://www.ci.richmond.ca.us/3313/Climate-Action-Plan. Accessed November 17, 2021.

[49] City of Richmond. 2012. Richmond General Plan 2030, Introduction. 2018. Website: http://www.ci.richmond.ca.us/2608/General-Plan-2030. Accessed November 17, 2021.

Table 14: Consistency with the Richmond CAP

CAP Component	Consistency
Goal	
1. **GHG Emissions Reduction:** This goal is aimed at reducing GHG emissions originating from the community and from government operations in order to achieve statewide targets and reduce the societal and environmental risks associated with climate change.	**Consistent.** The proposed project includes several design features that reduce the generation of GHG emissions, such as a rooftop solar system, high-efficiency lighting, and net zero energy targets. Furthermore, as discussed under Impact VII(a), Greenhouse Gas Emissions, the proposed project would be required to implement relevant General Plan FEIR mitigation, such as MM 3.6-1, and the proposed project's generation of GHG emissions would be less than significant. Therefore, the proposed project would be consistent with the first goal of the City's CAP.
2. **Health and Resilient Community:** This goal is aimed at ensuring sustainable growth that provides a healthy, resilient and equitable environment for all. This goal includes preparing for the impacts of climate change, providing residents with access to walkable neighborhoods and good jobs, providing safe, affordable, and efficient homes, and integrating green spaces in neighborhoods.	**Consistent.** The proposed project would include sidewalks along the project frontage with Bissell Avenue on the project site. The proposed project is within 1.5 mile to the Richmond BART station, and it encourages the use of transit. The other parts of this goal would not be applicable to the proposed project as a residential development.
Implementing Action	
EE3.2. Work with the building department to increase compliance of all building construction, additions, and renovations with the State's Green Building Standards (CALGreen Code), including Title 24, Part 6 energy standards.	**Consistent.** Although this is a measure related to the City's process, the proposed project will comply with Title 24 and CALGreen codes.
TL2.5 Connect residential neighborhoods to commercial centers with protected bike lanes and paths (linked to Land Use).	**Consistent.** The proposed project would include sidewalks along the project frontage with Bissell Avenue. The proposed project would also not preclude the development of future bike lane and path features.
TL3.3. Require owners of property along the shoreline to ensure maximum feasible public access and to complete the Bay Trail as part of any project approval process.	**Consistent.** While the proposed project is not immediately adjacent to the Bay Trail or the shoreline, it is within the vicinity of the trail, would encourage and facilitate use of the trail by future residents, and would not preclude access to the Bay Trail. Therefore, the proposed project would be consistent with this measure.
TL5.7. BAAQMD, Metropolitan Transportation Commission, other regional partners and large employers: improve Richmond Circular Shuttle services linking BART and Amtrak stations to commuter destinations, and extend service to the planned ferry terminal and other nearby transit hubs. Seek funding through BAAQMD Shuttle and Rideshare program.	**Not Applicable.** This is a regional coordination measure that cannot be implemented by a project applicant.

CAP Component	Consistency
SW4.3. Require new development projects to provide a construction plan prior to permit approval that demonstrates how activities will reduce waste to achieve the required diversion rate. Require disposal receipts during the building permit process to confirm proper recycling and disposal, and prevent illegal dumping.	**Consistent.** Although this is a measure related to the City's approval process, the proposed project would not conflict with implementation of this measure. The proposed project would be consistent with this measure by complying with all requirements during the permitting process.
WA3.1. Ensure all new buildings and renovations comply with CALGreen Green Building Standards Code water efficiency and conservation measures.	**Consistent.** This is a measure related to local enforcement of State regulations; however, the proposed project would achieve consistency through compliance with existing regulations. The proposed project would implement required green building strategies through existing regulation that requires the proposed project to comply with various CALGreen requirements.
WA3.2. Update the City's Landscape Design and Development Guidelines to require water efficient landscaping in all development projects.	**Consistent.** The proposed project would be required to comply with the latest adopted version of the City's water efficient landscape ordinance.
Source of Measures: City of Richmond. 2016. Climate Action Plan. October. Website: https://www.ci.richmond.ca.us/3313/Climate-Action-Plan. Accessed August 12, 2021.	

As shown in Table 14, the proposed project incorporates a number of GHG reduction features and would be consistent with the applicable goals and implementing actions identified by the City of Richmond CAP.

Senate Bill 32 2017 Scoping Plan Update

The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017.[50] Table 15 provides an analysis of the proposed project's consistency with the 2017 Scoping Plan Update measures. As shown in Table 15, many of the measures are not applicable to the proposed project, and the proposed project is consistent with strategies that are applicable.

Table 15: Consistency with SB 32 2017 Scoping Plan Update

2017 Scoping Plan Update Reduction Measure	Project Consistency
SB 350: 50 Percent Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33 percent in 2020 to 50 percent in 2030.	**Not applicable.** This measure would apply to utilities and not to individual development projects. The proposed project would purchase electricity from PG&E subject to the SB 350 Renewable Mandate.

[50] California Air Resource Board (ARB). 2017. California's 2017 Climate Change Scoping Plan. Website: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed November 18, 2021.

2017 Scoping Plan Update Reduction Measure	Project Consistency
SB 350 Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	**Not applicable**. This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time. The proposed project would comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permits are received.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	**Not applicable.** This is a Statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles accessing the proposed residential buildings at the project site would benefit from the standards.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario). Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million Zero Emission Vehicles (ZEVs) on the road by 2030 and increasing numbers of ZEV trucks and buses.	**Not applicable.** This measure is not applicable to the proposed project; however, as stipulated by the 2019 CBC, Title 24, Part 11, Chapter 4, Section 4.106.4.2, new multi-family residential developments, such as the proposed project, would be required to implement the applicable provisions of Title 24, Part 6, Section 4.106.4 of the 2019 CBC to support future electric vehicle supply equipment (EVSE).
Sustainable Freight Action Plan. The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030.	**Not Applicable.** The proposed project is residential in nature and would not have any major freight vehicles operational.
Short-lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	**Consistent.** Consistent with BAAQMD Regulation 6, Rule 3, no wood-burning devices are proposed as part of the proposed project. Therefore, the proposed project would not include major sources of black carbon.
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a Sustainable Communities Strategy for reduction of per capita VMT.	**Not Applicable.** The proposed project does not include the development of a Regional Transportation Plan.
Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	**Not Applicable.** The proposed project is not one targeted by the cap-and-trade system regulations, and, therefore, this measure does not apply to this proposed project. However, the post-2020 Cap-and-Trade Program indirectly affects people and entities who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers.

2017 Scoping Plan Update Reduction Measure	Project Consistency
Natural and Working Lands Action Plan. The ARB is working in coordination with several other agencies at the federal, State, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.	**Not Applicable**. The proposed project is a residential development in a built-up urban area and would not be considered natural or working lands.
Source of ARB 2017 Scoping Plan Update Reduction Measures: California Air Resource Board (ARB). 2017. California's 2017 Climate Change Scoping Plan. November. Website: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed November 18, 2021.	

As shown in Table 15, implementation of the proposed project would not conflict with the reduction measures proposed in SB 32.

Summary

The proposed project is consistent with the City of Richmond CAP and would not conflict with the provisions of SB 32. Therefore, the proposed project does not conflict with any plans to reduce GHG emissions and the impact would be less than significant. Therefore, the proposed project would not result in new or more severe impacts related to conflicts with applicable GHG reduction plans than previously analyzed in the General Plan FEIR.

c) Energy Use

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

The General Plan FEIR determined that implementation of General Plan 2030 Policies (CF1.4, CN5.1, CN5.2, EC3.1, and EC3.2) and Actions (CF1.F, CN5.A, CN5.C, EC3.A, and EC3.C) would reduce the potential for impact on energy. The General Plan FEIR concluded that adherence to existing regulations and the aforementioned policies and actions would ensure a less than significant impact associated with wasteful or unnecessary use of energy.

The General Plan FEIR did not evaluate impacts at the project level. Therefore, the following analysis provides an evaluation of potential project-level impacts with respect to energy use.

Construction

During construction, the proposed project would result in energy consumption through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction equipment, and the use of electricity for temporary buildings, lighting, and other sources. No natural gas would be utilized as part of construction. Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during site preparation, grading, paving, and building construction. The types of equipment could include gasoline- and diesel-powered construction and

transportation equipment, including trucks, bulldozers, frontend loaders, forklifts, and cranes. Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools.

Based on CalEEMod estimations (Appendix B), construction-related vehicle trips and construction equipment usage would result in the consumption of an estimated 99,316 gallons of gasoline and diesel combined during the construction phase (Appendix B). The complete calculations of the construction energy consumptions estimates are included in Appendix B.

Fuel use associated with construction vehicle trips generated by the proposed project was also estimated. Construction trips include construction worker trips, haul truck trips for transport of demolished material and building construction material transport, and vendor trips for construction material deliveries. Fuel use from these vehicles traveling to the project site was based on (1) the projected number of trips the proposed project would generate during construction, (2) average trip distances by trip type, and (3) fuel efficiencies estimated in the ARB Emissions Factors model (EMFAC) mobile source emission database. The specific parameters used to estimate fuel usage are included in Appendix B. Under an unmitigated construction scenario, the proposed project would generate an estimated 596,273 VMT and consume a combined 26,962 gallons of gasoline and diesel for vehicle travel during construction.

Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. California Code of Regulations Title 13 Sections 2449(d)(3) and 2485, limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. In addition, given the cost of fuel, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction.

Other construction equipment such as office trailers could be used during project construction. Single-wide mobile office trailers commonly used in construction staging areas generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 16,601-kilowatt hour (kWh) during the 23-month construction phase (Appendix B). According to Ordinance 15.04.605.060 of the Richmond Municipal Code, the City has established permissible hours of construction that limit noise producing construction activity to weekdays from 7:00 a.m. to 6:00 p.m. As on-site construction activities would be restricted to these hours, it is anticipated that the use of construction lighting would be minimal after construction activities end each day. Potential after-hours lighting and energy use would involve lighting for safety measures around the site. Due to the temporary nature of construction and the financial incentives for developers and contractors to use energy-consuming resources in an efficient manner, the construction phase of the proposed plan would not result in wasteful, inefficient, and unnecessary consumption of energy. Therefore, the proposed project would not result in new or more severe impacts related to construction energy consumption than previously analyzed in the General Plan FEIR.

Operation

Electricity and Natural Gas

Building operations for the proposed project would involve energy consumption for multiple purposes including, but not limited to, building heating and cooling, refrigeration, lighting, and

electronics as well as outdoor lighting. The proposed project includes several design features that reduce the generation of GHG emissions, such as a rooftop solar system and light-emitting diode (LED) lighting, to meet the proposed project's net zero energy targets.

Based on CalEEMod estimations within the modeling output files used to estimate GHG emissions associated with the proposed project, operations would consume approximately 684,815 kWh of electricity per year (Appendix B). In accordance with Richmond's Code of Ordinances 100.0(e).2.A,[51] the proposed project would be required to include solar panels and use electricity as the sole fuel source (thus no natural gas). As such, Building B of the proposed project would be required to include a rooftop solar system of a minimum capacity of 5 kW PV system. The proposed project would be designed and constructed in accordance with the City of Richmond's CAP and the State's Title 24 energy efficiency standards. Energy and water efficient design measures for the proposed project will include low flow plumbing fixtures and irrigation heads and a wastewater heat recovery system. Title 24 standards include a broad set of energy conservation requirements that apply to the structural, mechanical, electrical, and plumbing systems in a building. Compliance with Title 24 standards would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation. Compliance with Title 24 standards would ensure that operational energy consumption would not result in the use of energy in a wasteful manner or inefficient manner.

Fuel

Operational energy would also be consumed during vehicle trips. Fuel consumption would be primarily related to vehicle use by visitors and employees. Based on the estimates contained in the CalEEMod output files (Appendix B), vehicle trips associated with the proposed project would result in 1.34 million VMT and consume an estimated 44,207 gallons of gasoline and diesel combined on an annual basis.[52] The project site is located approximately 1,650 feet west of Interstate 80 (I-80) and approximately 3,850 feet north of Interstate 580 (I-580). The project site is also located approximately 5,860 feet southeast of the Richmond BART station, which provides access to the BART Orange and Red lines. As such, the proposed project would be in proximity to multiple regional routes of travel. The project site is located approximately 500 feet from the Macdonald Avenue and 39th Street bus stop that provides service to the Alameda-Contra Costa Transit District Routes 72M, 667, and 800. The existing transportation facilities in the area would provide future residents, employees, and patrons with access to public transportation, thus further reducing fuel consumption demand.

Moreover, the proposed project would include sidewalks along the project frontage with Bissel Avenue, facilitating pedestrian connectivity to adjacent land uses. For these reasons, transportation fuel consumption would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during long-term operations. Therefore, the

[51] City of Richmond. Code of Ordinances. 2021. Website: https://library.municode.com/ca/richmond/codes/code_of_ordinances?nodeId=ARTVIBURE_CH6.02BUCORI_6.02.030AMADDE. Accessed December 1, 2021.

[52] Based on the 1,131,420 annual VMT consistent with CalEEMod output (Appendix B) and an average fuel consumption determined using EMFAC2014 factors for Contra Costa County in the 2022 calendar. Website: https://www.arb.ca.gov/emfac/2014/. Accessed November 17, 2021.

proposed project would not result in new or more severe impacts related to operational energy consumption than previously analyzed in the General Plan FEIR.

Summary

As addressed above, the proposed project's impact on energy consumption would be less than significant. The proposed project would not result in new or more severe impacts related to wasteful, inefficient, or unnecessary energy consumption than what was previously analyzed in the General Plan FEIR.

d) Energy Efficiency and Renewable Energy Standards Consistency

Would the project: *Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

The General Plan FEIR discussed the compliance with State or local plan for renewable or energy efficiency in its Climate Change section. It stated that implementation of General Plan would comply with California Code of Regulations Title 24 California's Energy Efficiency Standards for Residential and Nonresidential Buildings. During the release of the General Plan FEIR, the City of Richmond was in the process of preparing a CAP. The following evaluates whether the proposed project would conflict with or obstruct a State or local plan for renewable energy or energy efficiency, including the City's CAP.

Construction

The proposed project would result in energy consumption through the combustion of fossil fuels. Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. California Code of Regulations Title 13 Sections 2449(d)(3) and 2485 limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. The proposed project would be required to comply with these regulations. There are no renewable energy standards that would apply to construction of the proposed project. As a result, construction would not conflict with or obstruct any regulations adopted for the purposes of increasing the use of renewable energy. Furthermore, it is anticipated that construction of the proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy. Therefore, the proposed project would not result in new or more severe impacts related to construction energy efficiency and use of fossil fuels or decreased use of renewable resources beyond what was previously analyzed in the General Plan FEIR.

Operation

The proposed project would be served with electricity provided by PG&E. In 2020, PG&E obtained 31 percent of its electricity from renewable energy sources, while the remaining electricity was sourced from nuclear (43 percent), natural gas (16 percent), and large hydroelectric (10 percent).[53] While PG&E's 2020 Renewable Portfolio Standard (RPS) reporting showed that only 31 percent of

[53] Pacific Gas and Electric Company. 2021. Delivering low-emission energy. https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page?WT.mc_id=Vanity_cleanenergy. Accessed November 10, 2021.

electricity sales sourced from eligible renewable sources, the RPS requirements apply to a 3-year average of utility provider electricity sourcing to allow for fluctuations in market demand and supply availability. Nonetheless, the proposed project's electricity provider is required to meet the State's 2020 objective of 33 percent and is making progress toward the State's 2024 RPS target of 44 percent. The proposed project's electricity demands would also be required to meet the State's future objective of 60 percent electricity from renewable energy sources by 2030. The proposed buildings would be designed in accordance with California Code of Regulations Title 24, California's Energy Efficiency Standards for Residential and Nonresidential Buildings as applicable. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting. The incorporation of the Title 24 standards into the design of the proposed project would ensure that the project would not result in the use of energy in a wasteful manner.

The City of Richmond CAP includes goals and implementing actions aimed at energy conservation.[54] CAP measures that are applicable to the proposed project include:

EE3.2 Work with the building department to increase compliance of all building construction, additions, and renovations with the State's Green Building Standards (CALGreen Code), including Title 24, Part 6 energy standards.

TL2.5 Connect residential neighborhoods to commercial centers with protected bike lanes and paths (linked to Land Use).

SW4.3 Require new development projects to provide a construction plan prior to permit approval that demonstrates how activities will reduce waste to achieve the required diversion rate. Require disposal receipts during the building permit process to confirm proper recycling and disposal, and prevent illegal dumping.

WA3.1 Ensure all new buildings and renovations comply with CALGreen Green Building Standards Code water efficiency and conservation measures.

WA3.2 Update the City's Landscape Design and Development Guidelines to require water efficient landscaping in all development projects.

Many of the measures in the City's CAP apply to government agencies and not to individual development projects. Nevertheless, the proposed project would not conflict with any of the applicable implementing actions in the CAP. Furthermore, the proposed project would include design features that would support of the energy conservation goals of the City's CAP. The proposed project would include sidewalks along the project frontage with Bissell Ave, wastewater heat recovery system, indigenous plants, and photovoltaic systems atop Building A.

[54] City of Richmond. 2016. Climate Action Plan. Website: https://www.ci.richmond.ca.us/3313/Climate-Action-Plan. Accessed November 10, 2021.

Summary

As addressed above, the proposed project would comply with existing State energy standards and with energy conservation policies contained in the City of Richmond's CAP. As such, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Therefore, the proposed project would not result in new or more severe impacts related to energy efficiency and renewable energy standards consistency beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

MM 3.6-1a All construction projects shall incorporate the most recent Best Management Practices for Greenhouse Gas Emissions as indicated by the BAAQMD.

MM 3.6-1b All new development and all retrofits of single-family developments, multi-family developments of over 10 units, and all commercial/industrial remodels of over 10,000 square feet shall be required to exceed Title 24 standards by 20 percent by 2020 and 30 percent by 2030. This mitigation measure enhances General Plan Action EC3.C.

MM 3.6-1c Require all new City-owned and operated facilities and 50 percent of all new development to generate at least 10 percent of their energy use from renewable sources. Enhances General Plan Action EC3.B.

MM 3.6-1d All new commercial and multi-family developments installing boilers shall be required to install energy efficient boilers such that they achieve a minimum 4.5 percent reduction in energy usage. The same reductions shall be required of all remodeled multi-family developments of over 10 units and all commercial/industrial remodels of over 10,000 square feet.

MM 3.6-1e Develop improved waste reduction and expanded recycling programs such that a 75 percent diversion rate is achieved by 2020 and an 85 percent diversion rate is achieved by 2030 for all non-construction waste streams. Potential measures could include: providing recycling containers in parks and public spaces; establishing computer reuse and recycling programs; enhancing recycling and green waste services for all residents; and providing locations for household hazardous wastes to be recycled. Enhances General Plan Actions EC3.D.

MM 3.6-1f Develop a program that requires all construction and demolition activities to evaluate energy use and waste and to reduce or mitigate construction-related impacts by 75 percent. Enhances General Plan Actions EC3.E.

MM 3.6-1i Implement Citywide car and bicycle sharing programs. Collaborate with service providers to identify potential sites for locating carshares.

MM 3.6-1j Require new local serving mixed-use in residential areas to provide needed services and amenities close to where people live and work. Require new development and redevelopment projects to provide community amenities and uses that serve priority community needs. Enhances General Plan Policy EC4.1 and General Plan Actions EC4.A, EC4.B, and EC4.D.

MM 3.6-1k Require mixed-use development along transit-oriented corridors that attracts people and facilitates activity throughout the day. Prohibit isolated or gated communities in order to improve physical connectivity throughout the City, and remove barriers in existing gated areas. Maintain streets to ensure that neighborhoods and streets are safe and well used. Enhances General Plan Policy EC4.2 and Actions EC2.C, EC2.E, EC2.G, EC4.A, EC4.B, EC4.C and EC4.E

MM 3.6-1m All new street lighting and all remodeled or replaced street lighting shall consist of high-efficiency lamps that reduce energy consumption by a minimum of 16 percent.

MM 3.6-1n All new traffic lights and all replaced traffic lights shall consist of LED lights. This high-efficiency lighting would reduce emissions from traffic lights by 90 percent.

MM 3.6-1o Require new development to incorporate water-saving measures demonstrating a minimum reduction of 20 percent in water use over a similar project completed within the previous five years. This measure enhances General Plan Action EC3.F. This measure would be enhanced by General Plan Action EC3.G.

MM 3.6-1p The City of Richmond shall adopt a Climate Action Plan within 18 months of the adoption of the General Plan Energy and Climate Change Element. The Climate Action Plan shall include the following pursuant to CEQA Guidelines Section 15183.5(b):

a) The quantification of greenhouse gas emissions, both existing (2005) and projected for 2020 and General Plan horizon year (2030). These inventories and projections shall be used in the forthcoming Climate Action Plan.
b) The Climate Action Plan shall define reduction targets that are California State Assembly Bill (AB) 32 compliant and continue reducing emissions past 2020 in order to address cumulatively considerable impacts of greenhouse gas emissions. At a minimum, the Climate Action Plan shall set a target to reduce emissions to 1990 levels by 2020, which is anticipated to be a reduction of 15 percent from 2005 levels.
c) The 2020 and 2030 Business As Usual (BAU) Inventories provide emissions by land use types and emission sectors based upon the anticipated changes and growth in land use within the General Plan Land Use and Urban Design Element, which fulfills the criteria of CEQA Guidelines 15183.5(b)(C). As such, the inventories shall provide quantities and context of the emissions that need to be reduced in order to achieve the reduction target. Reduction measures in the Climate Action Plan shall focus on reducing the emissions from the sectors and land use types identified in the 2020 and 2030 BAU inventories.

d) The Climate Action Plan shall specify reduction measures or groups of reduction measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the AB 32 compliant reduction target. To implement the goals and policies in the General Plan Energy and Climate Change Element, the Climate Action Plan shall include adaptation strategies that focus on potential local impacts of climate change, such as sea level rise, increased risk of flooding, diminished water supplies, and public health. Broader sustainability measures may include the preservation of local water quality, air quality, open space, and biodiversity. In addition, the following reduction strategies shall be incorporated into the Climate Action Plan:
   i. Require all new or renovated municipal buildings to seek California Green 2010 Tier 1 building standards or higher and require new development building design to be, at a minimum, compliant with California Green 2010 building standards.
   ii. Require all municipal fleet purchases to be fuel efficient vehicles for their intended use, based on the fuel type, design, size, and cost efficiency.
   iii. Require new development projects to implement a construction plan that demonstrates how activities will reduce waste through recycling and/or salvaging of nonhazardous construction and demolition debris at a minimum of 50%.

e) In order to establish a mechanism to monitor the Climate Action Plan's progress towards achieving the reduction targets and to require amendment if the Climate Action Plan is not achieving the reduction targets, the Climate Action Plan shall include an implementation chapter describing how the reduction measures are to be implemented, emissions monitored, and the Climate Action Plan updated. Emissions inventories shall be conducted at minimum intervals of five years in order to evaluate the progress of the Climate Action Plan. The Climate Action Plan shall be updated together with future General Plan Updates or as necessary to implement new statewide reduction thresholds.

f) The Climate Action Plan, including all updates, is a project subject to public review and comment under the California Environmental Quality Act.

MM 3.6-1q The City will continue to work proactively with BAAQMD, ARB, and EPA to help these agencies enforce GHG prevention and control mandates within the City, and will work with the community to identify and advocate for GHG measures that are within the jurisdiction of these agencies and can and should be implemented to further reduce GHG from the City.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to GHG emissions and energy consumption. The conclusions from the General Plan EIR regarding GHG and energy impacts remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
VIII. Hazards and Hazardous Materials *Would the project:*					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact	No	No	No	None
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant impact	No	No	No	None
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant impact	No	No	No	None
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact	No	No	No	None
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
in a safety hazard or excessive noise for people residing or working in the project area?					
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.14-6
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	Less than significant impact	No	No	No	None

a) Routine Transport, Use, or Disposal of Hazardous Materials

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

The General Plan FEIR determined that trucking on highways and rail transport is the most common method of transporting hazardous substances and hazardous waste in and around the City of Richmond. I-80 and I-580 as well as major arterials such as Richmond Parkway and Cutting Boulevard are primary transportation facilities on which hazardous materials and wastes may legally be transported. Numerous federal, State, and local laws and regulations have been enacted to regulate the management of hazardous materials. It was concluded that hazardous materials impacts are considered significant if the proposed project would create a significant hazard to the public or environmental through the routine transport, use, or disposal of hazardous materials. Potential risks associated with hazardous materials handling and storage would generally be limited to the immediate area where the materials would be located. However, the General Plan FEIR determined that compliance with existing State and local level regulations would minimize such risks. General Plan Policy CN 6.1 encourages the cleanup and reuse of contaminated sites to protect and environmental health. As a result, the General Plan would have a less than significant impact with respect to use, storage, handling, and disposal of hazardous materials.

The project site would be developed with two buildings, construction activities may include temporary use of hazardous materials and other substances. Disposal of hazardous waste or materials would be expected to occur throughout the construction period; however, hazardous

waste would be generated by the project site in limited quantities. The proposed project's use would be a use anticipated in the General Plan and would not transport, use, or dispose of significant hazardous materials in amounts great than what was analyzed in the General Plan FEIR. Therefore, the proposed project would not result in new or more severe impacts related to the transport, use, and storage of hazardous materials beyond what was previously analyzed in the General Plan FEIR.

b) Risk of Upset

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

The General Plan FEIR determined that future development would include commercial, light industrial, and general industrial uses that could potentially expose workers or residents to hazardous materials due to an accidental release. However, the General Plan identifies policies designed to reduce the potential for accidental hazardous materials release. Compliance with these policies, in combination with federal, State, and local laws, would reduce the impact of the accidental release of hazardous material to a less than significant level.

According to the California State Water Resources Control Board (State Water Board) GeoTracker, the project site was Leaking Underground Storage Tank (LUST) cleanup site. The health center building corresponds to GeoTracker T0601300543.[55] The cleanup status is completed, and the case was closed as of 2006. A second LUST cleanup site is located approximately 0.2 mile east of the project site at 4040 Macdonald Avenue. This cleanup site corresponds to Richmond Gas and Mart (T0601394707),[56] and its status is completed, and the case closed as of 2008. As both LUST cleanup sites have been completed and closed, the contamination on and near the project site would not pose as a hazard to the public or to the environment.

Due to the nature of the proposed project, the presence of large quantities of hazardous substances would not be expected on the property during project operation. Therefore, the development of the proposed project would be consistent with goals, plans, and policies within the General Plan, and would not result in any new or more severe impacts related to the accidental release of hazardous materials beyond what was previously analyzed in the General Plan FEIR.

c) Exposure of Schools to Hazardous Materials or Emissions

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

The General Plan FEIR determined that compliance with federal, State, and General Plan policies would minimize potential adverse effects from handling hazardous materials and impacts would be less than significant.

[55] California State Water Resources Control Board (State Water Board). 2021. Richmond Health Center (T0601300543). Website: https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0601300543. Accessed August 12, 2021.

[56] California State Water Resources Control Board (State Water Board). 2021. Richmond Gas and Mart (T0601394707). Website: https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0601394707. Accessed August 12, 2021.

The project site is located approximately 0.3 mile east of DeJean Middle School. Because the proposed project would result in the development of two residential buildings in compliance with all General Plan policies, and the previous LUST cleanup sites are completed and closed, the proposed project would not result in new or more severe impacts related to the hazardous materials emissions near schools beyond what was previously analyzed in the General Plan FEIR. Furthermore, because of the distance, gradient, and development located between the project site and the nearest school, the potential for hazardous materials to migrate from the project site toward the school is minimal. As such, the proposed project would not result in new or more severe impacts related to the hazardous emissions within 0.25 mile of an existing school, beyond what was previously analyzed in the General Plan FEIR.

d) Hazardous Materials Sites

Would the project: *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The General Plan FEIR determined that redevelopment of vacant or previously developed lots could expose hazardous materials to neighboring properties and residents resulting from LUSTs. However, the General Plan FEIR concluded that remediation efforts would be conducted by regulatory agencies, such as the San Francisco Bay Regional Water Quality Control Board (RWQCB) and the California Department of Toxic Substances Control (DTSC), and implementation of General Plan policies would reduce potential impacts to a less than significant level.

As previously mentioned, there is a closed GeoTracker case (T0601300543) on-site that involved diesel in soil in 2006. The second closed GeoTracker case (T0601394707) located approximately 0.2-mile east of the project site involved gasoline in groundwater in 2008. Because both cleanup sites were declared complete by the San Francisco Bay RWQCB, the contamination from both sites would not pose as a hazard to the public or to the environment. Furthermore, compliance with General Plan policies and cleanup recommendations would ensure the proposed project would not result in impacts greater than analyzed in the General Plan FEIR. Therefore, the proposed project would not result in new or more severe impacts related to hazardous materials sites beyond what was previously analyzed in the General Plan FEIR.

e) Airports

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

According to the General Plan FEIR, there are no airports within the City, and the City is located outside of the 65 A-weighted decibel (dBA) Community Noise Equivalent Level (CNEL) noise impact area. As such, the project site is not located within any applicable Airport Land Use Plan (ALUP).

The project site is located over 10 miles south of San Rafael Airport, approximately 20 miles north from Oakland International Airport, and approximately 30 miles northeast from San Francisco International Airport. Because the project site is located greater than 2 miles from the nearest airport, the proposed project would not result in a safety hazard for people residing or working in the project area with respect to conflicts with applicable ALUPs. Therefore, the proposed project would not result in new or more severe impacts related to public airports or private airstrips beyond what was previously analyzed in the General Plan FEIR.

f) Emergency Response and Evacuation

Would the project: *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The General Plan FEIR determined that future development would impact emergency response routes due to increased traffic congestion. However, the General Plan FEIR noted that implementation of General Plan Policies and Actions would ensure emergency vehicle access would be accommodated. It was acknowledged that roadway congestion may increase due to population and job growth such that travel speeds may drop and impact emergency vehicle response. The General Plan FEIR concluded that with implementation of General Plan Policies and Actions and MM 3.14-6, impacts to emergency response would be significant and unavoidable.

The project site would be required to comply with General Plan FEIR Policy SN3.1, Emergency and Disaster Preparedness, which requires all projects to comply with the City's Disaster Preparedness and Recovery Plan. Therefore, the proposed project would not result in new or more severe impacts related to public airports or private airstrips beyond what was previously analyzed in the General Plan FEIR.

g) Wildland Fires

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

The General Plan FEIR and the California Department of Forestry and Fire Protection (CAL FIRE) determined that the project site is not located within a wildland fire hazard zone, and due to the lack of foliage and urbanized surroundings, is not subject to a significant fire hazard risk.[57]

The project site would be developed with two residential buildings. The risk of loss of property or life as a result of wildland or other similar fire hazards would not be expected to occur. Therefore, the proposed project would not result in new or more severe impacts related to wildfire beyond what was previously analyzed in the General Plan FEIR.

[57] City of Richmond. 2019. Community Wildfire Protection Plan. November 8. Website: https://www.ci.richmond.ca.us/DocumentCenter/View/51634/Draft-Richmond-CWPP-web-. Accessed August 13, 2021.

FEIR Mitigation Measures

MM 3.14-6 The City will continue to support coordination among its departments and other agencies in planning for emergency access and response routes, and will periodically review and as appropriate update its emergency access and response route planning.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to hazards and hazardous materials. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
IX. Hydrology and Water Quality *Would the project:*					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than significant impact	No	No	No	None
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant impact	No	No	No	None
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	Less than significant impact	No	No	No	None
(i) result in substantial erosion or siltation on- or off-site;	Less than significant impact	No	No	No	None
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less than significant impact	No	No	No	None
(iv) impede or redirect flood flows?	Less than significant impact	No	No	No	None
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than significant impact	No	No	No	None
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than significant impact	No	No	No	None

a) Water Quality

Would the project: *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The General Plan FEIR determined that a combination of point and non-point source polluters impacts surface water quality in the City. New development anticipated by General Plan buildout would result in greater non-point sources (such as oils, landscaping chemicals, exhaust from cars, and sediments) of stormwater pollution that could degrade water quality. However, the General Plan FEIR concluded that implementation of General Plan policies and biannual evaluation of water quality pursuant to Clean Water Act Section 305(b) would ensure impacts to water quality standards would be less than significant and projects developed within the General Plan would not violate water quality standards or waste discharge requirements.

The proposed project would redevelop the existing building (Building A) and construct a new building (Building B) adjacent to Building A. As described in the Project Description, new surfacing for the existing plaza and the new plazas, as well as hardscaping around the two buildings, would

utilize pervious paving to reduce the amount of runoff. Furthermore, the proposed project would be required to prepare and comply with a Stormwater Control Plan, as outlined within City Municipal Code Chapter 12.22, which requires new development to minimize increases in non-point source pollution in stormwater and implement a SWPPP to prevent erosion during construction. Therefore, the proposed project would not result in new or more severe impacts related to water quality standard violation and degradation beyond what was previously analyzed in the General Plan.

b) Groundwater

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

The General Plan FEIR determined that General Plan buildout could increase the amount of impervious surfaces and reduce groundwater recharge by limiting the area where precipitation could infiltrate. Furthermore, increased growth and development could also increase the amount of water used for potable water supplies and irrigation. As the City obtains it water supplies from the East Bay Municipal Utility District (EBMUD), which provides water from the Mokelumne River, no new groundwater wells are planned with General Plan buildout. Therefore, increase growth is not expected to result in increased groundwater use or lowering of groundwater tables. The General Plan FEIR concluded that General Plan Policies and Actions would further reduce the potential for impacts on reduced groundwater recharge. As a result, the General Plan FEIR determined that that the City would not need to expand its water supply source and impacts would be less than significant.

The proposed project would not include groundwater wells and would connect to existing potable water lines contained within Bissell Avenue and 39th Street. Therefore, the proposed project would not result in new or more severe impacts related to groundwater supplies beyond what was previously analyzed in the General Plan FEIR.

c) Drainage

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

i) result in substantial erosion or siltation on- or off-site;

The General Plan FEIR determined that construction and development anticipated under buildout would alter drainage patterns and expose soils to wind and water erosion. The General Plan FEIR identified Policies and Actions that would reduce impacts on erosion such as, implementing construction BMPs, natural topography protection, and requiring that stormwater facilities are maintained. Therefore, the General Plan FEIR determined that impacts related to drainage pattern alteration resulting in erosion or sedimentation would be less than significant with implementation of General Plan Policies and Actions.

The proposed project would be required to implement erosion and sedimentation control measures, such as a SWPPP, during construction and operation. As indicated in the Project Description, storm drainage would be collected in bioretention treatment areas before routing off the site through connections to existing storm drains in the parking lot and Bissell Avenue and 39th Street. Additionally, hardscaping around the two buildings that would be constructed would utilize pervious paving to reduce the amount of runoff and groundcover vegetation would prevent additional erosion and siltation. Therefore, the proposed project would not result in new or more severe impacts related to drainage pattern alteration with respect to erosion and sedimentation beyond what was previously analyzed in the General Plan FEIR.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

The General Plan FEIR determined that increased impervious surfaces, insufficient flood flow capacity in restored/daylighted creeks, changes in slope, and more efficient routing of stormwater runoff could all increase the rate and amount of stormwater runoff with General Plan buildout. Furthermore, if the Municipal Regional Stormwater Permit is adopted, the General Plan FEIR noted that it would only limit increased stormwater runoff when discharge is to a drainage feature susceptible to erosion. Implementation of General Plan Policies and Actions would reduce impacts to flooding by requiring new development to provide sufficient stormwater facilities, the Capital Improvement Program to provide socially equitable infrastructure upgrades, and adequate maintenance of facilities. Therefore, the General Plan FEIR concluded that impacts related to drainage pattern alteration resulting in downstream flooding would be less than significant with implementation of General Plan policies.

The project site currently has the West County Health Center building and paved lots and driveways. The proposed project would reuse the existing health center, redevelop it, and then construct a second building adjacent to it. Extensive landscaping is proposed for the new plaza, the existing plaza, and the existing parking lots, as well around each building. Storm drainage would be collected in bioretention treatment areas before routing off the site through connections to existing storm drains in the parking lot and Bissell Avenue and 39th Street. The proposed project would be required to implement design standards and a Stormwater Control Plan, which includes a SWPPP, that would reduce stormwater generation during construction to the maximum extent practicable. Consistent with General Plan policies, the proposed project would include stormwater drainage collection and a bioretention basin on the project site that would detain and meter stormwater such that the proposed project would not generate stormwater volumes or rates greater than existing conditions. Therefore, the proposed project would not result in new or more severe impacts related to drainage pattern alteration with respect to flooding beyond what was previously analyzed in the General Plan FEIR.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;

The General Plan FEIR identified that the capacity of several storm drains and creeks could be exceeded, and existing flooding issues could be exacerbated. In addition, the General Plan FEIR

determined that development under buildout conditions could lead to increase pollutant loads in stormwater flows. The General Plan FEIR determined that implementation of General Plan Policies and Actions would reduce impacts to flooding and polluted runoff by requiring new development provide sufficient stormwater facilities and promoting sustainable infrastructure design that incorporates integrated watershed management techniques to prevent pollutants and non-point source runoff. Therefore, the General Plan FEIR concluded that impacts related to exceedance of existing and planned stormwater capacity and additional source of polluted runoff would be less than significant with implementation of General Plan Policies and Actions.

As previously mentioned, the project site currently has the West County Health Center building and paved lots and driveways. The proposed project would utilize a stormwater bioretention basin consistent with the Contra Costa Clean Water Program that would detain and meter stormwater such that the proposed project would not generate stormwater volumes or rates greater than existing conditions. In addition, the proposed project would be required to comply with the Municipal Code, which includes implementation of a Stormwater Control Plan, which includes a SWPPP and the use of BMPs, which would further prevent pollutants from entering the stormwater drainage system. Compliance with General Plan policies would reduce stormwater generation and the addition of additional sources of polluted runoff during construction and operation to the maximum extent practicable. As a result, the proposed project would not result in additional stormwater release that was not anticipated in the General Plan. Therefore, the proposed project would not result in new or more severe impacts related to stormwater drainage capacity or polluted stormwater runoff beyond what was previously analyzed in the General Plan FEIR.

(iv) impede or redirect flood flows?

The General Plan FEIR determined that construction and development has the potential to substantially alter drainage patterns by changing the land cover, land slope, drainage pathways, and susceptibility of materials to erosive forces. It was also noted that development on steep slopes would increase the potential for erosion because bare surfaces on steep slopes are more susceptible to erosion, and cut and fill activities could lead to unstable slopes and enhanced erosion potential. Increased impervious surfaces associated with development could also increase the rate and amount of stormwater runoff, further exacerbating the potential for creek bed and bank erosion. The General Plan FEIR determined that implementation of General Plan Policies and Actions would reduce impacts that may impede or redirect flood flows. Therefore, the General Plan FEIR concluded that impacts related to flood flows would be less than significant with implementation of General Plan Policies and Actions.

As previously described, the project site currently has the West County Health Center building and paved lots and driveways. The proposed project would utilize a stormwater bioretention basin consistent with the Contra Costa Clean Water Program and storm drainage would be collected in bioretention treatment areas before routing off the site through connections to existing storm drains in the parking lot and Bissell Avenue and 39th Street. Additionally, extensive landscaping is proposed for the new plaza, the existing plaza, and the existing parking lots, as well around each building. This would reduce the potential to redirect flood flows at the project site by preventing additional erosion and siltation. Hardscaping around the two buildings that would be constructed would also

utilize pervious paving to reduce the amount of runoff. Therefore, the proposed project would not result in new or more severe impacts related to redirecting flood flows beyond what was previously analyzed in the General Plan FEIR.

d) Risk of Pollutant Release Due to Inundation

Would the project: *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

The General Plan FEIR identified areas within the City that are located in 100-year flood hazard zone. The General Plan FEIR determined that buildout of the General Plan would expose people, structures, and residences to risks from 100-year flood hazards. Additionally, the General Plan FEIR determined that the City is located within the dam failure inundation area of the San Pablo Reservoir Dam, but the EBMUD completed a seismic upgrade in 2010 that would reduce risk of dam failure. The General Plan FEIR concluded that western portions of the City of Richmond near the coastline would be subject to inundation by tsunami. However, implementation of General Plan Policies and Actions would minimize the risk to people, property, and the environment from a tsunami, seiche, or flood hazard. Therefore, impacts to a tsunami, seiche, or flood hazard would be less than significant with implementation of policies and actions contained in the General Plan.

The project site, and the City as a whole, are located within a dam failure inundation zone.[58] As noted above, a seismic upgrade was performed on the San Pablo Reservoir Dam to reduce dam failure risks. The project site is located in Federal Emergency Management Agency (FEMA) Zone X—"Area of Minimal Flood Hazard." [59] The project does not propose development within any existing 100-year flood hazard areas. This condition precludes the potential for new impacts associated with 100-year flood hazards. Therefore, the proposed project would not result in new or more serve impacts related to flooding due to a tsunami, seiche, or flood hazards beyond what was previously analyzed in the General Plan FEIR.

e) Water Quality Control or Sustainable Groundwater Management Plans Consistency

Would the project: *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The General Plan FEIR determined that cumulative growth and development within Contra Costa County would be subject to the Construction General Permit, Municipal NPDES Permit (or Regional NPDES Permit, if adopted), Industrial General Permit (for regulated industries), and Recycled Water General Permit. These waste discharge requirements have been designed to be protective of water quality – both surface water and groundwater. Compliance with these permits, including the hydrograph modification standard, would reduce the potential for erosion and siltation, transport of pollutants in stormwater runoff to receiving waters, and ensure that the use of recycled water for landscaping does not present additional environmental risk. Compliance with these permits would ensure protection of surface water and groundwater quality through implementation of BMPs, pollutant source reductions, and operations and management practices. Relevant water quality standards, with which development

[58] City of Richmond. 2011. Richmond General Plan EIR, page 3.9-34.
[59] Federal Emergency Management Agency (FEMA). Flood Map Service Center Search by Address.

would be required to comply through the RWQCB, are listed in the Basin Plan. As a result, compliance with the existing regulatory mechanisms, potential impacts related to water quality control or sustainable groundwater management plans would be reduced to less than significant.

The proposed project would be subject to the Construction General Permit, Municipal NPDES Permit, and Recycled Water General Permit. The proposed project would ensure that adequate drainage would be provided through the existing water and sanitary sewer lines as well as the bioretention treatment areas. As previously mentioned, the proposed project would be required to comply with the Municipal Code, which includes implementation of a Stormwater Control Plan, which includes a SWPPP and the use of BMPs, which would further prevent pollutants from entering the stormwater drainage system. Additionally, with adherence to General Plan policies for the City and from the County of Contra Costa, the proposed project would not result in new or more severe impacts related to water quality plans or sustainable groundwater management plans beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to hydrology. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
X. Land Use and Planning *Would the project:*					
a) Physically divide an established community?	Less than significant impact	No	No	No	None
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	None identified	No	No	No	None

a) Division of an Established Community

Would the project: *Physically divide an established community?*

The types of barriers or physical features that can divide a community include roads, freeways, railroads, transit lines, and open space that is not developed for recreational use. Roads can both connect or divide communities: entire sections of the City are physically connected to the rest of the City by little more than a roadway, while other sections are disconnected from the rest of the City by roadways. The General Plan FEIR concluded that the General Plan would be developed to include policies to restore its traditional compact neighborhoods: mixed-use, walkable, transit-oriented communities that allow residents comfortably to access nearby schools, parks, and community facilities and improve the connectivity of neighborhoods. In addition, the General Plan incorporates a place-based land use approach and place-based system for streets and trails. Additionally, the General Plan's place-based system tailors streets to priority modes of travel that complement the surrounding land use, street function, and desired neighborhood character. The approach also works with the system of parks and other General Plan elements to promote high-quality street and park design to influence the overall character and connectivity of public and private spaces throughout the City. The General Plan FEIR concluded that the General Plan has been designed as a cohesive plan to improve accessibility for all residents in existing and future neighborhoods. Consequently, the General Plan would not physically divide an existing established community, and impacts would be less than significant.

The proposed project would reuse the existing building and build an adjacent 5-story building to construct a total of 135 affordable housing units. The project site is currently developed, and redevelopment would not divide an established community.

As the project site is currently designated and zoned as "Public, Cultural, and Institutional" (PCI), the project requires a GPA to change the land use designation to Medium-Intensity Mixed-Use (Commercial Emphasis) and a zoning amendment to change the zoning to Mixed-Use, Commercial (CM-3). With the approval of the GPA and the zoning amendment, the proposed project would be consistent with the corresponding standards for development outlined in the General Plan and the Zoning Ordinance. As a result, the proposed project would not have any significant effects that either have not already been analyzed in the General Plan FEIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Therefore, no further environmental analysis is required.

b) Conflict with Applicable Land Use Plans, Policies, or Regulations

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

The City's Zoning Code, Chapter 15.04 of the City's Municipal Code, is one of the primary means of implementing the General Plan. Adoption of the General Plan would require updating the Zoning Code to be consistent with policies pertaining to land use, density/intensity of development, design and development, resource conservation, public safety, and other pertinent topics. After the General Plan is adopted, the City would update the Zoning Ordinance to be consistent with the Plan. The General Plan includes new land use designations that would be reflected in the revised Zoning Ordinance. The General Plan FEIR concluded that the General Plan would not conflict with plans or policies that are designed to reduce environmental effects. With regard to other plans in the City, the General Plan FEIR concluded that the General Plan would not conflict with the Macdonald Avenue Revitalization Plan, Civic Center Master Plan, the Point Molate Reuse Plan, Shaping Our Future Plan, and the San Francisco Bay Plan; the General Plan allows development along the Bay and its shoreline, but also contains policies to protect the Bay. Furthermore, any substantive land use changes for the General Plan would be focused in the change areas, and public access to the Bay would not be limited and may be enhanced through implementation of the Plan. The General Plan FEIR concluded that while the General Plan is intended to increase the mixed-use character in the urban core of the City, depending on the specific location of certain uses that could be developed under the General Plan, potential incompatibilities could occur. To the extent that there are specific incompatibilities associated with noise, odor, light, or traffic, these concerns are addressed in the appropriate technical sections of the General Plan FEIR. However, based on the analysis of the General Plan, the General Plan FEIR concluded that implementation of the development strategy to integrate uses within core areas within the City would not result in substantial land use incompatibilities, and impacts would be less than significant.

As previously discussed, the GPA and zoning amendment would change the project site's land use designation from PCI to Medium-Intensity Mixed-Use (Commercial Emphasis) and its zoning from PCI to CM-3. The proposed project would meet the development standards of the CM-3 Zone with the State Density Bonus Law (Government Code § 65915). As described in the Project Description, because the proposed project would be a 100 percent affordable housing development, the proposed project is eligible for up to four incentives/concessions, unlimited waivers, and an

automatic parking reduction. The proposed project would develop a total of 135 housing units. To accommodate the density and configuration of the proposed project, the State Density Bonus Law would be necessary to waive the CM-3 height limitation and building length maximum. Additionally, the Zoning Ordinance permits applicants to request such modifications through the approval of a Conditional Use Permit.

Furthermore, there is no applicable HCP or NCCP affecting the project site. Therefore, the proposed project does not have any significant effects on the environment that either have not already been analyzed in the General Plan FEIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate, therefore, no further environmental analysis is required. As a result, the proposed project would not have any significant effects on the environment that either have not already been analyzed in the General Plan FEIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. No further environmental analysis is required.

Noise Land Use Compatibility

For a discussion of the characteristics of noise refer to the Noise impact discussion in Section L, Noise, of this document.

General Plan EIR Impact Summary

The General Plan FEIR required implementation of the General Plan Policies and Actions, as well as General Plan Action SN4.1 through SN4.3, and SN4.A through SN4.C to help reduce potential noise land use compatibility impacts, especially related to locating noise-sensitive receptors near existing rail lines. However, while project-specific measures could reduce noise effects from rail operations at sensitive receptors, the City concluded that potential noise effects on sensitive receptors due to exposure to noise levels from nearby rail operations that exceed the established local standards may occur. As such, this impact would be significant and unavoidable.

A significant impact would occur if the proposed project would introduce new land uses to an existing ambient noise environment that is in conflict with the City's established noise land use compatibility guidelines. For the proposed project, the closest comparable land use designation of the City's land use compatibility guidelines is a multi-family residential land use. The following are the General Plan noise policies applicable to the land use designation of multi-family residential:

- Noise environments of up to 65 dBA L_{dn} are considered "normally acceptable" based upon the assumption that any building involved is of normal conventional construction, without any special noise insulation requirements.
- Noise environments of 65 dBA to 70 dBA L_{dn} are "conditionally acceptable" where new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

- Noise environments of 70 dBA to 75 dBA L_{dn} are "normally unacceptable" where new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
- Noise environments of 75 dBA L_{dn} and higher are "clearly unacceptable" where new construction or development should generally not be undertaken.

The proposed project would expose new noise-sensitive receptors to traffic and railroad noise sources. Potential impacts associated with these noise sources are discussed below.

Traffic Noise

According to Figure 3.10-4 of the General Plan FEIR, the project site is located outside of the 60 dBA L_{dn} noise contours of I-80 and outside of the 65 dBA L_{dn} noise contours of Macdonald Avenue.

However, to further document existing traffic noise conditions on the project site, traffic noise modeling has been conducted for traffic volumes on roadway segments adjacent to the project site. The Federal Highway Administration (FHWA) highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate existing and future traffic noise conditions in the vicinity of the project site. The daily traffic volumes were obtained from the traffic analysis prepared for the project by W-Trans.[60] The resultant noise levels were weighed and summed over a 24-hour period in order to determine the L_{dn} values. Table 16 shows a summary of the traffic noise levels for existing traffic noise levels without the project as measured at 50 feet from the centerline of the outermost travel lane.

[60] W-Trans. 2021. Traffic Impact Study for the 100 38th Street Mixed Use Project. October 26.

Table 16: Existing Traffic Noise Levels Summary

Roadway Segment	ADT	Centerline to 70 L_{dn}[1] (feet)	Centerline to 65 L_{dn} (feet)	Centerline to 60 L_{dn} (feet)	L_{dn} (dBA) 50 feet from Centerline of Outermost Lane
37th Street–Macdonald Avenue to Bissel Avenue	7,700	< 50	< 50	54	59.0[2]
37th Street–south of Bissel Avenue	8,600	< 50	< 50	57	59.5
Bissel Avenue–37th Street to 39th Street	1,900	< 50	< 50	< 50	53.5
39th Street–Macdonald Avenue to Bissel Avenue	750	< 50	< 50	< 50	49.5

Notes:
ADT = Average Daily Traffic
[1] L_{dn} = Day/Night average noise level. It is the time-varying noise over a 24-hour period, with a 10-dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours).
[2] Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather it assumes a worst-case scenario of having a direct line of site on flat terrain.
Source: FirstCarbon Solutions (FCS) 2021.

Based on the modeled traffic noise results, existing traffic noise level along the modeled roadway segment of Bissel Avenue adjacent to the project site is 53.5 dBA L_{dn} as measured at 50 feet from the centerline of the nearest travel lane. These traffic noise levels are within the City's "normally acceptable" land use compatibility threshold of below 65 dBA L_{dn} for new multi-family residential land use development. Therefore, the project would not conflict with the City's noise land use compatibility policy adopted for the purpose of avoiding or mitigating an environmental effect, and therefore, impacts would be less than significant.

Therefore, the development of the proposed project would not result in new or more severe impacts related to traffic noise levels conflicting with the City's noise land use compatibility policies beyond what was previously analyzed in the General Plan FEIR. Impacts would be less than significant.

Railroad Noise

The ambient noise environment of the project site is dominated by noise from the adjacent BART rail line operations. As described in the General Plan FEIR, a typical commuter train passing produces a noise level of 80 dBA L_{eq} at 50 feet from the tracks. Per the Federal Railway Administration, noise levels associated with trains are anticipated to attenuate/reduce at a rate of 4.5 dBA for each doubling of distance.

The nearest outdoor active use space of the proposed project to the BART rail line is the proposed tot lot play area on the south end of Building B, over 150 feet from the nearest BART rail line. At this distance, unshielded BART train passing noise levels would attenuate to below 73 dBA L_{eq}. As shown on Exhibit 9, the proposed project will include an 8-foot-high sound wall (callout No. 11 on the exhibit) that will shield this area from direct line of sight to the BART rail line. This sound wall would provide a minimum 10 dBA noise shielding reduction from BART rail line noise levels for this proposed play area. This would reduce BART train passing noise levels to below 63 dBA L_{eq} as

measured in this play area. These noise levels, when averaged over a 24-hour period would be below 65 dBA L_{dn} which the City considers "normally acceptable" for new multi-family residential development. All other proposed outdoor active use areas are shielded from the BART rail line by the intervening residential structure and would similarly not be exposed to noise levels in excess of the City's "normally acceptable" standard for new multi-family residential development.

The nearest façade of the proposed residential development would be located over 150 feet from the nearest BART rail line. At this distance, unshielded BART train passing noise levels would attenuate to below 73 dBA L_{eq}. Even with multiple BART train passings per day, when averaged over a 24-hour period, these BART train passing noise levels would be within the range of 65 dBA to 70 dBA L_{dn} which the City considers to be "conditionally acceptable" for new multi-family residential land use development, and a detailed noise analysis is required to identify if needed noise insulation features should be included in the design.

As noted in the General Plan FEIR, under current construction building code requirements, noise levels inside residential buildings can be expected to be 30 dBA less than exterior noise levels with windows closed. Therefore, interior spaces of the proposed residences would be exposed noise levels of up to 43 dBA L_{eq} during a BART train passing. The project will include alternate ventilation systems such as mechanical air conditioning which will allow windows to remain closed for prolonged periods of time, sufficiently reducing BART rail noise levels to meet the acceptable interior noise level standard of 45 dBA CNEL (i.e., 73 dBA – 30 dBA = 43 dBA). Air conditioning units would give an occupant the option of controlling noise by keeping the windows shut. Therefore, the proposed project would not result in a conflict with the City's adopted land use-noise compatibility guidelines and policy and would reduce BART railroad noise impacts to the proposed project to be less than significant.

Therefore, the development of the proposed project would not result in new or more severe impacts related to railroad (BART) noise levels conflicting with the City's noise land use compatibility policies beyond what was previously analyzed in the General Plan FEIR. Impacts would be less than significant.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to land use and planning. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
XI. Mineral Resources *Would the project:*					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	Less than significant impact	No	No	No	None
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Less than significant impact	No	No	No	None

a, b) Loss of Minerals Resources of Statewide or Local Importance

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

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

The General Plan FEIR determined that there are three areas of land in the City of Richmond that classify as Mineral Resource Zone-2 (MRZ-2), which indicates the existence of a deposit that meets certain criteria for value and marketability.[61] The State has also designated these areas as regionally significant sectors. Sector W-1 is located on the north end of the San Pablo-Potrero Hills Ridge. Sector W-2 is located to the south of Sector W-1 on the San Pablo-Potrero Hills Ridge, and Sector W-3 is located on the eastern slope on the San Pablo-Potrero Hills Ridge. With adherence to Sections 2761(a) and (b) and 2790 of the Surface Mining and Reclamation Act (SMARA) and General Plan mineral resource management policies, impacts related to the loss of mineral resources and locally important mineral resource recovery sites would be reduced to a less than significant level.

The proposed project is not located near any of the three sectors delineated in General Plan FEIR that classify as MRZ-2. Additionally, the proposed project would be subject to the City of Richmond Municipal Code Section 12.46, which regulates mining activities and requires conformance with

[61] City of Richmond. Richmond General Plan 2030 Draft EIR. Page 3.7-15.

applicable sections of SMARA.[62] Therefore, the proposed project would not result in the loss of a known mineral resource that would be of value to the region, and it would not result in the loss of availability of a locally important mineral resource recovery site.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to mineral resources. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

[62] City of Richmond. 2020. City of Richmond Municipal Code – Chapter 12.46 – Surface Mining and Reclamation.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
XII. Noise *Would the project:*					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant impact	No	No	No	MM 3.10-1
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less than significant impact	No	No	No	MM 3.10-1
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant impact	No	No	No	None

Environmental Evaluation

Characteristics of Noise

Noise is defined as unwanted sound. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing. Most of the sounds that we hear in the environment do not consist of a single frequency, but rather a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Noise is typically generated by transportation, specific land uses, and ongoing human activity.

The standard unit of measurement of the loudness of sound is the dB. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB

or less are only perceptible in laboratory environments. A change of 3 dB is the lowest change that can be perceptible to the human ear in outdoor environments. While a change of 5 dBA is considered to be the minimum readily perceptible change to the human ear in outdoor environments.

Since the human ear is not equally sensitive to sound at all frequencies, the A-weighted decibel scale (dBA) was derived to relate noise to the sensitivity of humans, it gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for a number of various sound level metrics, including the day/night sound level (L_{dn}) and the CNEL, both of which represent how humans are more sensitive to sound at night. In addition, the equivalent continuous sound level (L_{eq}) is the average sound energy of time-varying noise over a sample period and L_{max} is the maximum instantaneous noise level occurring over a sample period.

Would the project result in:

a) Noise Levels in Excess of Adopted Standards

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

Short-term Construction Impacts

The General Plan FEIR assumed that an increase of 5 dBA or greater over ambient noise levels is substantial and significant. In the noise analysis of the General Plan FEIR, the City found that the construction activities associated with the future land use changes under the proposed General Plan would continue exposure to urbanized noise sources. The analysis determined that with implementation of General Plan Policies and Actions SN4.1, SN4.B, SN4.C, and SN4.E, which emphasize the need to mitigate construction noise on a site-specific and project-specific basis, the temporary or periodic increase in ambient noise levels would be limited and the impact on sensitive receptors minimized. Therefore, with the implementation of General Plan policies and FEIR MM 3.10-1, construction-related noise and vibration impacts at the General Plan and cumulative level were mitigated to a less than significant level.

A significant impact would occur if noise generated by construction activities exceeds 75 dBA L_{max} on weekdays (from 7:00 a.m. to 7:00 p.m.), or 60 dBA L_{max} on weekends and holidays (from 9:00 a.m. to 8:00 p.m.) as measured at any affected single-family residential property. Additionally, a significant impact would occur if construction activities do not comply with Article 15.04.605.060 limiting general construction activities to weekdays from 7:00 a.m. to 6:00 p.m., and limiting pile driving and similar loud equipment activity to weekdays from 8:00 a.m. to 5:00 p.m.

The proposed project would include demolition and construction activities. Potential noise impacts from these sources are analyzed below.

Construction-related Traffic Noise

Noise impacts from demolition and construction activities associated with the project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. One type of short-term noise impact that could occur during project construction would result from the increase in traffic flow on local streets, associated with the transport of workers, equipment, and materials to and from the project site.

The transport of workers and construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Because workers and construction equipment would use existing routes, noise from passing trucks would be similar to existing vehicle-generated noise on these local roadways. Typically, a doubling of the Average Daily Traffic (ADT) hourly volumes on a roadway segment is required in order to result in an increase of 3 dBA in traffic noise levels, which is the lowest change that can be perceptible to the human ear in outdoor environments. Project-related construction trips would not double the hourly or daily traffic volumes along any roadway segment in the project vicinity. Additionally, General Plan Action SN4.E requires projects of 10 or more housing units or larger than 5 acres to prepare and submit construction traffic plans that mitigate noise, traffic, and dust during construction. In particular, the construction traffic plan would regulate construction vehicle speed, hours of operation, and safety standards to ensure construction activity noise is reduced. For these reasons, short-term intermittent noise from trucks would be minor when averaged over a longer time-period. Therefore, short-term construction-related noise impacts associated with worker commute and equipment transport to the project site would not exceed applicable significance thresholds and would be less than significant.

Construction Equipment Operational Noise

The second type of short-term noise impact is related to noise generated during demolition and construction activities on the project site. Construction noise levels are rarely steady in nature and often fluctuate depending on the type and number of equipment being used at any given time. In addition, there could be times where large equipment is not operating and noise would be at or near normal ambient levels. Construction is completed in discrete steps, each of which has its own mix of equipment and its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

The proposed foundation would not involve impact pile driving. Therefore, the site preparation phase, which includes excavation and grading activities, would generate the highest noise levels because the noisiest construction equipment that would be used in project construction is earthmoving equipment. Earthmoving equipment includes excavating machinery and compacting equipment, such as bulldozers, draglines, backhoes, front loaders, roller compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings.

Construction of the proposed project is expected to require the use of frontend loaders, excavators, haul trucks, water trucks, concrete mixer trucks, and pickup trucks. The maximum noise level generated by each concrete mixing truck is assumed to be 85 dBA maximum noise/sound level (L_{max}) at 50 feet from this equipment.[63] Each frontend loader would also generate 85 dBA L_{max} at 50 feet. The maximum noise level generated by excavators is approximately 85 dBA L_{max} at 50 feet. Each doubling of sound sources with equal strength increases the noise level by 3 dBA.

A conservative but reasonable assumption is that this equipment would operate simultaneously and continuously over at least a 1-hour period in the vicinity of the closest existing residential receptors but would move linearly over the project site as they perform their earthmoving operations, spending a relatively short amount of time adjacent to any one receptor. Assuming that each piece of construction equipment operates at some distance from the other equipment, a reasonable worst-case combined noise level during this phase of construction would be 90 dBA L_{max} at a distance of 50 feet from the acoustic center of a construction area. The acoustical center reference is used because construction equipment must operate at some distance from one another on a project site, and the combined noise level as measured at a point equidistant from the sources (acoustic center) would be the worst-case maximum noise level. These operations would be expected to result in a reasonable worst-case hourly average of 86 dBA L_{eq} at a distance of 50 feet from the acoustic center of a construction area.

The closest sensitive receptor to proposed areas of construction is the multi-family residential home located on Bissell Ave, north of the project site boundary. The façade of this closest noise-sensitive receptor would be located approximately 110 feet from the acoustic center of construction activity where multiple pieces of heavy construction equipment would potentially operate at the project site. At this distance, worst-case construction noise levels could range up to approximately 82 dBA L_{max}, intermittently, and could have an hourly average of up to 78 dBA L_{eq}, at the façade of the nearest multi-family residential home when multiple pieces of equipment operate simultaneously at the nearest center of construction activity. These noise levels would exceed the City's weekday maximum sound level threshold for mobile construction equipment of 75 dBA L_{max} as measured at the nearest receiving residential land uses and would be a significant impact and mitigation would be required. Other nearby receptors include the court office building to the west of the project site. While this land use is not considered a sensitive land use in the same sense as residential land uses, this office land use would also be exposed to construction noise levels from the demolition and refurbishment of the ramp entrance. This also would be considered a significant impact and mitigation would be required.

Therefore, the project must comply with the FEIR MM 3.10-1 requiring preparation of a noise construction activity minimization and mitigation plan to reduce noise impacts to adjacent receptors. This plan shall outline the project's required compliance with General Plan Action SN4.E which requires preparation of construction traffic plans that mitigate noise, traffic, and dust during construction. This plan shall also outline the project's required compliance with Article 15.04.605.060 of the Municipal Code which limits general construction activities to weekdays from 7:00 a.m. to 6:00 p.m., and limits pile driving and similar loud equipment activity to weekdays from

[63] Federal Highway Administration (FHWA). 2006. Highway Construction Noise Handbook. August.

8:00 a.m. to 5:00 p.m. Therefore, compliance with FEIR MM 3.10-1 would ensure that project-related construction noise impacts would be reduced to the extent technically and economically feasible and would be less than significant.

Operational/Stationary Source Noise Impacts

In the noise analysis of the General Plan FEIR, the City found that Richmond is an urbanized area and General Plan implementation would result in increases to ambient noise levels including potential increases in excess of noise standards included in the City's existing Noise Ordinance. However, through implementation of MM 3.10-3(b), operational noise impacts at the General Plan implementation and cumulative level were mitigated to a less than significant level.

A significant impact would occur if operational noise levels associated with the proposed project's stationary noise sources would exceed the City's maximum noise limits at any of the designated surrounding land uses.

According to the City's maximum noise limit standard, it is unlawful to generate noise levels within the City of Richmond that:

- Exceed 55 dBA L_{eq} for 30 minutes of any hour at the property line of a receiving single-family residential land use; or
- Exceed 65 dBA L_{eq} for 30 minutes of any hour at the property line of a multi-facilities residential, public facility or communal land use; or
- Exceed 65 dBA L_{eq} for 30 minutes of any hour at the property line of a receiving open space and recreational land use.

The proposed project would include new stationary noise sources such as mechanical ventilation equipment. Potential noise impacts from these sources are analyzed below.

Mechanical Equipment Operations

At the time of preparation of this analysis, details were not available pertaining to the proposed rooftop mechanical ventilation systems for the project; therefore, a reference noise level for typical rooftop mechanical ventilation systems was used. Noise levels from commercially available rooftop mechanical ventilation equipment suitable for this type of development range from 50 dBA to 60 dBA Leq at a distance of 25 feet. Rooftop mechanical ventilation systems could be located as close as 100 feet from the nearest off-site sensitive receptor, a multi-family residence located north of the project site across Bissell Avenue. At this distance, noise generated by rooftop mechanical ventilation equipment would attenuate to less than approximately 48 dBA L_{eq}. Therefore, noise generated by mechanical ventilation equipment operation would not exceed the City's most-restrictive noise performance standard of 55 dBA L_{max} for 30-minutes within an hour. Therefore, noise levels from proposed mechanical ventilation equipment operations would not result in a substantial permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, and the impact would be less than significant.

Parking Lot Activities

Typical parking lot activities include people conversing, doors shutting, and vehicles idling which generate noise levels ranging from approximately 60 dBA to 70 dBA L_{max} at 50 feet. These activities are expected to occur sporadically throughout the day, as residents and visitors arrive and leave parking lot areas at the project site.

The nearest off-site sensitive receptor to the proposed parking areas are the single-family residences south of the project site, on Ohio Avenue. The façade of the closest residence would be located approximately 120 feet from the acoustic center of parking lot activity. Assuming a reasonable worst-case scenario of one parking movement for every parking stall within a single hour would result in an hourly average noise level of 50 dBA L_{eq} as measured at this nearest residential receptor. The calculation spreadsheet with the detailed modeling assumptions is included in Appendix F of this document. Therefore, noise generated by parking lot activities would not exceed the City's most-restrictive noise performance standard of 55 dBA L_{max} for 30 minutes within an hour. Therefore, noise levels from proposed parking lot activity would not result in a substantial permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, and the impact would be less than significant.

Operational/Mobile Source Noise Impacts

The City Council finds that operation of new land uses under the proposed General Plan would generate increased local traffic volumes that would cause a substantial permanent increase in ambient noise levels in the project vicinity. However, operational noise impacts at the General Plan implementation and cumulative level were mitigated to a less than significant level with implementation of General Plan policies and MM 3.10-5, as well as with implementation of mitigation measures within the jurisdiction and responsibility of other agencies, including Caltrans.

A significant impact would occur if implementation of the proposed project would result in a substantial increase in traffic noise levels compared with traffic noise levels existing without the project. A characteristic of noise is that an audible increase in noise levels generally refers to a change of 3 dBA or more, as this level of increase has been found to be barely perceptible to the human ear in outdoor environments. Therefore, for purposes of this analysis, an increase of 3 dBA or greater over conditions that would exist without the proposed project would be considered a substantial permanent increase in traffic noise levels.

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate existing and future project-related traffic noise conditions in the vicinity of the project site. The daily traffic volumes were obtained from the traffic analysis prepared for the project by W-Trans.[64] The resultant noise levels were weighed and summed over a 24-hour period in order to determine the L_{dn} values. The traffic noise modeling input and output files are included in Appendix F of this document. Table 17 shows a summary of the traffic noise levels for existing, Existing Plus Project, cumulative, and cumulative plus project conditions as measured at 50 feet from the centerline of the outermost travel lane.

[64] W-Trans. 2021. Traffic Impact Study for the 100 38th Street Mixed Use Project. October 26.

Table 17: Traffic Noise Model Results Summary

Roadway Segment	L_{dn} (dBA) 50 feet from Centerline of Outermost Lane					
	Existing (dBA) L_{dn}	Existing + Project (dBA) L_{dn}	Increase Over Existing (dBA) L_{dn}	Cumulative (dBA) L_{dn}	Cumulative + Project (dBA) L_{dn}	Increase Over Cumulative (dBA) L_{dn}
37th Street–Macdonald Avenue to Bissel Avenue	59.0	59.3	0.3	61.1	61.3	0.2
37th Street–south of Bissel Avenue	59.5	59.6	0.1	61.5	61.6	0.1
Bissel Avenue–37th Street to 39th Street	53.5	54.3	0.8	55.5	56.0	0.5
39th Street–Macdonald Avenue to Bissel Avenue	49.5	50.3	0.8	51.9	52.2	0.3

Notes:
ADT = Average Daily Trips
dBA = A-weighted decibel
L_{dn} = Day/Night average noise level. It is the time-varying noise over a 24-hour period, with a 10-dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours).
* Modeling results do not take into account mitigating features such as topography, vegetative screening, fencing, building design, or structure screening. Rather it assumes a worst-case scenario of having a direct line of site on flat terrain.
Source: FirstCarbon Solutions (FCS) 2021.

The highest traffic noise level increase with implementation of the project would be an increase of 0.8 dBA over conditions that would exist without the project. This increase is well below the 3 dBA increase that would be considered a substantial permanent increase in noise levels compared with noise levels that would exist without the project. Therefore, project-related traffic noise impacts to traffic noise levels that would exist without the project would be less than significant.

Substantial Increase Conclusion

Therefore, the development of the proposed project would not result in new or more severe impacts related to project-related substantial noise increases beyond what was previously analyzed in the General Plan FEIR.

b) Groundborne Vibration

Would the project result in: *Generation of excessive groundborne vibration or groundborne noise levels?*

The General Plan FEIR did not evaluate impacts at the project level. Therefore, the following analysis provides an evaluation of potential project-level impacts with respect to groundborne vibration.

Short-term Construction Vibration Impacts

In the noise analysis of the General Plan FEIR, the City found that the construction of future new land uses under the proposed General Plan would continue to generate or expose persons or structures to temporary groundborne vibration. With the implementation of General Plan policies and the following revised MM 3.10-2, construction-related noise and vibration impacts at the General Plan and cumulative level are mitigated to a less than significant level.

A significant impact would occur if existing structures at the project site or in the project vicinity would be exposed to groundborne vibration levels in excess of levels established by the FTA's Construction Vibration Impact Criteria for the type of structure.

Of the variety of equipment used during construction, the large vibratory rollers that could be used in the site preparation phase of construction would produce the greatest groundborne vibration levels. The proposed foundation would not involve impact pile driving. Large vibratory rollers produce groundborne vibration levels ranging up to 0.201 inch per second (in/sec) PPV at 25 feet from the operating equipment. The nearest off-site receptor to the project site is the multi-family residential land use located on Bissell Avenue, north of the boundary of the project site. The façade of this building would be located approximately 95 feet from the nearest construction footprint where the heaviest construction equipment would potentially operate. At this distance, groundborne vibration levels would range up to 0.027 PPV from operation of the types of equipment that would produce the highest vibration levels. This is below the FTA's Construction Vibration Impact Criteria of 0.2 PPV for buildings of non-engineered timber and masonry. Therefore, the impact of short-term groundborne vibration associated with construction to off-site receptors would be less than significant.

However, the proposed project would also include the demolition and refurbishment of the ramp entrance to the adjacent court office building. Potential vibration levels from these activities to this office building could exceed the FTA's Construction Vibration Impact Criteria of 0.5 in/sec PPV for this type of structure, a building of reinforced concrete and steel structure. This would be a significant impact and mitigation would be required.

However, the proposed project must comply with the FEIR MM 3.10-1 requiring preparation of a construction noise and vibration mitigation plan to reduce vibration impacts to adjacent receptors. With implementation of this measure, vibration impacts would be reduced to less than significant.

Therefore, the development of the proposed project would not result in new or more severe impacts related to construction-related groundborne vibration beyond what was previously analyzed in the General Plan FEIR.

Operational Vibration Impacts

The General Plan FEIR concluded that with implementation of General Plan Policies and Actions (Actions SN4.1, SN4.2, SN4.3, SN4.A and SN4.C), the potential for excessive groundborne vibration or groundborne noise levels resulting from operation of new land uses under the proposed General Plan is considered to be a less than significant impact.

A significant impact would occur if the project would generate groundborne vibration levels in excess of the FTA's vibration impact thresholds as measured at sensitive receptors in the project vicinity.

Implementation of the proposed project would not include any permanent sources of vibration that would expose persons in the project vicinity to groundborne vibration levels that could be perceptible without instruments at any existing sensitive land use in the vicinity of the project site. However, the project would introduce a new sensitive receptor to a site that is located adjacent to the BART rail line, an existing mobile vibration source. The nearest façade of the proposed project would be located over 150 feet from the nearest BART railroad tracks. At this distance, reasonable worst-case groundborne vibration levels from BART operations would not exceed the FTA's vibration impact threshold of 85 VdB for human annoyance (the operational vibration criteria cited in the General Plan FEIR). Therefore, project operational groundborne vibration impacts would be less than significant.

Therefore, the development of the proposed project would not result in new or more severe impacts related to operational groundborne vibration sources beyond what was previously analyzed in the General Plan FEIR.

c) Airport or Private Airstrip Noise

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

The General Plan FEIR noted that there are no airports within the City of Richmond and any aircraft flying over the City would be outside the 65 dBA CNEL noise impact areas.

The project site is not located within the vicinity of a private airstrip. The nearest public airport to the project site is the Oakland International Airport in Alameda County, located approximately 14.5 miles southeast of the project site. The next closest airport to the project site is the Buchanan Field Airport, located approximately 15.2 miles east of the project site. Because of the distance from these airports and the orientation of the airport runways, the project site is located outside of the 65 dBA CNEL airport noise contours. No impact would occur.

Therefore, the development of the proposed project would not result in new or more severe impacts related to airport noise beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures Applicable to the Proposed Project

FEIR MM 3.10-1 Future projects shall incorporate project-specific mitigation measures to reduce the impact of construction noise.

a. As part of its discretionary approval and environmental review process for future projects, the City will require a noise and vibration construction activity minimization and mitigation plan for any multi-story development project located within a residential neighborhood, or located adjacent to a residence, school, or hospital or other sensitive receptor. The plan must address high-noise or vibration construction activities such as pile driving, and must address outdoor construction activities occurring outside normal weekday business hours. The plan must also address construction-related noise and vibration from current and concurrently with project-related construction activities to address potential cumulative noise and vibration impacts. Excessive noise and vibration impacts from such construction-related activities (defined as noise and vibration impacts that would not occur from similar construction-related activities) shall be avoided or minimized to the extent feasible, and high-noise or vibration construction activities shall not occur during evenings or weekends adjacent to occupied residential units.
b. The City will compile and periodically update Best Management Practices ("BMPs") for minimizing and mitigating noise and vibration impacts from construction activities, for use as appropriate in noise and vibration plans required under MM 3.10-2(a) above.
c. The City will consider and may adopt appropriate modifications to the Noise Ordinance to establish criteria for construction-related noise and vibration impacts during daytime weekday hours, and will consider and include feasible conditions in building, demolition, and grading permits to avoid or minimize excessive noise and vibration from construction activities.
d. This mitigation measure does not eliminate or supersede any other applicable legal requirement, including but not limited to the Noise Ordinance included in the Municipal Code.

This plan shall outline the project's required compliance with General Plan Action SN4.E which requires preparation of construction traffic plans that mitigate noise, traffic, and dust during construction. This plan shall also outline the project's required compliance with Article 15.04.605.060 of the Municipal Code which limits general construction activities to weekdays from 7:00 a.m. to 6:00 p.m., and limits pile driving and similar loud equipment activity to weekdays from 8:00 a.m. to 5:00 p.m.

Implementation of this mitigation measure would ensure that project-related construction noise impacts would be reduced to the extent technically and economically feasible and would be less than significant.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to noise. The conclusions from the General Plan EIR regarding noise impacts remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
XIII. Population and Housing *Would the project:*					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	None identified	No	No	No	MM 3.2-2
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	None identified	No	No	No	None

a) Growth Inducement

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

The General Plan FEIR did not analyze Population and Housing as a separate resource area, however, the General Plan FEIR discussed population growth throughout the General Plan FEIR. It concluded that because of the goal to stimulate higher intensity development within the City of Richmond, the City will capture a regional population growth of 13 percent. This would result in an increase in population of 30,147 and an additional 22,488 jobs over the next 20 years. It is also estimated that the General Plan would add approximately 15,548 housing units within the City. In approving the General Plan, the City Council found that implementation of the General Plan could result in physical impacts due to population growth; however, implementation of MM 3.2-2 would ensure there would be a less than significant cumulative impact related to growth by requiring the City to track addition of new jobs to ensure consistency with projected growth.[65]

The proposed project consists of the reuse of the existing building and construction of an adjoining 5-story building, in order to develop 135 new affordable multi-family homes, offices for support staff,

[65] The implementation of MM 3.2-1, requiring the City to track new housing units, has been suspended to conform with State mandates for provision of housing.

and an approximately 8,800 square foot daycare center. With an average value of 2.93 persons per household, the proposed project could increase population by 396 persons.[66] In addition, the proposed project would require a GPA to change the land use designation to Medium-Intensity Mixed-use (Commercial Emphasis) and a zoning amendment to change the zoning to Commercial Mixed Use, Commercial (CM-3). This designation and zoning allows for residential development. The anticipated population growth resulting from the proposed project would be within General Plan FEIR projections. Therefore, the impact of population growth proposed by new housing would be less than significant.

b) Displacement of Persons or Housing

Would the project: *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The General Plan FEIR did not analyze Population and Housing as a resource area, and therefore, did not identify any impacts on growth inducements. However, the General Plan FEIR discussed population growth throughout the General Plan FEIR. It concluded that population is expected to increase by 30,147 with an additional 22,488 jobs over the next 20 years. It is also estimated that the General Plan would add approximately 15,548 housing units within the City. These housing units would accommodate the projected increase in population.

The proposed project would include construction of 135 new affordable multi-family homes. With an average of 2.93 persons per household these homes could accommodate 396 persons. The proposed project's Medium-Intensity Mixed-Use (Commercial Emphasis) land use designation and Commercial Mixed Use, Commercial Emphasis (CM-3) zoning allows for residential development. The proposed project would provide housing for the growing population and would not displace substantial numbers of existing people or housing. Therefore, the proposed project would not result in new or more severe impacts related to in displacement of substantial numbers of existing people or housing than what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

MM 3.2-2 Based on available U.S. Census or Association of Bay Area Governments (ABAG) data, the City shall track the number of new jobs to determine whether new development exceeds the amount of development assumed in the General Plan EIR (22,488 jobs). City staff shall provide a report on the number of new jobs to the City Council annually and if the number of jobs approaches or exceeds 80 percent of the number assumed in the General Plan EIR (9,950 jobs), the City shall prepare an update to the General Plan and General Plan EIR to assess the environmental effects of additional projected growth.

[66] United States Census Bureau. Richmond City, California. Website: https://www.census.gov/quickfacts/richmondcitycalifornia. Accessed September 3, 2021.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to population and housing. The conclusions from the General Plan EIR regarding population and housing remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
XIV. Public Services *Would the project 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:*					
a) Fire protection?	Less than significant impact	No	No	No	None
b) Police protection?	Less than significant impact	No	No	No	None
c) Schools?	Less than significant impact	No	No	No	None
d) Parks?	None identified	No	No	No	None
e) Other public facilities?	Less than significant impact	No	No	No	None

a) Fire Protection

Would the project: *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: Fire protection?*

According to the General Plan FEIR new development under the General Plan would not cause the Richmond Fire Department (RFD) to travel farther or require additional time to reach the new development; the new development within the change areas would occur as infill. To further reduce the impact of new development on the existing RFD facilities, equipment, and personnel, the City requires that the proposed structures, access, and water supply meet the California State Fire Code and City building requirements. In addition, project developers would be required to pay development impact fees as established by City ordinance. The City would mitigate impacts on the existing RFD facilities, equipment, and personnel by imposing development impact fees to fund public facilities, including fire facilities. Therefore, impacts to fire protection were determined to be less than significant with implementation of applicable policies and actions contained in the General Plan.

The proposed project would likely increase residency population in the area. The closest fire station, Station 66, is approximately 0.5 mile north of the project site at 4100 Clinton Avenue. As new development under the General Plan would not cause the RFD to travel farther or require additional time to reach the new development, the proposed project would not increase fire protection travel time. The proposed project would meet the California State Fire Code and City building requirements. In addition, the project developers would pay development impact fees as established by City ordinance. With adherence to General Plan policies for the City, the proposed project would not result in new or more severe impacts related to fire protection than what was previously analyzed in the General Plan FEIR.

b) Police Protection

Would the project: *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: Police protection?*

According to the General Plan FEIR, impacts on police protection services are considered significant if an increase in population would result in inadequate staffing levels (as measured by the ability of the Richmond Police Department to respond to call loads) and/or increased demand for services would require the construction or expansion of new or altered facilities that might have an adverse physical effect on the environment. Richmond Police Department prepares annual reports outlining the department's performance and personnel-to-population ratio. Currently, there are 1.6 sworn officers per every 1,000 City residents, and the Richmond Police Department currently maintains an acceptable level of service. Projected growth under the General Plan would result in an additional 30,147 residents by 2030. Based on current personnel-per-capita ratios, this population growth would require 48 additional sworn officers. The General Plan would increase the intensity of development in the change areas, but these areas are already currently served by police protection services and thus would not result in an increase in response times for various calls for service.

The proposed project would likely increase residency population in the area. The project site is located in Beat 7 in the northern sector of the Richmond Police Department. The nearest police station is located at 401 27th Street, approximately 0.70 mile southwest of the project site. Proposed growth resulting from the proposed project would not increase response times for various calls for service as the proposed project is located in an area already currently served by police protection services. In addition, the proposed project would adhere to General Plan policies to further reduce potential impacts on police protection services. Thus, the proposed project would not result in new or more severe impacts related to police protection that what was previously analyzed in the General Plan FEIR.

c) Schools

Would the project: *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: Schools?*

According to the General Plan FEIR, the General Plan could add as many as 15,548 housing units in the City by 2030. Using West Contra Costa Unified School District (WCCUSD) student generation factors, the General Plan could result in a student population increase of approximately 10,448 students by 2030. Impacts due to increases in school enrollment would be reduced through the payment of school impact fees, required for all new development. These fees would be based on the use and size of a project. Additionally, the General Plan contains Policies and Implementing Actions that require adequate school infrastructure be provided as new development occurs, which would further reduce the potential for impact on school facilities.

The proposed project would likely increase residency population in the area. The WCCUSD serves the project site. The closest elementary school, King Elementary School, is located 0.20 mile south of the project site at 4022 Florida Avenue. The nearest middle school, Lovonya DeJean Middle School, is located 0.23 mile west of the project site at 3400 Macdonald Avenue. The proposed project would not require development of additional school facilities. Potential impacts resulting from the proposed project would be reduced through the payment of school impact fees in addition to compliance with General Plan Policies and Actions. Therefore, the proposed project would not result in new or more severe impacts related to school facilities than what was previously analyzed in the General Plan FEIR.

d, e) Parks and Other Public Services?

Would the project: *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: Parks? Other public services?*

According to the General Plan FEIR, impacts to library resources are considered significant if the proposed project would result in the need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library services. The City of Richmond currently has no standard for library services. Increased development in the City does not necessarily equate to an increase in need for total volumes or square feet of library space. The City determined that General Plan policies and Implementing Actions would reduce potential impacts on library services.

The proposed project would likely increase residency population in the area. The project site is served by the Richmond Public Library and the library closest to the project site is the Main Branch Library, located approximately 0.6 mile south of the project site at 325 Civic Center Plaza. Proposed project development would not result in an increase in need for library space. With adherence to General Plan Policies and Actions, the proposed project would not result in new or more severe impacts related to library services than what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to public services. The conclusions from the General Plan EIR regarding public services remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
XV. Recreation *Would the project:*					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact	No	No	No	None
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Less than significant impact	No	No	No	None

a, b) Existing Neighborhood and Regional Parks and Recreational Facilities

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

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

The General Plan FEIR determined that the resulting increase in population from General Plan buildout would increase demand for parks and that the City would need to acquire 90.4 acres of additional parkland in the year 2030 to meet its standard of 3 acres of parkland per 1,000 residents. The General Plan FEIR concluded that implementation of General Plan policies, payment of in lieu fees or dedication of land consistent with Chapter 15.08.400 of the Municipal Code,[67] and surrounding regional and State Parks would ensure the City would have adequate park facilities to serve future residents and impacts would be less than significant.

[67] City of Richmond. 2020. City of Richmond Municipal Code – Chapter 15.08.400 – Park and Recreation Dedication and Fees.

Furthermore, the General Plan FEIR determined that implementation of General Plan policies and payment of impact fees consistent with the Municipal Code would ensure sufficient recreational facilities are provided to meet City standards. It was noted that the parks that serve the City, including regional parks, far exceed the City's per-resident parkland standard. Thus, the City would be adequately served in the future and impacts would be less than significant.

As stated in the Project Description, the proposed project would redevelop Building A into 59 units and Building B would provide a total of 75 units. Building B would also provide 8,797 square feet of office space for supporting uses, including childcare. In total, project implementation would develop 135 new multi-family homes.

Due to the nature of the proposed project, it is likely that the population will increase and therefore, may increase the demand for park facilities in the surrounding area. The nearest parks are Nicholl Park located approximately 0.5 mile west of the project site at 3230 Macdonald Avenue and John F. Kennedy Park located approximately 0.7 mile south of the project site located at Cutting Boulevard and South 41st Street. As the General Plan FEIR stated that a population increase would be expected in the City, surrounding regional and State Parks would ensure the City would have adequate park facilities to serve future residents through payment of in lieu fees or dedication of land consistent with Chapter 15.08.400 of the Municipal Code. As a result, impacts would be less than significant.

Additionally, the proposed project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, the proposed project would not result in new or more severe impacts related to park facilities beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to recreation. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
XVI. Transportation *Would the project:*					
a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.14-1 and MM 3.14-3
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	None identified	No	No	No	None
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact	No	No	No	None
d) Result in inadequate emergency access?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.14-6

a) Congestion Management Plan

Would the project: *Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The General Plan FEIR determined that General Plan buildout may result in traffic congestion that exceeds the previous City of Richmond traffic LOS standard of LOS D, as well as CCTA and the West Contra Costa County Transportation Advisory Commission (WCCTAC) LOS and Multimodal Transportation Service Objectives (MTSO) standards. LOS and MTSO impacts can and should be mitigated to a less than significant level by CCTA and WCCTAC through the adoption of appropriate LOS and MTSO thresholds, which are beyond the City's jurisdiction and control. The City adopted MM 3.14-1 to bring this impact to a less than significant level. With the City's projected population increase under full buildout of the General Plan, the General Plan includes policies that would reduce traffic associated with development. Additionally, any future development would be subject to environmental review to determine impacts on traffic in accordance with CEQA Guidelines. Future planning efforts and environmental analysis would address additional growth beyond General Plan buildout.

Due to the nature of the proposed project, it is likely that the population will increase and therefore, may result in traffic congestion. Potential traffic impacts from the proposed project were analyzed by W-Trans and are included in the "Traffic Impact Study for the 100 38th Street Mixed Use Project" (January 31, 2022) included in Appendix H, Traffic Supporting Information. The anticipated trip generation for the proposed project was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10th Edition, 2017 based on "Day Care Center" (Land Use #565), "Multi-family Housing (Mid-Rise)" (Land Use No. 221), and "General Office Building" (Land Use No. 710) as these land uses most closely match the proposed project. It is noted that two of the employees would live on-site so the rates for employees were applied to the office use and the two employees living on-site are not included in the trip generation. Since a portion of the on-site residents and employees are expected to also use the childcare facility, a conservative internal capture reduction factor of 20 percent was applied to all childcare-related trips. Some portion of the traffic associated with the project would be drawn from existing traffic on nearby streets.

The proposed project is expected to generate an average of 879 net-new trips per day, including 74 AM peak-hour trips, and 85 PM peak-hour trips, as shown in Table 18.

Table 18: Trip Generation Summary

Land Use	Units	Daily		AM Peak-hour				PM Peak-hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Proposed											
Childcare	80 std	4.06	115	0.78	22	12	10	0.79	22	11	11
Housing	135 du	8.72	764	0.73	52	16	36	0.84	63	37	26
Total		**–**	**879**	**–**	**74**	**25**	**43**	**–**	**85**	**44**	**37**

Notes:
std = student
du = dwelling unit
Source: W-Trans 2021.

W-Trans applied the peak-hour trips to four study intersections and found that all study intersections currently operate acceptably and would continue to do so under project conditions. W-Trans notes that under cumulative conditions (2040), all intersections would continue to operate acceptably with the exception of the east/west Bissell Avenue approach, which is projected to operate at Level of Service (LOS) F with or without the proposed project. This result indicates that a signal would be warranted if traffic volumes increase as indicated in the model. The City will continue to evaluate this location and may prioritize the implementation of a signal if traffic volumes increase as anticipated. Installation of a signal, if warranted, would improve the intersection operation to LOS A.

Regarding transit facilities, the General Plan FEIR included MM 3.14-3 to ensure that the City shall continue to cooperate and coordinate with transit agencies and work with the community to

promote and advocate for improved transit services and increased transit capacity to meet anticipated General Plan implementation and cumulative impacts for transit service, and seek grant funding opportunities to supplement available transit service.

In reviewing the proposed project, the traffic study notes that existing transit routes are adequate to accommodate project-generated transit trips. Existing stops along Macdonald Avenue are within an acceptable walking distance of the site. The volume of riders expected to be generated by the project can be accommodated by the existing bus services, with several lines and frequent headways, near the project site. However, in accordance with MM 3.14-3, the City will continue to coordinate with transit agencies to seek further improvements and enhancements to the existing system.

b) Inconsistent with CEQA Guidelines Section 15064.3

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

This question was not included in the General Plan FEIR. No determination was made in the General Plan FEIR regarding the LOS related to the City's consistency with CEQA Guidelines Section 15064.3 (b), which relates to the proposed project's impacts on VMT because this question was not a part of the CEQA checklist at this time. Although VMT analysis was not a required component of transportation analysis under CEQA at the time the General Plan FEIR was prepared and certified, VMT was a known metric, and the potential for project travel demand to result in GHG emissions was studied in the General Plan FEIR. Therefore, the introduction of this metric is not considered "new information" for CEQA purposes, and it does not trigger the need for subsequent environmental review. However, as discussed below, even if a VMT analysis were required, the project would result in a **less than significant** impact. Accordingly, no new or more severe impact as compared to the General Plan FEIR would result.

Pursuant to Senate Bill (SB) 743, transportation impacts must be assessed using VMT analysis beginning February 4, 2021. Because the City has not yet adopted a standard of significance for evaluating VMT, guidance provided by the Governor's Office of Planning and Research (OPR) in the publication Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory, 2018, was used. Guidance provided in these documents recommends the use of screening thresholds to quickly identify when a project should be expected to result in a less than significant impact without conducting a detailed study.

The City's criteria further states that 100 percent affordable housing can be presumed to cause a less than significant VMT impact. This policy is consistent with OPR guidance, which states that there is evidence supporting a presumption of a less than significant impact for a 100 percent affordable residential development in infill locations.

The criteria also states that local serving retail projects comprised of less than 30,000 square feet can be presumed to cause a less than significant VMT impact since these types of uses would primarily draw users and customers from a relatively small geographic area that would lead to short-distance trips and trips that are linked to other destinations. The total demand for retail in a region, or in this

case childcare facilities, also tends to hold steady; adding new local serving retail typically shifts trips away from another provider rather than adding entirely new trips to the region.

Because the proposed project would satisfy the affordable housing screening criteria, the proposed project would meet the Richmond VMT Criteria for residential projects. Residential projects would have to generate vehicle travel at 15 or more percent below the baseline regional average household VMT per capita to have a less than significant impact on VMT. The proposed project has a home-based VMT of 9.2 miles per resident, because the VMT rate is lower than the significance threshold there would be a less than significant impact. Therefore, the proposed project would not result in new impacts related to traffic increase beyond what was previously analyzed in the General Plan FEIR. Impacts would be less than significant, and no additional analysis is necessary.

c) Roadway Safety Hazards

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

The General Plan FEIR evaluated rail and roadway crossings for potential safety conflicts and determined that General Plan Policies and Actions would improve safety and mobility and no impacts would occur. The General Plan FEIR concluded that implementation of policies and provisions to maintain roadways and improve traffic flow would, in combination with construction of planned new roadway facilities, ensure impacts related to roadway safety hazards would be less than significant.

The proposed project would remove the existing driveway on Bissell Avenue and the eastern driveway at the Courthouse Complex and construct a new driveway for primary access on Bissell Avenue. The posted speed limit for Bissell Avenue is 25 miles per hour (mph), with a corresponding minimum recommended stopping sight distance of 150 feet. The available sight distance at the project driveway is estimated to exceed 150 feet in both directions. Therefore, the proposed project and would not result in new impacts related to roadway hazards due to design feature or incompatible uses beyond what was previously analyzed in the General Plan FEIR

d) Emergency Access

Would the project: *Result in inadequate emergency access?*

The General Plan FEIR determined that population growth projected under General Plan buildout would substantially increase traffic congestion and therefore, delays for emergency vehicles would be increased as well. However, the General Plan FEIR determined buildout would cause traffic congestion on local roadways that would reduce vehicle travel speeds such that emergency vehicles would be significantly delayed. The General Plan FEIR determined that impacts would be less than significant, with the implementation of MM 3.14-6.

Access to the project site would be provided by a new driveway on Bissell Avenue. The new driveway would be constructed as part of the new development and consistent with driveway widths required by the City of Richmond Municipal Code. The project site would also be accessed from 37th Street via an existing driveway shared with the neighboring Courthouse. Driveways would be expected to provide ample space to allow an emergency vehicle to enter and exit the project site safely. In

addition, the proposed project is intended to be local serving and would not create significant amount of traffic that would create congestion and reduce vehicle travel speeds such that emergency vehicles would be significantly delayed. Therefore, the proposed project would not result in new impacts related to inadequate emergency access beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

MM 3.14-1 Future projects shall incorporate project-specific mitigation measures to reduce traffic impacts.

MM 3.14-3 The City shall continue to cooperate and coordinate with transit agencies and work with the community to promote and advocate for improved transit services and increased transit capacity to meet anticipated General Plan implementation and cumulative impacts for transit service, and seek grant funding opportunities to supplement available transit service.

MM 3.14-6 The City will continue to support coordination among its departments and other agencies in planning for emergency access and response routes, and will periodically review and as appropriate update its emergency access and response route planning.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to transportation. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
XVII. Utilities and Service Systems *Would the project:*					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant impact	No	No	No	None
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than significant impact	No	No	No	None
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact	No	No	No	None
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than significant impact	No	No	No	None
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	Less than significant impact	No	No	No	None

a) Water, Wastewater, and Stormwater Facilities

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

The General Plan FEIR evaluated the necessity of construction new water or water treatment facilities or the expansion of existing facilities and concluded that the EBMUD 2040 Demand Study demonstrated that sufficient water supply would be available to General Plan buildout development. It was also determined that the EBMUD would meet the City's water demand (230 million gallons per day [mgd] by year 2040), that the existing water supply would provide sufficient water supply capacity, and that EBMUD would provide verification of adequate water supplies for subsequent projects. The General Plan FEIR also determined that increased urban development as part of General Plan buildout could increase stormwater generation and the need for stormwater drainage facilities. Furthermore, the General Plan FEIR concluded that implementation General Plan Policies and Actions would address the potential for inadequate water supply and impacts related to exceedance of existing and planned stormwater capacity and additional source of polluted runoff impacts would be less than significant.

The project site is located within the Richmond Municipal Sewer District.[68] Wastewater from the proposed project would be collected via new sewer lines and directed to Veolia Water North Wastewater Treatment Plant (WWTP). Wastewater generated on the project site would continue to comply with all provisions of the San Francisco Bay RWQCB NPDES permit system, and would not exceed applicable wastewater treatment requirements. The proposed project would increase wastewater generation compared to existing conditions. However. the proposed project is required to pay sewer service fees that would be used to fund any required improvements to wastewater treatment facilities. Because the proposed project would develop as intended in the General Plan, the proposed project would not result in new or more severe impacts related to wastewater treatment capacity beyond what was previously analyzed in the General Plan FEIR.

As mentioned in the Project Description, storm drainage would be collected in bioretention treatment areas before routing off the site through connections to existing storm drains in the parking lot and Bissell Avenue and 39th Street. Thus, the proposed project would use the existing storm and sewer drains and the existing storm drain catch basin which extends throughout the project site. The proposed project would also be required to obtain all applicable permits related to stormwater generation during construction, which would include the completion of a Stormwater Control Plan. Therefore, the proposed project would not introduce new or more severe impacts related to stormwater system capacity beyond what was previously evaluated in the General Plan FEIR.

[68] City of Richmond. 2013. Municipal Sewer System. Website: http://www.ci.richmond.ca.us/DocumentCenter/View/5627/COR-Sewer-District-Map?bidId=. Accessed June 17, 2020.

b) Water Supply

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

As discussed above, the General Plan FEIR assessed whether the EBMUD would have adequate water supplies for the City of Richmond at buildout. The EBMUD prepared its 2040 Demand Study, which estimated future water demand for the EBMUD's service area taking into account future developments within each different jurisdiction, including demands generated by the Richmond General Plan 2030. The General Plan FEIR determined that the EBMUD would meet the City's water demand (230 mgd by year 2040), that the existing water supply would provide sufficient water supply capacity, and that EBMUD would provide verification of adequate water supplies for subsequent projects. The General Plan FEIR concluded that implementation of General Plan Policies and Actions would further reduce water consumption within the City by promoting water conservation methods and requiring new development pay fees for future infrastructure improvements to provide water conveyance and capacity increases. Therefore, as indicated in the General Plan FEIR, the City would have adequate water supply, including existing and additional supply, to meet planned future development demands plus the maximum anticipated demands from the General Plan.

As previously mentioned in the Project Description, the proposed project would utilize the existing water and sanitary lines in Bissell Avenue and those in 39th Street, which extend throughout the project site. The proposed project would increase water demand compared to the site's existing vacant condition. Prior institutional use on the project site was estimated to be of approximately 1.4 mgd of daily water consumption.[69] The proposed project's Medium-Intensity Mixed-Use (Commercial Emphasis) land use designation would increase the project site's prior use daily water consumption. With approval of the GPA, the proposed project would be consistent with the General Plan land use designation and Zoning Code designation and its corresponding development standards applicable to water use. Therefore, water demand for the project site was included in the EBMUD 2040 Demand Study, and the increase in demand associated with the proposed project is a nominal increase from what was assumed in the Urban Water Management Plan (UWMP) and represents a *de minimis* proportion of the projected water demand under General Plan buildout (230 mgd by year 2040). As a result, the City would have sufficient water supplies to serve the proposed project and would not require new or expanded water treatment facilities. Therefore, the proposed project would not result in new or more serve impacts related to water treatment facilities expansion beyond what was previously analyzed in the General Plan FEIR.

c) Wastewater Treatment Capacity

Would the project: *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The General Plan FEIR determined that implementation of General Plan policies would ensure that stormwater conveyance capacity constraints are remediated and maintained as development under

[69] United States Energy Information Administration. 2012 Commercial Buildings Energy Consumption Survey: Water Consumption in Large Buildings Summary. 2012. https://www.eia.gov/consumption/commercial/reports/2012/water. Accessed November 8, 2021.

the General Plan occurs, and that restored and daylighted creeks do not contribute to additional capacity constraints. According to the General Plan FEIR, the WWTP has a dry-weather treatment capacity of 24 mgd and wet weather capacities for primary/secondary treatment and primary treatment of 24 mgd and 40 mgd, respectively.

As previously mentioned in the Project Description, the proposed project would utilize the existing water and sanitary lines in Bissell Avenue and those in 39th Street, which extend throughout the project site. The proposed project would increase wastewater generation compared to existing conditions. However, the proposed project would be required to pay sewer service fees that would be used to fund any required improvements to wastewater treatment facilities. Because the proposed project would develop as intended in the General Plan, implementation of the proposed project would not result in new or more severe impacts related to wastewater treatment capacity beyond what was previously analyzed in the General Plan FEIR.

d) Solid Waste Reduction Goals Consistency

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

The General Plan FEIR determined that General Plan buildout would produce 55,796 tons of solid waste in 2030 (or 152.9 tons per day) which would be an increase of 12,662 tons (or 34.7 tons per day) from 2005.[70] Furthermore, it is noted that the State of California requires all jurisdictions to meet a 50 percent waste reduction mandate. The General Plan FEIR concluded that West County met the 50 percent waste diversion goal in 2006, and West Contra Costa Integrated Waste Management Authority (RecycleMore) continues to work to maintain this level of diversion. The California Integrated Waste Management Board (CIWMB) estimates an average per capita solid waste disposal rate for the City of Richmond to be 0.36 tons per resident per year; business waste disposal rates estimated by the CIWMB range from 0.3 ton per year for general merchandise stores to 3.1 tons per year for restaurants. To meet and maintain the 50 percent diversion rate, Richmond Sanitary Services has established residential and commercial co-mingled recycling collection and green waste collection services within its service area. Additionally, the General Plan FEIR stated that expansion of the Potrero Hills Landfill would ensure the City would have adequate landfill capacity and existing landfill facilities are adequate to serve the City through the General Plan horizon year 2030. Therefore, impacts related to solid waste reduction goals would be less than significant.

The proposed project includes land use and density, Medium-Intensity Mixed-Use (Commercial Emphasis), that was evaluated in the General Plan FEIR. As the proposed project has the potential to increase population, the number of available landfills and their available capacities is sufficient to accommodate the landfill disposal needs of the project throughout the timeframe of General Plan buildout. Therefore, the proposed project would not result in new or more severe impacts related to solid waste reduction goals beyond what was previously analyzed in the General Plan FEIR.

[70] City of Richmond. 2011. General Plan 2030 Draft EIR, page 3.13-25.

e) Solid Waste Regulations Consistency

Would the project: *Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?*

The General Plan FEIR determined that the City, as part of RecycleMore, met the 50 percent waste diversion goal in 2006. Furthermore, the General Plan FEIR determined implementation of General Plan policies would reduce impacts related to solid waste regulations to a less than significant level by regularly reviewing waste management plans, promoting recycling and composting, and develop a construction and demolition ordinance.

Consistent with the General Plan FEIR, the proposed project would comply with General Plan policies as well as City and RecycleMore waste diversion measures. Therefore, the proposed project would not result in new or more severe impacts related to solid waste regulations beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

None.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to utilities and service systems. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	General Plan FEIR Mitigation Measures
VIII. Wildfire *If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the project:*					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.14-6
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than significant impact	No	No	No	None
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less than significant impact	No	No	No	None
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than significant impact	No	No	No	None

a) Emergency Response/Evacuation Plan Consistency

Would the project: *If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan?*

The General Plan FEIR identified two thresholds for emergency vehicle response: (1) design features that accommodate emergency vehicle access and circulation; and (2) travel speeds on primary emergency response routes. The General Plan FEIR determined that General Plan Policies and Actions would ensure emergency vehicle access would be accommodated but roadway congestion may increase due to population and job growth such that travel speeds may drop and impact emergency vehicle response. The General Plan FEIR concluded that with implementation of General Plan Policies and Actions implementation of MM 3.14-6, impacts to emergency response would be significant and unavoidable.

The project site is not designated within a CAL FIRE "Very High Fire Hazard Severity Zone" in a Local Responsibility Area (LRA) nor a fire hazard zone in a State Responsibility Area (SRA).[71] The project site is located in an urban environment surrounded by urban development. The nearest Fire Hazard Severity Zone is located approximately 1.5 miles northeast of the project site (Wildcat Canyon Regional Park) and is designated as a Very High Fire Hazard Severity Zone. Although the average windspeeds in the area range from 21 mph to 27 mph, high prevailing winds would not exacerbate wildfire risk due to the relatively flat topography and the location of the project site.

Furthermore, the proposed project would include a driveway that would connect to Bissell Avenue in compliance with the City of Richmond Municipal Code and the California Fire Code. The project site is located adjacent to Bissell Avenue and, as a result, would not interfere with primary evacuation routes in the City such as Macdonald Avenue or I-80.

Additionally, the project does not propose permanent road closures or lane narrowing that would impact an emergency response plan or evacuation plan. With the proposed GPA that would change the current land use designation from Public, Cultural, and Institutional to Medium-Intensity Mixed-Use (Commercial Emphasis), the proposed project would develop a total of 135 multi-family homes consistent with the new land use designation policies and regulations. Therefore, the proposed project would not result in new or more severe impacts related to emergency response plans beyond what was previously analyzed in the General Plan FEIR.

b) Expose Project Occupants to Pollutant Concentrations from Wildfire

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

[71] California Department of Forestry and Fire Protection (CAL FIRE). 2009. Richmond–Very High Fire Hazard Severity Zones in LRA. Website: https://osfm.fire.ca.gov/media/5784/richmond.pdf. Accessed August 4, 2021.

The General Plan FEIR determined that General Plan buildout would occur within the city limits and consist primarily of infill development. The General Plan EIR concluded that General Plan policies, including Action SN2.D, Fire Prone Area Designation, requires the City to designate areas particularly prone to fire hazards and requires proposed development to minimize fire hazards and vulnerability. Therefore, the General Plan FEIR determined that implementation of these policies would reduce impacts to a less than significant level.

The project site is not located adjacent to unmanaged open space or a recognized fire prone area. The project site is located within a flat, highly urbanized area of the City. The Bay Area Air Quality Management District (BAAQMD) monitors wind speeds at locations in the Bay Area with the closest being in Oakland, approximately 16 miles south of the project site. The City of Oakland is located in a similar climate as the City of Richmond and, as such, would experience similar average wind speeds. The average wind speeds at the Oakland BAAQMD station in 2019 ranged from 6 mph to 9 mph, with maximum gusts ranging from 21 mph to 27 mph.

As a result, the proposed project is not located on a project site with severe slopes or high prevailing winds that would further exacerbate wildfire risk. Therefore, the proposed project would not result in new or more severe impacts related to exposure of project occupants to pollutants concentrations from wildfire beyond what was previously analyzed in the General Plan FEIR.

c) Infrastructure that Exacerbates Fire Risk

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The General Plan FEIR determined that new development would be primarily infill and within the City limits near existing urban infrastructure and already served by the RFD. The RFD is responsible for emergency medical services, fire suppression, mitigation of disasters, and rescues activities. The General Plan FEIR concluded that new development would implement General Plan policies that would regulate the development of infrastructure that could exacerbate fire risk and infrastructure; the General Plan FEIR concluded implementation of these policies would reduce impacts to a less than significant level.

The project site is located within a flat, highly urbanized area of the City. The project site is surrounded by the Courthouse Complex to the west and commercial buildings to the east and north. Pursuant to General Plan Action SN1.B, the proposed project would be reviewed prior to approval to ensure that the most recent building standards and fire prevention measures are included in the project design. In addition, the proposed project would comply with the applicable fire safety provisions of the 2019 CBC, thereby reducing the risk of damage from fire to the maximum extent practicable. The proposed project would include roadway improvements along Bissell Avenue. The proposed project would not include the installation of emergency water sources or overhead power lines. Therefore, the proposed project would not result in new or more severe impacts related to infrastructure that exacerbates fire risk beyond what was previously analyzed in the General Plan FEIR.

d) Flooding and Landslide Hazards Due To Post-fire Slope Instability/Drainage Changes

Would the project: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones ,expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The General Plan FEIR determined that new development would potentially increase wildland fire risk and that the City contains areas that are susceptible to landslides. General Plan Policies SN2.2, Level of Service, SN2.3, Fire Safety, SN3.1, Emergency and Disaster Preparedness would ensure the RFD could provide adequate fire protection services to future development. Action SN1.B, regarding Building Structure Safety Standards, would ensure building structure safety standards are regularly updated to protect people and property from fire hazards. The General Plan FEIR concluded that new development would implement General Plan policies designed to reduce impacts from wildfires and implementation of these General Plan policies would reduce impacts to a less than significant level.

The project site is located within a flat, highly urbanized area of the City that has not experienced wildfire. Additionally, the project site is not located near unmanaged open space or dense natural vegetation prone to wildfires. Therefore, the proposed project would not result in new or more severe impacts related to post-fire slope instability or drainage changes beyond what was previously analyzed in the General Plan FEIR.

FEIR Mitigation Measures

MM 3.14-6 The City will continue to support coordination among its departments and other agencies in planning for emergency access and response routes, and will periodically review and as appropriate update its emergency access and response route planning.

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to wildfire. The conclusions from the General Plan EIR regarding land use and planning remain unchanged. No further analysis is required.

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
XX. Mandatory Findings of Significance					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	Less than significant impact with mitigation incorporated	No	No	No	MM 3.2-1; MM 3.14-1; MM 3.14-3; MM 3.14-6; MM 3.15-1; MM 3.15-2a; MM 3.15-2b; MM 3.15-2c; MM 3.15-2d
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less than significant impact	No	No	No	None

Environmental Issue Area	Conclusion in General Plan FEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	Less than significant impact	No	No	No	None

a) Potential Degradation to Environment and Examples of California History or Prehistory

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

The proposed project may result in several impacts associated with aesthetic resources, biological resources, cultural resources, and population and housing resources that would be significant if left unmitigated. FEIR Aesthetics MM 3.15-1, MM 3.15-2a, MM 3.15-2b, MM 3.15-2c, MM 3.15-2d, and Population and Housing MM 3.2-1, and uniformly applied federal and State Guidance measures would ensure compliance with General Plan policies and would reduce all potential impacts to less than significant levels. With the implementation of these mitigation measures, the proposed project would therefore, have less than significant impacts.

b) Cumulatively Considerable Impacts

Does the project: *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

All cumulative impacts related to air quality, noise, and traffic are either less than significant after mitigation or less than significant and do not require mitigation. Given the scope of the proposed project and its impacts and mitigation measures, the incremental effects of this proposed project are not considerable relative to the effects of past, current, and probable future projects. As discussed previously, the proposed project does not have a significant cumulative traffic impact. Therefore, the proposed project would not result in cumulatively considerable impacts on these areas. Impacts would be less than significant.

c) Adverse Effects on Human Beings?

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

All impacts identified in this Initial Study and Checklist are either less than significant after mitigation, or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

FEIR Mitigation Measures

Implement the following FEIR Mitigation Measures:

Transportation MM 3.14-1, MM 3.14-3, MM 3.14-6; Aesthetics MM 3.15-1, MM 3.15-2a, MM 3.15-2b, MM 3.15-2c, MM 3.15-2d; and Population and Housing MM 3.2-2

Conclusion

There is no additional information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to mandatory findings of significance. The conclusions from the General Plan EIR regarding impacts above remain unchanged. No further analysis is required.

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