

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATEMENT OF FINDINGS

The Department of Toxic Substances Control (DTSC) has issued Findings for this project pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

A. PROJECT SUBJECT TO DTSC APPROVAL

PROJECT TITLE: Final Removal Action Workplan for Brookside Drive		SITE CODING: 202188
PROJECT ADDRESS: 506-580 Brookside Drive	CITY: Richmond	COUNTY: Contra Costa
PROJECT SPONSOR: CenterPoint Properties Trust	CONTACT: Peter Langtry, P.G., C.I.H.	PHONE/ EMAIL: plangtry@cornerstoneearth.com (925) 817-8814
Approval Action Under Consideration by DTSC:		
<input checked="" type="checkbox"/> Removal Action Workplan <input type="checkbox"/> Interim Removal <input type="checkbox"/> Initial Permit Issuance <input type="checkbox"/> Permit Re-Issuance <input type="checkbox"/> Corrective Measure Study/Statement of Basis <input type="checkbox"/> Permit Modification <input type="checkbox"/> Closure Plan <input type="checkbox"/> Remedial Action Plan <input type="checkbox"/> Regulations <input type="checkbox"/> Other (specify):		
STATUTORY AUTHORITY:		
<input type="checkbox"/> California H&SC, Chap. 6.5 <input checked="" type="checkbox"/> California H&SC, Chap. 6.8 <input type="checkbox"/> Other (specify):		
<p>PROJECT DESCRIPTION: The project involves approval of a Removal Action Workplan (RAW) for the Brookside Drive Project (Site). DTSC is overseeing cleanup at the Site under a Standard Voluntary Agreement (HSA-FY17/18-137) with CenterPoint Properties Trust. The purpose of the RAW is to reduce the potential risk to human health and the environment from the contaminants of concern (COC) which include lead, arsenic, and dieldrin in soil; and arsenic, total petroleum hydrocarbons (TPH), dieldrin, and 1,2,3-trichloropropane (TCP) in groundwater.</p> <p>Background: The project site covers approximately 32 acres and is currently vacant, with the exception of foundations from three single-family homes, a water well, and concrete pads that formerly supported water tanks. The site is bound by Fred Jackson Way to the west and residential and agricultural nurseries beyond; Brookside Drive to the north and commercial greenhouses and plant nurseries beyond; Da Villa Drive to the south and Verde Elementary School and commercial vehicle (dump trucks) storage beyond; and commercial/industrial warehouses to the east.</p> <p>Site assessments conducted between 2017 and 2020 identified the presence of chemicals of concerns (COCs) at the site including arsenic, lead, and dieldrin in soils; and arsenic, TPH, dieldrin, and TCP in groundwater. The presence of these contaminants may impact future onsite occupants and commercial workers. Therefore, the Brookside Drive Removal Action Workplan (RAW) was prepared to identify measures to mitigate potential human exposure to COCs present in the subsurface. Excavation and offsite disposal of highly-impacted soils; combined with excavation of lesser-impacted soil that is above commercial/industrial cleanup goals, and consolidation and capping of such soil beneath the concrete floor of one of the future site buildings were selected as the most appropriate removal action for the project site to mitigate potential human exposure to COCs at the site.</p> <p>Project Activities: The RAW includes a detailed engineering plan for conducting the removal action, a description of the on-site contamination, and the goals to be achieved by the removal action. Soil excavation will involve removal of arsenic that exceeds soil screening criteria and lead that exceeds hazardous waste criteria. Approximately 2,500 cubic yards of soil are estimated to be removed for off-site, permitted disposal facility.</p> <p>Cleanup activities will also involve excavation of approximately 12,000 cubic yards of organochlorine pesticide (OCP) impacted soil and placement of the soil as engineered fill beneath the building footprint. The soil will be capped beneath a concrete floor and approximately one foot of base rock/non-expansive soil.</p> <p>It is estimated that the removal of 2,500 cubic yards of impacted soil from the site will require approximately 230 truck trips for transport. The removed impacted soil will likely be classified as non-hazardous or California hazardous waste, based on chemical sampling of impacted soil either while in place; and/or from a stockpile following excavation, and stockpiled staging prior to off-site transport. After a disposal facility is determined, the soil will be loaded into end-dump</p>		

trailers/trucks that will be covered with tarps prior to leaving the site for the disposal facility. Approximately 2,500 cubic yards of clean fill will be imported to replace the removed soil, which will require an additional approximately 230 truck trips for transport. Up to approximately 60 truck trips per day for the removal/disposal, and up to approximately 100 truck trips per day for importing the replacement soil are anticipated.

Trucks transporting soil for disposal will exit the site on Brookside Drive, travel west to Fred Jackson Way, north to Parr Boulevard, west to Richmond Parkway and then north to Interstate 80. The remaining transportation route will be dependent on the location of the disposal facility. The importing of clean fill will utilize Interstate 580, exiting north onto Richmond Parkway and turning east on Parr Boulevard, where trucks will turn south to Fred Jackson Way, then east to Brookside Drive and enter the site. A Transportation and Traffic Control Plan (T&TCP) will be prepared prior to implementation of the RAW. The T&TCP will be submitted to the DTSC for review and approval. In addition, the T&TCP will be submitted to Contra Costa County Department of Public Works.

Removal and off-site disposal of the soil is anticipated to take approximately 4 weeks to complete. Excavation and consolidation of the approximately 12,000 cubic yards of soil beneath the building pad is anticipated to take an additional approximately 4 weeks. Upon completion of the soil consolidation, the remaining earthwork/site grading and construction of the two other building pads will take approximately two additional months.

Institutional controls, including a land use covenant (LUC), will also be implemented because soil exceeding unrestricted screening levels will be left in-place. The LUC will apply to the entire site and will prohibit development of sensitive uses (e.g., residences, hospitals, day cares, schools for students under age 18) and prohibit use of shallow groundwater as a source of drinking water or irrigation water. The LUC will reference an operation and maintenance plan (OMP) that will be specific to the location of the consolidation area. The OMP will require annual inspections and 5-year reviews be performed. Compliance with the OMP will be enforced through an operations and maintenance agreement (OMA). In addition, the RAW includes long-term monitoring of groundwater to confirm that soil with COCs consolidated beneath the building are not affecting groundwater quality, and to evaluate natural attenuation of existing on-site groundwater contamination. The RAW includes a contingent groundwater remedy (injection of reagents to form an *in-situ* treatment barrier to adsorb and/or treat groundwater COCs) in the event of long-term, increasing COC concentration trends in groundwater.

DTSC utilized information and analysis in the Final Environmental Impact Report CenterPoint Properties Project (EIR) to support a final determination about the type of environmental document required to be prepared for the Final Removal Action Workplan for Brookside Drive, as provided by Sections 15162, 15163, and 15164 of the CEQA Guidelines. Specifically, the EIR analyzed potential impacts related to excavation of contaminated soils in Section 3.2 (Air Quality), Section 3.3 (Biological Resources), Section 3.4 (Cultural Resources and Tribal Cultural Resources), Section 3.5 (Energy), Section 3.6 (Geology and Soils), Section 3.7 (Greenhouse Gas Emissions), Section 3.8 (Hazards and Hazardous Materials), Section 3.9 (Hydrology and Water Quality), Section 3.11 (Noise), Section 3.12 (Public Services), Section 3.13 (Transportation), Section 3.14 (Utilities and Service Systems), and Section 3.15 (Wildfire).

B. LEAD AGENCY ENVIRONMENTAL DOCUMENT REVIEWED

Lead Agency: Contra Costa County
Lead Agency’s Environmental Document: Final Environmental Impact Report CenterPoint Properties Project
Date Certified: June 1, 2022
State Clearinghouse Number: 2019110003

C. STATEMENT OF FINDINGS AND FACTS FOR ADEQUACY OF LEAD AGENCY ENVIRONMENTAL DOCUMENT

Using its independent judgment, DTSC makes the following findings:

- The Lead Agency Final Environmental Document includes a description of the Project now before DTSC for decision

- The Lead Agency Final Environmental Document adequately analyzed impacts associated with the Project before DTSC for decision.
- DTSC concurs with the findings made by the Lead Agency Final Environmental Document relating to the Project before DTSC for decision.
- Mitigation measures are included in the Lead Agency Final Environmental Document for the following resources that would potentially be affected by the DTSC project.

<input type="checkbox"/> Aesthetics	Mitigation Measure: None
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Air Quality	Mitigation Measures: AIR-2a and AIR-2b (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input type="checkbox"/> Agricultural Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Biological Resources	Mitigation Measure: BIO-1a (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input checked="" type="checkbox"/> Cultural Resources	Mitigation Measures: CUL-1, CUL-3, CUL-4a, and CUL-4b (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input type="checkbox"/> Energy	Mitigation Measure: None
<input checked="" type="checkbox"/> Geology / Soils	Mitigation Measures: GEO-1a and GEO-1b (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input type="checkbox"/> Greenhouse Gas Emissions	Mitigation Measure: None
<input checked="" type="checkbox"/> Hazards / Hazardous Materials	Mitigation Measure: HAZ-1 (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input checked="" type="checkbox"/> Hydrology / Water Quality	Mitigation Measure: HYD-3 (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input type="checkbox"/> Land Use / Planning	Mitigation Measure: None
<input type="checkbox"/> Mineral Resources	Mitigation Measure: None
<input checked="" type="checkbox"/> Noise	Mitigation Measure: NOI-1 (refer to Final Environmental Impact Report (March 18, 2022), see Attachment A)
<input type="checkbox"/> Population / Housing	Mitigation Measure: None
<input type="checkbox"/> Public Services	Mitigation Measure: None
<input type="checkbox"/> Recreation	Mitigation Measure: None
<input type="checkbox"/> Transportation / Traffic	Mitigation Measure: None
<input type="checkbox"/> Tribal Cultural Resources	Mitigation Measure: None
<input type="checkbox"/> Utilities / Service Systems	Mitigation Measure: None
<input type="checkbox"/> Wildfire	Mitigation Measure: None

Mitigation measures identified in the Lead Agency Final Environmental Document have been adopted by DTSC for this Project and will be implemented to avoid, reduce, or substantially lessen the project impacts. No additional mitigation measures are necessary, and no additional mitigation monitoring plan is required pursuant to CEQA.

For each significant environmental effect identified for the Project:

- Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the Lead Agency Final Environmental Document.
- Such changes or alterations are within the responsibility and jurisdiction of the Contra Costa County not DTSC.

Such changes have been adopted by this public agency or can and should be adopted by this public agency.

Mitigation measures included in the Lead Agency Final Environmental Document are infeasible, and therefore, will not be incorporated into the DTSC Project for the following reasons: N/A

BASED ON THE ABOVE FINDINGS, DTSC CONCLUDES:

The proposed Project will not result in significant and unavoidable effects to the environment.

The proposed Project will result in significant and unavoidable effects to the following environmental resources:

<input type="checkbox"/> Air Quality	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services
<input type="checkbox"/> Energy	<input type="checkbox"/> Recreation
<input type="checkbox"/> Geology/ Soils	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Utilities/ Service Systems
<input type="checkbox"/> Hydrology/ Water Quality	<input type="checkbox"/> Wildfire

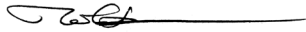
Impacts to these resources would remain significant even after applying mitigation measures described in the Lead Agency Final Environmental Document, or there is no feasible mitigation available.

In accordance with Cal. Code of Regs., title 14, section 15093, a Statement of Overriding Considerations was adopted by the Lead Agency for these resources. DTSC adopts a Statement of Overriding Considerations for these resources having determined that the DTSC Project benefits outweigh the significant environmental effects for the following reasons: The DTSC remedial actions reduce the exposure of contaminated soil, soil gas, and groundwater in order to render it safe for Site occupants. The DTSC remedial project also serves to protect human health and the environment, which are DTSC’s responsibilities under the California Health and Safety Code.

None of the conditions requiring a subsequent EIR or Negative Declaration pursuant to Cal. Code Regs., tit. 14 Section 15162 exist.

In accordance with Cal. Code of Regs., title 14, section 15093, a Notice of Determination indicating the results of said Findings will be filed with the Governor’s Office of Planning and Research / State Clearinghouse.

D. CERTIFICATION



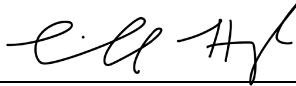
Project Manager's Signature

August 31, 2023
Date

Whitney L. Smith
Project Manager's Name

Senior Hazardous Substances Engineer
Title

(510) 540-3772
Phone #



Branch Chief's Signature

August 31, 2023
Date

Marikka Hughes
Branch Chief's Name

Acting Branch Chief
Branch Chief

(510) 540-3926
Phone #

Attachment A

The following mitigation measures are included in the Lead Agency Final Environmental Document would be implemented as applicable for activities described in the Final Removal Action Workplan for Brookside Drive.

MM AIR-2a: Construction Exhaust The project applicant shall ensure, at minimum, the use of equipment that meets the United States Environmental Protection Agency's (EPA) Tier 4 Interim emissions standards for off-road diesel-powered construction equipment with more than 50 horsepower for all site preparation, grading, and building construction activities, unless it can be demonstrated, to the Contra Costa County Department of Conservation and Development's satisfaction, that such equipment is not available. Any emission control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by Tier 4 Interim emissions standards for a similarly sized engine, as defined by the California Air Resources Board (ARB) regulations.

Prior to the issuance of building or grading permits, the project applicant shall ensure that all construction (e.g., demolition and grading) plans clearly show the requirement for EPA Tier 4 Interim emissions standards for construction equipment over 50 horsepower for the specific activities stated above. During construction, the project applicant shall ensure that a list of all operating equipment in use on the construction site is maintained on-site for verification by the Contra Costa County Department of Conservation and Development. The construction equipment list shall state the makes, models, Equipment Identification Numbers, and number of construction equipment on-site. Equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations. Construction contractors shall also ensure that all nonessential idling of construction equipment is restricted to 5 minutes or less in compliance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9.

MM AIR-2b: Fugitive Dust Control Measures The project's construction contractor shall comply with the following Bay Area Air Quality Management District (BAAQMD) Best Management Practices (BMPs) for reducing construction emissions of PM10 and PM2.5:

- Water all active construction areas at least twice daily, or as often as needed to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour (mph). Reclaimed water should be used whenever possible.
- To control dust, pave, apply water twice daily or as often as necessary, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).
- Sweep daily with water sweepers (using reclaimed water if possible) or as often as needed, all paved access roads, parking areas, and staging areas at the construction site to control dust.
- Sweep public streets daily (with water sweepers using reclaimed water if possible) or as often as needed in the vicinity of the project site to keep streets free of visible soil material.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (e.g., dirt, sand, etc.).
- Limit vehicle traffic speeds on unpaved roads to 15 mph.
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to prevent silt runoff from public roadways.

MM BIO-1a: Nesting Bird Surveys If feasible, construction work should take place outside of the February 1 to August 31 breeding window for nesting birds. If construction is to be conducted during the breeding season, a qualified Biologist should conduct a preconstruction breeding bird survey in areas of suitable habitat within 5 days prior to the commencement of construction activity. In the event that there is a lapse in construction activities for 5 days or more, a qualified Biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat again. If bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from construction disturbance. In general, the California Department of Fish and Wildlife (CDFW) recommends a 250-foot construction exclusion zone around the nests of active passerine birds during the breeding season, and a 500-foot buffer for nesting raptors. Buffers shall be determined based upon factors such as topography, line of sight, activities being conducted, and species. The buffer zone shall be approved by a qualified Biologist with extensive training in bird nest surveys prior to the commencement of construction activity. Buffer zones shall be maintained until it can be documented that either the nest has failed, or the young have fledged.

MM CUL-1: Worker Training, Archaeological Monitoring, and Halt Construction Upon Encountering Historical or Archaeological Materials Prior to the initiation of construction activities, an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology shall provide Worker Environmental Awareness Program (WEAP) training to construction personnel with an overview of applicable laws, project mitigation measures, and procedures to be followed with regards to historical and/or archaeological resources that may be encountered over the course of the project. An Archaeologist should be present to monitor all ground-disturbance activities. In the event a potentially significant

Historical and/or archaeological 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 has evaluated the situation. The applicant for the proposed project (CenterPoint Properties) shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The Archaeologist shall make recommendations concerning appropriate measures that shall be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate California Department of Parks and Recreation (DPR) 523 forms and shall be submitted to Contra Costa County Department of Conservation and Development, the Northwest Information Center (NWIC), and the California Office of Historic Preservation (OHP), as required.

MM CUL-3: Stop Construction upon Encountering 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 Section 5097.98 shall be followed. If during the course of project construction, 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 within 100 feet of the remains until the 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 Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.
2. Where the following conditions occur, the landowner or his or her authorized representative shall work with the Coroner to rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD if available or on the project site or off-site where the reburial would not be subject to further subsurface disturbance:
 - The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC.
 - The descendant identified fails to make a recommendation.
 - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

MM CUL-4a: Native American Construction Monitoring To minimize the potential for destruction of or damage to existing or previously undiscovered burials, archaeological and Tribal Cultural Resources (TCRs) and to identify any such resources at the earliest possible time during project-related earthmoving activities, the project applicant and its construction contractor(s) shall implement the following measures:

- Native American Monitors from culturally affiliated Native American Tribes shall be invited to monitor the vegetation grubbing, stripping, grading or other ground-disturbing activities in the project area to determine the presence or absence of any cultural resources. Native American representatives from cultural affiliated Native American Tribes shall act as a representative of their Tribal Government and shall be consulted before any cultural studies or ground-disturbing activities begin.

- Native American representatives and Native American Monitors have the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted, or slowed if such sites or objects are identified within the direct impact area. Only a Native American representative can recommend appropriate treatment of such sites or objects.
- If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or bone, are discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until an archaeologist who meets the Secretary of the Interior's qualification standards can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the County, the California Office of Historic Preservation (OHP), and other appropriate agencies. Appropriate treatment measures may include development of avoidance or protection methods, archaeological excavations to recover important information about the resource, research, or other actions

determined during consultation.

MM CUL-4b: Avoidance and Preservation in place of Tribal Cultural Resources Should Tribal Cultural Resources (TCRs) be discovered during project construction, avoidance and preservation in place is the preferred manner of mitigating impacts to TCRs and shall be accomplished by several means, including:

- Planning construction to avoid TCRs, archaeological sites and/ or other resources; incorporating sites within parks, green-space, or other open space; covering archaeological sites; deeding a site to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity. As noted in Mitigation Measure CUL-4a, appropriate treatment measures may include archaeological excavations to recover information about the resource. Recommendations for avoidance of cultural resources shall be reviewed by the CEQA Lead Agency representative (Contra Costa County), interested Native American Tribes and the appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. If feasible, avoidance and design alternatives may include realignment within the project area to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource. Native American representatives from interested Native American Tribes shall be allowed to review and comment on these analyses and shall have the opportunity to meet with the CEQA Lead Agency (Contra Costa County) representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.
- If the resource can be avoided, the construction contractor(s), with Native American Monitors from culturally affiliated Native American Tribes present, shall install protective fencing outside the site boundary, including a buffer area, before construction restarts. The construction contractor(s) shall maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area shall be demarcated as an "Environmentally Sensitive Area." Native American representatives from interested Native American Tribes and the CEQA Lead Agency (Contra Costa County) representative shall also consult to develop measures for long-term management of the resource and routine operation and maintenance within culturally sensitive areas that retain resource integrity, including tribal cultural integrity, and including archaeological material, Traditional cultural properties and cultural landscapes, in accordance with State and federal guidance including National Register Bulletin 30 (Guidelines for Evaluating and Documenting Rural Historic Landscapes), Bulletin 36 (Guidelines for Evaluating and Registering Archaeological Properties), and Bulletin 38 (Guidelines for Evaluating and Documenting Traditional Cultural Properties); National Park Service Preservation Brief 36 (Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes) and using the Advisory Council on Historic Preservation (ACHP) Native American Traditional Cultural Landscapes Action Plan for further guidance. Use of temporary and permanent form of protective fencing shall be determined in consultation with the Native American representatives from interested Native American Tribes.

MM GEO-1a: Prepare Grading and Construction Plans that Incorporate Geotechnical Investigation Recommendations Prior to issuance of the grading permits for the proposed project, development of the final grading, foundation, and construction plans shall incorporate the site-specific earthwork, foundation, floor slab, finished grades, underground utilities, and pavement design recommendations, as detailed in the Geotechnical Investigation prepared by Cornerstone Earth Group dated August 22, 2018. The applicant shall coordinate with the County Department of Conservation and Development and County Geologist to tailor the grading and foundation plans, as needed, to reduce risk related to known soil and geologic hazards. The final grading, foundation, and construction plans for the proposed project shall be reviewed by the County Department of Conservation and Development and County Geologist. Grading operations shall meet the requirements of the recommendations included in the Preliminary Geotechnical Investigation prepared by Cornerstone Earth Group. During construction, the County Department of Conservation and Development shall monitor construction of the proposed project to ensure the earthwork operations are properly performed.

MM GEO-1b: Prepare Final Construction Report: The Project Geotechnical Engineer shall prepare a final report that documents the field observations and testing services provided during construction as well as provide a professional opinion on the compliance of construction with the recommendations in the Geotechnical Investigation. The final report can be segmented into an as-graded report that is issued at the end of rough grading, but prior to the installation of the foundations, and a second letter commenting on the inspections made during installation of foundations/parking lot/drainage facilities. The County Department of Conservation and Development will place a hard hold on the final inspection, to ensure that the Geotechnical Engineer's grading-foundation inspection letter-report is provided prior to requesting the final building inspection for each building.

MM HAZ-1: Prepare Soil Management Plan and Health and Safety Plan Prior to issuance of grading permits, the applicant shall retain a licensed professional to prepare and submit a Soil Management Plan and Health and Safety Plan for review and approval by Contra Costa Environmental Health. These plans shall include the following:

- Site control procedures to control the flow of personnel, vehicles, and materials in and out of the project site.
- Measures to minimize dust generation, stormwater runoff, and tracking soil off-site.
- If excavation de-watering is required, protocols to evaluate water quality and discharge/disposal alternative should be described.
- Protocols for conducting earthwork activities in areas where impacts soil, soil vapor, and/or groundwater are present or suspected. Worker training requirements, health and safety measures, and soil handling procedures shall be described.
- Protocols to be implemented if buried tanks, structures, wells, debris, or unidentified areas of impacted soils are encountered during construction activities.
- Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be determined.
- Procedures to evaluate and document the quality of any soil imported to the project site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- Methods to monitor excavations for the potential presence of volatile chemical vapors.

MM HYD-3: Prepare Final Drainage Plan Prior to Grading

- In accordance with Division 914 of the Contra Costa County Ordinance Code, the project applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system that conveys the stormwater to a natural watercourse. Any proposed diversions of the watershed shall be subject to hearing body approval. Prior to issuance of a grading permit, the applicant shall submit improvement plans for proposed drainage improvements, and a drainage report with hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department for review and approval that demonstrates the adequacy of the on-site drainage system and the downstream drainage system. The applicant shall verify the adequacy at any downstream drainage facility accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is not adequate to handle the Existing Plus Project condition for the required design storm, improvements shall be constructed to make the system adequate. The applicant shall obtain access rights to make any necessary improvements to off-site facilities.
- In accordance with Division 1014 of the Contra Costa County Ordinance Code, the applicant shall comply with all rules, regulations, and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay—Region 2); and
- Submit a Final Stormwater Control Plan and a Stormwater Control Operation and Maintenance Plan (O&M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's NPDES Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (Division 1014) prior to issuance of a building permit. Improvement Plans shall be reviewed to verify consistency with the Final Stormwater Control Plan and compliance with the Contra Costa Stormwater C.3 Guidebook of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (Division 1014) and be designed to discourage prolonged standing/ponding of water on-site.

MM NOI-1: Implement Noise Reduction Measures During Construction The construction contractor shall ensure that grading activities shall be restricted to the hours between 7:30 a.m. and 5:30 p.m., Monday through Friday.