



**Final Initial Study and
Mitigated Negative Declaration**

**SHELL ALAMEDA DISTRIBUTION CENTER
REMEDIATION PROJECT**

State Clearinghouse No. 2020090420

Prepared for:

San Francisco Bay Regional Water Quality Control Board
Groundwater Protection Division
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November 2020

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ACRONYMS AND ABBREVIATIONS

AST	aboveground storage tank
CCR	California Code of Regulations
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CRHR	California Register of Historic Resources
dBA	A-weighted decibels
FTA	Federal Transit Administration
HOA	Homeowners Association
HSC	Health and Safety Code
IS/MND	Initial Study/Mitigated Negative Declaration
MMRP	Mitigation Monitoring and Reporting Program
NAHC	Native American Heritage Commission
NPDES	National Pollution Discharge Elimination System
NWIC	Northwest Information Center
OPR	Office of Planning and Research
PRC	Public Resources Code
RAP	Remedial Action Plan
ROW	right of way
RWQCB	San Francisco Bay Regional Water Quality Control Board
SR	State Route
SWPPP	Stormwater Pollution Prevention Plan
VMT	Vehicle Miles Travelled
WEAP	Worker Environmental Awareness Program
WMTP	Waste Management Transportation Plan

1.0 INTRODUCTION

This Final Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000 et. seq.) and the CEQA Guidelines (California Code of Regulations [CCR] 15000 et. seq.). This document includes a compilation of the comments received on the Draft IS/MND prepared for the proposed Shell Alameda Distribution Center Remediation Project (Project). Additionally, this document includes responses to the comments and a summary of the minor revisions to the Draft IS/MND.

Under CEQA, a Lead Agency is not required to prepare formal response to comments on the Draft IS/MND. However, CEQA requires the San Francisco Bay Regional Water Quality Control Board (RWQCB) to have adequate information on the record to explain why the comments do not affect the conclusions of the Draft IS/MND and that there are no potentially significant environmental effects associated with the proposed Project. For the purposes of public disclosure, the San Francisco Bay RWQCB, as the Lead Agency, has responded to all written comments submitted on the Draft IS/MND during the 30-day public review period, which began September 21, 2020 and ended October 20, 2020.

Document Format

This Final IS/MND is organized in the following format:

Chapter 1: Introduction to the Final IS/MND describes CEQA requirements and the content of the document.

Chapter 2: Comments and Responses on the Draft IS/MND provides a list of agencies and interested members of the public that commented on the Draft IS/MND, copies of the comment letters received during the 30-day public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number. Individual comments for each letter have been numbered, and the letter is followed by responses with references to the corresponding comment number.

Chapter 3: Minor Revisions to the Draft IS/MND includes minor edits, clarifications, and modifications made to the text, tables, and figures of the Draft IS/MND as a result of comments received during the 30-day public review period and other San Francisco Bay RWQCB-suggested changes. These minor edits, clarifications, and modifications do not constitute significant new information and do not change any of the conclusions of the document. This section also reflects changes necessary to revise the Draft IS/MND into this Final IS/MND.

Chapter 4: Mitigation Monitoring and Reporting Program lists all the mitigation measures required for implementation of the proposed Project. The Mitigation Monitoring and Reporting Program (MMRP) includes the phase when the measures would be implemented, and the enforcement agency responsible for compliance. The monitoring program provides a mechanism that gives the Lead Agency feedback on the effectiveness of their actions, a learning opportunity for improving mitigation measures for future projects, and a means of identifying corrective actions, if necessary.

Chapter 5: Report Preparation includes a list of all those involved in the preparation of the Final IS/MND.

Background and Purpose of the IS/MND

The following is an overview of the environmental review process for the proposed Project that led to the preparation of this Final IS/MND.

Draft IS/MND

Pursuant to CEQA Guidelines Section 15070, an IS/MND was prepared for the proposed Project. The Draft IS/MND was circulated for public review and comment by the San Francisco Bay RWQCB beginning on September 21, 2020 and ending on October 20, 2020. Circulation of the Draft IS/MND to the State Clearinghouse and the Governor's Office of Planning and Research (OPR) initiated the 30-day public review period pursuant to CEQA and its implementing guidelines (State Clearinghouse No. 2020090420). The Notice of Intent/Notice of Availability was distributed to 21 relevant agencies and organizations, as well as 229 property owners, occupants, and business owners within a 350-foot radius of the Project site.

Separate mailings were distributed to key representatives at Alameda County, the City of Alameda, and to local civic and community organizations. Shell representatives delivered the San Francisco Bay RWQCB's Fact Sheet to 101 properties within the vicinity of the Project site in the area bounded by Paru Street to the west, Pacific Avenue to the south, Hubbard and Grand Streets to the east, and the Alameda estuary to the north. The Fact Sheet was also emailed to three homeowner associations (HOAs) that comprise the majority of the residential units in the surrounding neighborhood, and these Fact Sheets were then distributed to the 250 individual HOA members.

Electronic copies of the Draft IS/MND were available online at the San Francisco Bay RWQCB's Geotracker data management system under Case ID/Global ID SL373281185 on "Report" link: https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/6808870792/SL373281185.PDF.

Final IS/MND

The San Francisco Bay RWQCB received two comment letters on the Draft IS/MND, including one comment letter from a public agency and one comment letter from an interested member of the public representing one of the three HOAs in the vicinity of the Project site. This document includes a compilation of the comments received on the Draft IS/MND prepared for the proposed Project. Additionally, this document includes responses to the comments and a summary of the minor revisions to the Draft IS/MND.

2.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT IS/MND

During the 30-day public review period, two comment letters were received from a representative of a public agency and from one interested member of the public. Each comment letter has been assigned a number, and individual comments in each letter have been coded to

facilitate responses. For example, the letter from the HOA is identified as Letter 1, with comments noted as HOA-1 through HOA-4. The letter from the California Department of Transportation (Caltrans) is identified as Letter 2, with comments noted as CAL-1 through CAL-3. Copies of each comment letter are provided prior to the response. Comments that raise issues not directly related to the substance of the environmental analysis in the Draft IS/MND are noted, but in accordance with CEQA, did not receive a detailed response.

List of Commenters

Written comment letters received on the Draft IS/MND are listed in Table 1. The comments and responses are arranged by the date of receipt of the comment letter or email.

Table 1 List of Written Comment Letters Received in Response to the Draft IS/MND

Letter #	Agency/Organization/Individual Commenter	Date	Page # of Response
1	Homeowner Association Contact: Mr. Tony Martin-Vegue/Grand Marina HOA	October 19, 2020	7
2	California Department of Transportation Contact: Mr. Mark Leong	October 22, 2020	10

CEQA Requirements regarding Comments and Responses

CEQA Guidelines Section 15204(b) outlines parameters for submitting comments on Negative Declarations and reminds the public and public agencies that the focus of review and comment should be on the proposed findings that the proposed Project would not have a significant effect on the environment. If the commenter believes that the project may have a significant effect, they should: 1) identify the specific effect; 2) explain why they believe the effect would occur; and 3) explain why they believe the effect would be significant.

CEQA Guidelines Section 15204(c), further advises that *“reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”*

CEQA Guidelines Section 15204(d) states that *“each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.”* CEQA Guidelines Section 15204(e) states that *“this section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”*

CEQA does not require a Lead Agency to conduct every test or perform all research, study, and analyses recommended by commenters. The Lead Agency need only respond to potentially significant environmental issues and does not need to provide all information requested by reviewers as long as a good faith effort at full disclosure is made in the environmental document.

Comments and Responses

Responses to Comment Letters

Written comments on the Draft IS/MND are reproduced on the following pages, along with responses to those comments. Changes to the Draft IS/MND text that result from the responding to comments are included in the response and demarcated with revision marks (underline for new text, ~~strikeout~~ for deleted text). The responses to comments were prepared by Wood Environment & Infrastructure Solutions, Inc. and San Francisco Bay RWQCB staff.

Letter 1

From: Tony Martin-Vegue <tony.martinvegue@gmail.com>
Sent: Monday, October 19, 2020 10:35 AM
To: Tracy Craig <tracy@craig-communications.com>
Subject: For public comment re. Shell/Pennzoil demolition

Hi Tracy, could you please add this to the public comment for the Shell/Pennzoil demo? Thank you!

To whom it may concern:

The current plan for the Shell/Pennzoil factory demolition does not adequately plan for pedestrian safety.

There are no sidewalks along the entire length of the Shell/Pennzoil factory on Grand, between Fortmann Way. and Buena Vista Ave. It is often used for parking for semis, tractor-trailers, boat trailers, and construction vehicles. This is a very dangerous situation as it forces pedestrians - including those with strollers, and people in wheelchairs - into the street. It is unsafe for all pedestrians but particularly dangerous for children, the elderly, and the disabled.

HOA-1

Pedestrians using this street are forced into bike lanes, which is dangerous for pedestrians and cyclists alike. There are no designated crosswalks for pedestrians to cross to the other side of the street to get to a sidewalk. Many families live in the houses at the end of Grand, in boats in Grand Marina, and the new houses on both sides of Clement. Pedestrians need safe access through the entirety of Grand St.

Just in my own family, I've observed the following dangerous situations:

- I've tripped over the dilapidated asphalt in front of the Pennzoil factory, falling down and injuring my knees and hands.
- My son (11) has run into debris in front of Pennzoil in the dark, injuring himself.
- I have had to push a stroller, with a baby in it, into the street because the shoulder is impassable due to thick gravel, utility boxes, parked cars, and garbage blocking passage.
- I have personally witnessed the elderly on crutches, people in wheelchairs and baby strollers move into the street with oncoming traffic because the area in front of Pennzoil is impassible.

HOA-2

I previously asked about how this can be addressed during demolition. The response I received is that the area in front of Pennzoil will be blocked off and pedestrians will be instructed to cross the street to the other side of Grand. **This makes an already dangerous situation even worse.**

- Grand St. has heavy car traffic due to the Grand Marina
- There is not a cross-walk for pedestrians to safely cross the street. We will just have to run across, dodging cars? What about wheelchairs and strollers?
- There's an entire block of Grand across the street from Pennzoil that **also does not have a sidewalk**. We will be instructed to cross the street, just to have to walk into the street.

HOA-3

Please take 20 minutes on a Saturday afternoon (when Marina traffic is busiest) and walk down Grand, down the Pennzoil property. Now imagine you have a baby stroller, are on crutches, in a wheelchair, on a kid's bike with training wheels or a walker. Then cross the street and walk back. You will see how dangerously unsafe it is.

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We would like Pennzoil/Shell to create a safe way for pedestrians to walk along Grand before, during, and after demolition. It is currently very unsafe and demolition will make it much worse. Please consider the safety of your neighbors when completing demolition of the property.

HOA-4

Letter 1

Response to Comment HOA-1

Thank you for submitting your comment expressing concerns regarding the pedestrian safety conditions near the Project site. These comments will be considered by the San Francisco Bay RWQCB during their final review of the proposed Remedial Action Plan (RAP) for the proposed Project.

The City of Alameda Public Works Department provides oversight of public rights of way (ROW) including streets, sidewalks, and crosswalks near the Project site. According to Section XVII, *Transportation* in the Draft IS/MND, while sidewalks are provided along both sides of most residential streets in the City, they are not typically provided in former industrial areas, and they are not provided along Grand Street near the Project site. The lack of sidewalks along Grand Street is acknowledged as part of the existing setting in the vicinity of the Project site and depicted in Photograph 1 (refer to Section 2.5, *Existing Operations* of the Draft IS/MND). The lack of sidewalks along Grand Street is also acknowledged in Photographs 8 and 9 in the existing setting description in Section XVII, *Transportation*.

Response to Comment HOA-2

The commenter describes concerns regarding dangerous situations observed along Grand Street near the Project site related to deteriorating asphalt conditions, debris, parked vehicles, and limited accessibility. These comments were shared with the City of Alameda. They will be considered by the San Francisco Bay RWQCB during their final review of the proposed RAP for the Project site.

Response to Comment HOA-3

The commenter advocates that pedestrian safety measures should be in place during demolition and remediation activities associated with the proposed Project. Pedestrian safety impacts are addressed in Section XVII, *Transportation* in the Draft IS/MND and in Appendix F, *Focused Construction-Related Traffic Impact Analysis*. Based on the analysis of construction impacts, the potential for vehicle queuing and safety hazards in the vicinity of the Project site would be minimal and is not anticipated to conflict with a program, plan, ordinance, or policy addressing pedestrian facilities. Prior to construction, notices shall be posted on-site to notify residences, businesses, and the public that temporary construction activities shall occur at the Project site. As noted on Page 106 of the Draft IS/MND a Traffic Control Plan will describe how on-site traffic shall be managed and identify routes of entry and egress to the site, construction entrances, material and equipment staging areas, loading and unloading areas, and parking areas. Additionally, a street flagger shall direct construction project truck traffic, if needed.

Response to Comment HOA-4

The commenter suggests observing the traffic conditions near the Project site on a Saturday afternoon when Marina traffic is the busiest and to take into consideration the safety of the neighborhood when completing the demolition activities at the Project site. The Draft IS/MND identifies pedestrian safety impacts in Section XVII, *Transportation*. Also, based on correspondence between the San Francisco Bay RWQCB and the City of Alameda Planning Department, the construction of permanent sidewalks along both sides of Grand Street between

INITIAL STUDY

Fortmann Way and Ellen Craig Avenue shall be required as part of any future redevelopment of the Project site.

Letter 2

STATE OF CALIFORNIA----- CALIFORNIA STATE TRANSPORTATION AGENCY

Clavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
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*Making Conservation
a California Way of Life.*

October 22, 2020

SCH # 2020090420
GTS # 04-ALA-2020-00558
GTS ID: 20702
Alameda / 61 / 20.832

Alyx Karpowicz
San Francisco Bay Regional Water Quality Control
Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Shell Alameda Distribution Center Remediation Project- Draft Mitigated Negative Declaration (MND)

Dear Alyx Karpowicz:

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

Project Understanding

The proposed project intends to support a Remedial Action plan to remove contamination sources at the project site. Remediation activities would include mobilization and staging of construction equipment; demolition and removal of existing on-site pavement, buildings, and other infrastructure; excavation, dewatering, import of clean backfill, compaction and re-grading; and demobilization. Construction activities would consist of the operation of heavy equipment; vehicle parking, and construction equipment and material storage; and heavy haul truck traffic along Grand Street, Clement Avenue, and State Route (SR)-61.

CAL-1

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Alyx Karpowicz, SF Bay Regional Water Quality Board
October 22, 2020
Page 2

Project-Related Impacts

Potential impacts to the State Right-of-Way (ROW) from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified in the environmental documents. Project work that requires movement of oversized or excessive load vehicles on state roadways requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>.

CAL-2

CAL-3

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Laurel Sears at laurel.sears@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please contact LDIGR-D4@dot.ca.gov.

Sincerely,



Mark Leong
District Branch Chief
Local Development - Intergovernmental Review

cc: State Clearinghouse

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter 2

Response to Comment CAL-1

Thank you for your comment regarding impacts to the State ROW from temporary access points associated with the proposed Project. These comments will be considered by the San Francisco Bay RWQCB during their final review of the proposed RAP for the proposed Project.

The Draft IS/MND indicates that State Route (SR-) 61 provides local access to the Project site and the proposed Project would involve heavy truck trips to transfer demolition materials, construction debris, and the aboveground storage tanks (ASTs) off site. The Draft IS/MND also describes Best Management Practices for noise abatement to minimize the potential impacts associated with construction noise, as summarized in Section 2.11, *Best Management Practices*.

Response to Comment CAL-2

The commenter states that potential impacts to the State ROW should be analyzed. Traffic access and circulation impacts associated with the proposed Project were fully described and evaluated on Pages 103 through 106 in Section XVII, *Transportation* in the Draft IS/MND. The Draft IS/MND concludes that construction-related heavy truck trips and construction worker trips would be minor and would temporarily increase traffic volumes on local and regional roads due to construction workers travelling to/from the Project site and from trucks hauling equipment and materials, exporting excavated soil, and importing clean backfill material (see Page 103 in Section XVI[a]).

The analysis references a focused construction-traffic impact analysis that evaluated worker and heavy haul truck trips associated with remediation activities (Appendix E, *Focused Construction-Related Traffic Analysis*). The Draft IS/MND concludes that because the proposed Project would only generate 65 trips per day during peak construction activities, which is less than the 110 trips per day threshold identified by the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA*, these additional construction and heavy haul truck trips would not result in a measurable long-term impact on vehicle miles travelled (VMT). These trips would be temporary, and relatively small compared to the annual average daily trips on major roadways in the vicinity of the Project site and would not continue once proposed remediation activities are complete. Hauling operations would also be scheduled to occur during off-peak hours on the surrounding road network between 10:00 a.m. and 3:00 p.m., as outlined in a Waste Management and Transportation Plan and a Traffic Control Plan (see Pages 103 and 104 in Section XVI[b]).

Response to Comment CAL-3

The commenter notes the proposed Project will require a Transportation Permit for oversize/overweight vehicles. The proposed Project will include the completion of a Caltrans Transportation Permit for oversize/overweight vehicles (e.g., heavy haul trucks) pursuant to the Caltrans Transportation Permit requirements. The reference to the Caltrans Transportation permit was added to Table 2-6, *Required Permit Approvals* in Section 2, *Project Description* in the Final IS/MND.

3.0 MINOR REVISIONS TO THE DRAFT IS/MND

This section includes minor edits to the Draft IS/MND. These minor clarifications and modifications resulted from responses to comments received during the public review period and from suggested changes from the San Francisco Bay RWQCB staff. Revisions herein do not result in new significant environmental impacts, constitute significant new information, or alter the conclusions of the environmental analysis. Recirculation of the Draft IS/MND is not warranted pursuant to CEQA Guidelines 15073.5, *Recirculation of a Negative Declaration Prior to Adoption*.

Changes to the Draft IS/MND text that result from the responding to comments are included in the response and demarcated with revision marks (i.e., underline for new text, ~~strikeout~~ for deleted text). The Draft IS/MND as circulated for public review in combination with the minor revisions included in this chapter constitute the Final IS/MND to be presented to the San Francisco Bay RWQCB for adoption.

Minor Changes and Edits to the Draft IS/MND

The following minor changes were made to clarify or modify the Draft IS/MND based on comments received on the project and review of those comments by the San Francisco Bay RWQCB.

Insert revised/modified sections with underline for new text, and ~~strikeout~~ for deleted text.

9. Proposed Project

The text beginning on Page 25 in Section 2.13, *Other Public Agency Approvals* of the Draft IS/MND is revised as follows.

13. Other Public Agencies Approvals

The San Francisco Bay RWQCB is the Lead Agency under CEQA responsible for approving the proposed Project, RAP, and ensuring implementation of project conditions of approval. After San Francisco Bay RWQCB approvals (i.e., approval of the Project RAP and adoption of the IS/MND), the following state and local permits and approvals would potentially be required.

Table 2-6. Required Permit Approvals

Agency	Approval Required
State	
San Francisco Bay RWQCB	<ul style="list-style-type: none"> • RAP
	<ul style="list-style-type: none"> • Remedial Action Completion Certification/No Further Action Letter
	<ul style="list-style-type: none"> • National Pollution Discharge Elimination System (NPDES) Construction General Permit • SWPPP
	<ul style="list-style-type: none"> • Waste Discharge Permit
<u>California Department of Transportation</u>	<ul style="list-style-type: none"> • <u>Transportation Permit (for oversized/overweight vehicles)</u>
Local	

Agency	Approval Required
Alameda County	Environmental Health Department <ul style="list-style-type: none"> • Monitoring Well and Vapor Pin Destruction Permit • Public Works Agency/Water Resources Department
City of Alameda	<ul style="list-style-type: none"> • Demolition Permit • Grading Permit • Construction WMTD • Lot Line Adjustment
EBMUD	<ul style="list-style-type: none"> • Discharge Permit

Source: Wood 2020.

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Purpose of the Mitigation Monitoring and Reporting Program

The San Francisco Bay RWQCB is the Lead Agency for the proposed Project and has developed this MMRP as a vehicle for monitoring mitigation measures outlined in the Draft IS/MND, State Clearinghouse No. 2020090420. As the Lead Agency, the San Francisco Bay RWQCB is responsible for implementing the MMRP, which has been prepared in conformance with Section 21081.6 of the California Public Resources Code:

“a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.

2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.”

The MMRP consists of mitigation measures that avoid, reduce, and/or fully mitigate potential environmental impacts. The mitigation measures have been identified and recommended through preparation of the IS/MND and drafted to meet the requirements of Public Resources Code Section 21081.6.

Project-specific mitigation measures have been categorized in Table 2, Mitigation Monitoring Requirements. Table 2 identifies the environmental impact, specific mitigation measures, schedule and timing of implementation, and responsible monitor. Table 2 will serve as the basis for scheduling the implementation of and compliance with all mitigation measures.

Table 2 Mitigation Monitoring Requirements

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Monitor (Signature/Date of Compliance)
Air Quality				
<p><u>AQ-1: Off-Road Construction Equipment Meeting Tier 4 Final Emissions Standards</u> All off-road diesel-powered construction equipment greater than 50 horsepower used for Project construction shall meet, at a minimum, Tier 4 Final off-road emissions standards. Construction contractors shall ensure that all off-road equipment meet the standards prior to deployment at the Project site and the Applicant shall demonstrate compliance with this measure to the San Francisco Bay RWQCB prior to the start of construction. The San Francisco Bay RWQCB shall monitor for continual compliance with these requirements throughout the course of construction.</p>	Construction Contractor	Prior to construction	San Francisco Bay RWQCB	
Cultural Resources				
<p><u>CUL-1: Archaeological Resource Discovery Plan</u> Prior to the issuance of a grading permit, Project plans shall include a requirement indicating that if historic or cultural resources are encountered during site grading, excavation, or other work, all such work shall be temporarily halted immediately within 100 feet of the area of discovery and the contractor shall immediately notify the City of Alameda of the discovery. In such case, the Applicant shall retain the services of a Qualified Archaeologist (per the Secretary of the Interior’s Standards and Guidelines) for the purpose of recording, evaluating, protecting, and curating the time-sensitive discovery as appropriate. The Qualified Archaeologist shall be required to submit to the City of Alameda for review and approval a report of the findings and method of curation or protection of the resources. Grading or site work within the vicinity</p>	Construction Contractor	Prior to the issuance of a grading permit	San Francisco Bay RWQCB	

<p>of the discovery, as identified by the Qualified Archaeologist, shall not be allowed until the appropriate steps have taken place.</p>				
<p>CUL-2: Human Remains Pursuant to Public Resources Code Section 5097.98 and Health and Safety Code (HSC) Section, 7050.5, if human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find and the Alameda County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission (NAHC) who shall notify the person believed to be the most likely descendant. The most likely descendant shall work with the contractor to develop a program for re-internment of the human remains and any associated artifacts. Additional work is not to take place in the immediate vicinity of the find, which shall be identified by the qualified archaeologist, until the identified appropriate actions have been implemented.</p>	<p>Construction Contractor</p>	<p>Prior to the issuance of a grading permit</p>	<p>San Francisco Bay RWQCB</p>	
<p>Noise</p>				
<p>NOI-1: Exterior Noise Level Reduction Construction noise levels would vary depending on the construction phase, construction equipment type, duration, distance between noise source and noise-sensitive receptor(s), and the presence/absence of barriers between the noise source and noise-sensitive receptors. The Applicant shall require the construction contractor to limit standard construction activities to minimize temporary increases in noise as follows:</p> <ul style="list-style-type: none"> • Ensure construction equipment and heavy haul trucks use the best available noise control techniques, including improved mufflers, use of intake silencers, ducts, engine enclosures and acoustically attenuating barriers, curtains, and shields. • Site stationary noise sources, such as air compressors, are as far from noise-sensitive receptors as possible (i.e., toward the center of the Project site) and ensure that they are muffled 	<p>Construction Contractor</p>	<p>During Construction</p>	<p>San Francisco Bay RWQCB and City of Alameda</p>	

INITIAL STUDY

<p>and enclosed within temporary sheds or incorporate insulation barriers, shields, or other measures to the extent feasible.</p> <ul style="list-style-type: none"> • Use impact equipment and machinery that is hydraulically or electrically powered to avoid noise associated with air compressors or pneumatically powered tools. If the use of pneumatically powered tools is necessary, an exhaust muffler shall be installed on the air compressor. Such a muffler can lower noise levels from the exhaust by up to 10 dBA. Similarly, the installation of external jackets on the tools can reduce noise levels by 5 A-weighted decibels (dBA). • Ensure electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, whenever feasible. • Material stockpiles and mobile equipment, staging, and parking areas shall be located as far as possible from noise-sensitive receptors (i.e., towards the center of the Project site). • Identify a public relations liaison that can be contacted with concerns regarding construction noise and ground-borne vibration. The liaison’s contact information shall be clearly displayed at the Project site on posted signs informing the public of the construction schedule. • Notify all adjacent landowners and occupants of the properties adjacent to the Project site of the anticipated construction schedule at least 2 weeks prior to ground disturbing activities. • Actively monitor noise construction at the project boundary adjacent to sensitive noise receptors. <p>If noise levels, based on noise monitoring, exceed allowable levels, the following mitigation measure is also recommended:</p> <ul style="list-style-type: none"> • Construct a temporary solid noise barrier wall around the Project site boundaries along, Clement Avenue, Fortmann 				
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<p>Way, and Ellen Crag Avenue during demolition, excavation, and earth moving activities. The noise barrier wall shall be designed to achieve the maximum sound attenuation feasible by breaking the line of site to the Project site and the adjacent noise-sensitive receptor(s). The design and placement of the noise barrier wall shall be reviewed and approved by the City's Community Development Director. Installation of a noise barrier wall would be expected to decrease construction-related noise levels by approximately 10 dBA to 15 dBA.</p>				
<p>NOI-2: Ground-borne Vibration Reduction Construction-related ground-borne vibration would exceed Federal Transit Administration (FTA) thresholds for human annoyance. To reduce temporary impacts due to construction-related ground-borne vibration, the Applicant shall require the construction contractor to limit standard construction activities as follows:</p> <ul style="list-style-type: none"> • Permissible hours of operation of construction equipment that would cause nearby land uses to experience ground-borne vibration levels exceeding FTA criteria thresholds would be limited to 10:00 a.m. to 4:00 p.m. to avoid periods where residents are likely to be home. • At least 2 weeks prior to the initiation of construction related activities, the Applicant shall prepare and distribute notices to affected residences within distances that would experience ground-borne vibration impacts above FTA criteria thresholds. At a minimum, the notices shall describe the overall construction schedule, advise residents of increased construction-related ground-borne vibration, and provide contract information for a liaison available to receive complaints associated with ground-borne vibration. The Applicant shall keep a log of complaints and shall address complaints, to the maximum extent practicable, in order to minimize disturbance of neighboring residents. The City shall 	<p>Construction Contractor</p>	<p>During Construction</p>	<p>San Francisco Bay RWQCB and the City of Alameda</p>	

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ultimately be responsible for addressing any non-performance issues from the construction contractor.				
Tribal Cultural Resources				
<p>TCR-1: Worker Environmental Awareness Training Prior to ground disturbing activities, an archaeological monitor, in coordination with a Native American monitor, shall conduct a Workers Environmental Awareness Program (WEAP) training for Construction Contractor staff to address sensitive cultural resource issues anticipated to be encountered at the Project site for review and approval by the City of Alameda.</p> <p>The WEAP shall include information of the laws and regulations that protect cultural resources, the penalties for a disregard of those laws and regulations, what to do if cultural resources are unexpectedly uncovered during construction, and contact information for a Qualified Archaeologist (per Secretary of the Interior’s Professional Qualification Standards). A Qualified Archaeologist shall be contacted in the case of unanticipated discoveries. The WEAP shall also include Project-specific information regarding the potential for and types of prehistoric and historic resources that may potentially be encountered. Construction Contractor staff shall complete WEAP training in order to conduct work activities at the Project site.</p>	Construction Contractor	Prior to Construction	San Francisco Bay RWQCB	
<p>TRC-2: On-Call Archaeological and Native American Monitoring A Qualified Archaeologist (per Secretary of the Interior’s Professional Qualification Standards) and Native American monitor shall be retained for on-call services to perform all mitigation measures related to prehistoric and historic cultural and tribal cultural resources for ground disturbance activities beneath existing fill (e.g., below 3-4 feet in the northeast excavation area) within the proposed Project. A Qualified Archaeological Monitor and Native American representative shall be on-call and contacted if any archaeological or culturally sensitive materials are encountered during construction. If any such</p>	San Francisco Bay RWQCB	During Construction	Construction Contractor	

<p>materials are encountered, the Construction Contractor shall immediately cease work in the vicinity of the find and the Qualified Archaeologist and Native American representative shall be consulted to determine the appropriate treatment of the discovery. If it is determined that the archaeological resources qualify as historical resources under Public Resources Code Section 21084.1, Project-related impacts to such resources shall be avoided, if feasible. An attempt at impact avoidance shall be undertaken in consultation with the Qualified Archaeological Monitor. If avoidance is not feasible, the materials (i.e. deposits) shall be evaluated for their CRHR eligibility. If the materials are not eligible, a determination shall be made as to whether they qualify as a "unique archaeological resource" under requirements and definitions of CEQA Guidelines Section 15064.5 (c) and Public Resources Code Section 21083.2. If the evaluation determines that the material is neither a historical nor unique archaeological resource, the avoidance of potential impacts to the material is not necessary. If the material is eligible, impacts to the resource shall be mitigated. Mitigation may consist of excavating the archaeological material in accordance with a data recovery plan (CEQA Guidelines Section 15126.4[b][3][C]) developed in consultation with descendant community representatives; recording the resource; preparing a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility.</p> <p>Public educational outreach may also be appropriate. Upon completion of the evaluation and, if necessary, the archaeologist shall prepare a draft report to document the methods and results of the investigation(s). The draft report shall be submitted to the San Francisco RWQCB, City of Alameda, and the Northwest Information Center (NWIC).</p>				
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5.0 LIST OF PREPARERS

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