
INITIAL STUDY/NEGATIVE DECLARATION

INTRODUCTION

This Initial Study/Negative Declaration (IS/ND) has been prepared by the City of Hercules (lead agency) pursuant to all relevant sections of the California Environmental Quality Act (CEQA). This IS/ND is intended to inform City of Hercules (City) decision-makers, responsible agencies, and the general public of the environmental consequences of the proposed update to the City of Hercules General Plan Safety Element (Safety Element Update). This IS/ND is also intended to provide the CEQA-required environmental documentation for all City approvals required to adopt the Safety Element Update.

The Safety Element Update contains goals, policies, and implementation actions that are consistent with the land use designations established by the General Plan Land Use Element (1998) and consistent with the policies and programs related to recreation, open space, and natural resources management in the Open Space and Conservation Element 1998. The Safety Element Update is a policy document and does not approve or facilitate any specific development nor does it grant development entitlements. The Safety Element Update establishes an updated policy framework upon which to base future City decisions. Accordingly, future projects or improvements included in the policy framework in the Safety Element Update, including recommendations to improve the Refugio Creek Channel outlet (SCH No. 2009112058), restore Chelsea Wetlands (SCH No. 2016072063), or complete the dredge project for Refugio Lake and replace aerator for fountains, have been or would be subject to separate environmental review in accordance with CEQA at the time such projects are designed and submitted for approval and would be required to comply with the laws and regulations in effect at that time. It is too remote and speculative at this time to address potential impacts from future projects or improvements as the timing and details of such projects or improvements cannot be known. Adoption of the Safety Element Update would not result in any physical environmental changes, as defined by CEQA.

This IS/ND includes all contents required by Section 15063(d) of the CEQA Guidelines, including a project description, an identification of the project's environmental setting and environmental effects, and an examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls.

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| Project Title: | City of Hercules General Plan Safety Element Update |
| Lead Agency Name and Address: | City of Hercules 111 Civic Drive Hercules, California 94547 |
| Contact Person and Phone Number: | Robert Reber Community Development Director Telephone: (510) 799-8248 FAX: (510) 799-8249 E-Mail: rreber@ci.hercules.ca.us |

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| Preparer of Initial Study: | Robert Reber Community Development Director City of Hercules |
| Project Location: | City of Hercules, in Contra Costa County |
| Project Sponsor Name and Address: | City of Hercules Community Development Department 111 Civic Drive Hercules, California 94547 |
| General Plan Designations and Zoning: | The City of Hercules General Plan Safety Element Update applies to all proposed and existing zoning districts and General Plan designations in the City |

Project Description:

The project consists of an update to the City of Hercules General Plan Safety Element (Safety Element Update), which is the primary document for linking land use (Land Use Element 1998) and conservation decisions (Open Space and Conservation Element 1998) to local safety planning. The goal of the Safety Element Update is to reduce the potential short- and long-term unreasonable risk of death, injuries, property damage, and economic impacts resulting from the effects of natural and non-natural hazards.

The Safety Element was previously adopted in 1998 and is being updated to reflect the land use and regulatory changes that have taken place over the last 20 years and in response to the ongoing evolution in technology. Several revisions have been made, including, but not limited to: 1) updating the data, information, and references with more current sources; 2) incorporating additional language to comply with new and/or amended California State Laws; and 3) revising goals, policies, and implementation actions where progress has been made, where changes in situations have occurred, or to be responsive to community concerns.

As one of the nine State-mandated elements of the General Plan, the Safety Element Update addresses public safety through an analysis of existing hazard conditions that have the potential to cause loss of life, injury, property damage, economic loss, and social dislocation. For the City, these conditions and hazards include seismic and other geologic hazards, sea-level rise and flooding, urban and wildland fires, and hazardous materials, which are addressed in the Safety Element Update. (Hazardous materials are also addressed in the Hazardous Waste Management Plan Element 1990.) In addition to these natural hazards, the community has expressed concerns regarding oil and gas spills, power outages, active shooter situations, hazardous materials, and epidemics, all of which are addressed in the Safety Element Update.

The Safety Element Update contains the minimum content legally mandated by Government Code Section 65302(g), as well as additional issues per discretion of the City. The Safety Element Update includes: general hazard, risk reduction, and avoidance strategies; climate change vulnerability and measures to address those vulnerabilities; emergency response priorities; and comprehensive hazard mitigation to minimize disruption and expedite recovery following disasters. The Safety Element Update includes five goals and several policies and associated implementation actions that would contribute to meeting these goals. Policies include: implementing safety policies, seismic risk reduction measures, emergency preparedness and public education, fire service and mitigation, stormwater infrastructure, sea level rise impact

reduction, and hazards such as, active shooter scenarios, infectious disease preparedness, and hazardous materials by rail.

The Safety Element Update establishes goals, policies, and implementation actions to address the objectives of the City as they relate to safety and hazards. The Safety Element Update is linked—by attachment—to the City of Hercules Local Hazard Mitigation Plan (LHMP), which was prepared in conjunction with the Safety Element Update. The LHMP contains information on hazards, risk, vulnerability, and mitigation strategies for reducing the level of injury, property damage, and community disruption that might otherwise result from earthquakes, landslides, severe weather, and wildfire. The LHMP acts as a guidebook for hazard mitigation strategies but does not implement any specific project, action, or funding. The LHMP has been reviewed and accepted by the Federal Emergency Management Agency.

The Safety Element Update contains policies and implementation actions related to specific public improvements throughout the City, such as improvements to the Refugio Creek Channel outlet to provide adequate capacity for expected flood flows (Policy 4.A and Implementation Action 4.A.1); restoring Chelsea Wetlands adjacent to Pinole Creek into functioning tidal wetlands (Policy 4.B and Implementation Action 4.B.1); and completing the dredge project for Refugio Lake, and replace aerator for fountains for stormwater control (Implementation Action 4.C.6). The LHMP contains implementation actions related to specific improvements throughout the City, such as supporting the retrofitting or relocation of structures in hazard prone areas (H-1) and dredging Refugio Lake (H-5). However, it is too remote and speculative at this time to address potential impacts from future projects or improvements as the timing and details of such projects or improvements cannot be known. Accordingly, future projects or improvements included in the policy framework in the Safety Element Update, including recommendations to improve the Refugio Creek Channel outlet, restore Chelsea Wetlands, or complete the dredge project for Refugio Lake and replace aerator for fountains, have been or would be subject to separate environmental review in accordance with CEQA at the time such projects are designed and submitted for approval and would be required to comply with the laws and regulations in effect at that time.

Surrounding Land Uses and Setting:

The City of Hercules (City) is located within the West County portion of Contra Costa County, which includes the urbanized shoreline of San Francisco and San Pablo Bays. The City is separated from the remainder of Contra Costa County by the Briones Hills and open space lands. The incorporated City of Pinole is located south of the City, and the unincorporated community of Rodeo is located north of the City.

Major roads and highways that traverse the City include portions of Interstate 80 (I-80), State Route 4 [also known as John Muir Parkway (SR 4)], and San Pablo Avenue.

In addition to San Francisco and San Pablo Bays, the other regionally significant natural feature in the City is Refugio Creek, which flows from the eastern edge of the City, through the central portion of the City, and into San Pablo Bay north of Hercules Point.

Most of the City's land area is located east of the I-80 corridor, which runs in a north-south direction through the community. The City is predominantly a residential community, with traditional single-family detached dwellings located both east and west of the I-80 corridor.

Commercial and retail areas are generally located along Sycamore and Willow Avenues near the eastbound I-80 off-ramp. Industrial and R&D/office uses are concentrated in the northwest portion of the City, with light industrial uses dispersed to the east of I-80 along SR 4 and Willow Avenue.

Exhibit 1 (Regional Context) shows the location of the City in relation to the East Bay region. Exhibit 2 (Local Context) depicts the City in the context of surrounding communities and other major features.

Other Public Agencies Whose Approval is Required:

Each city and county must provide a draft of its safety element or amendment of its safety element to the California Geological Survey of the Department of Conservation prior to adoption, for review to determine if all known seismic and other geologic hazards are addressed (Gov. Code § 65302.5(a)). A city or county that contains a state fire responsibility area or a very high fire hazard severity zone must provide a draft of its safety element or amendment of its safety element to the State Board of Forestry and Fire Protection for review before adoption, and the Board may recommend changes regarding uses of land, policies, or strategies for reducing fire risk (Gov. Code § 65302.5(b)).

California Geological Survey of the Department of Conservation: In early July 2020, the State Geologist communicated by phone that the State Geologist would not be sending formal written comments but did recommend three changes to the Safety Element Update:

1. Liquefaction section, Figure 2: Add statement that, “There are areas in the City of Hercules of low- to moderate-susceptibility of liquefaction, although the potential is not known.”
2. Bay Mud, Lurching section: Add statement that, “Lurching and cyclic softening in clay and bay mud are likely to occur.”
3. Figure 2: Add the source in a caption so future geologists can get more detail on individual parcels.

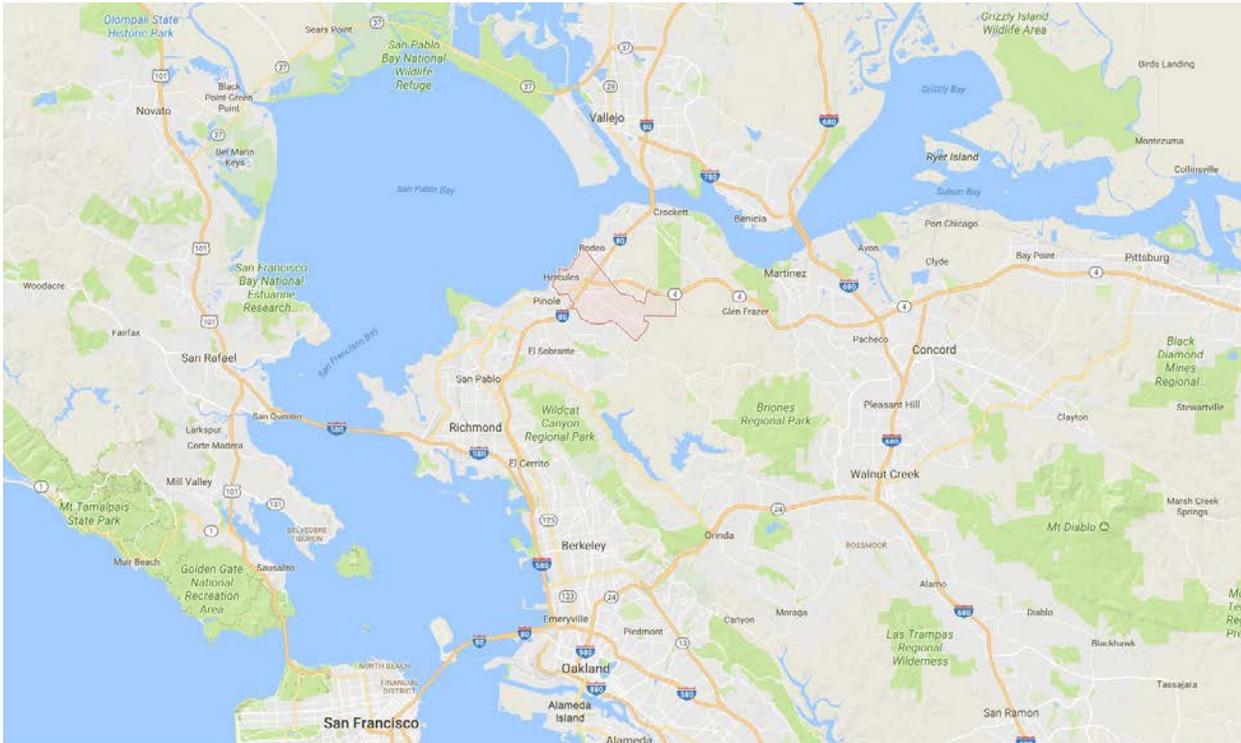
State Board of Forestry and Fire Protection: Although the City identified at-risk Wildland–Urban Interface (WUI) areas in the community, since there is no state-designated State Responsibility Area or Very High Fire Hazard Severity Zone in the City, the Board does not have the authority to review and comment on the proposed Safety Element Update.

Prior to adopting the Safety Element Update, the City must refer the proposed action to all the following entities, as locally relevant (Gov. Code § 65352):

- Any city or county, within or abutting the area covered by the proposal, and any special district which may be significantly affected by the proposed action, as determined by the planning agency.
- Any elementary, high school, or unified school district within the area covered by the proposed action.
- The local agency formation commission.
- Any areawide planning agency whose operations may be significantly affected by the proposed action, as determined by the planning agency.
- Any federal agency if its operations or lands within its jurisdiction may be significantly affected by the proposed action, as determined by the planning agency.
- Any public water system with 3,000 or more service connections, that serves water to customers within the area covered by the proposal.
- The Bay Area Air Quality Management District for a proposed action within the boundaries of the district.

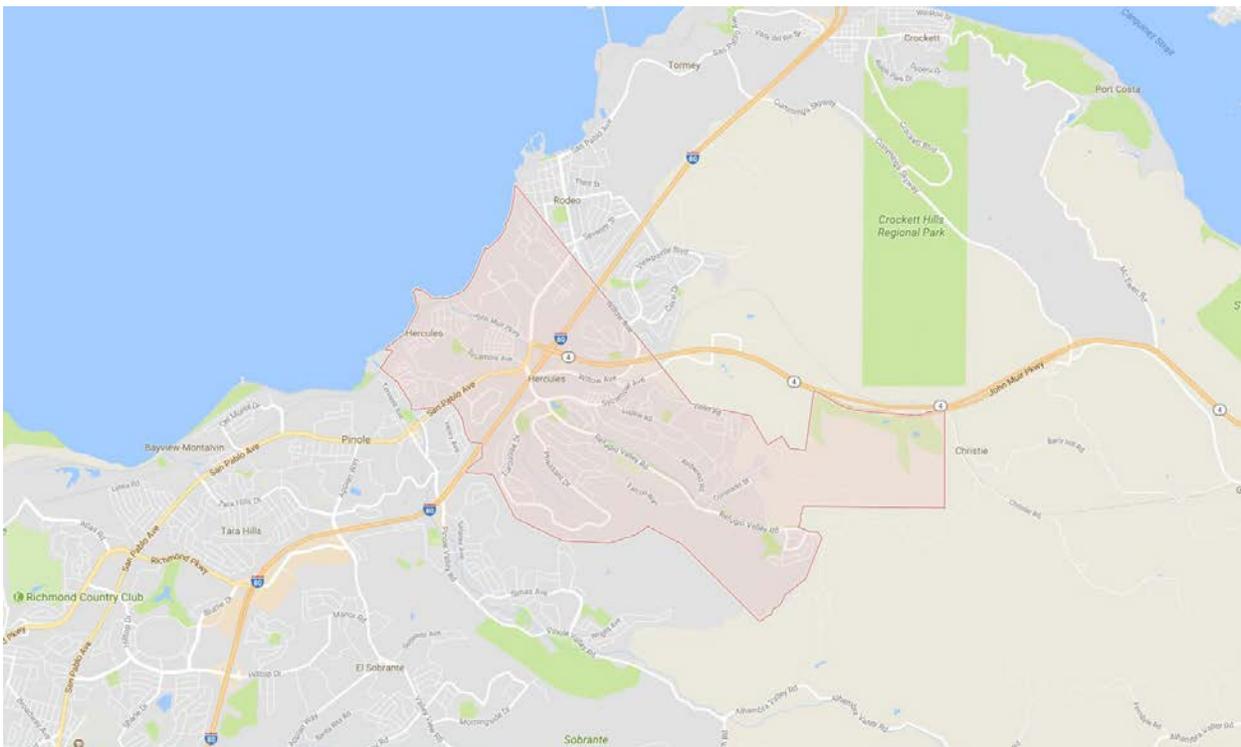
In accordance with Government Code Section 65352, the City has notified or will notify the appropriate locally relevant entities prior to adopting the Safety Element Update.

Exhibit 1—Regional Context



Source: Google Maps

Exhibit 2—Local Context



Source: Google Maps

California Native American Tribal Consultation:

Pursuant to Public Resources Code Section 21080.3.1, as of March 1, 2021, no California Native American tribe has requested an AB 52 consultation.

Additionally, in accordance with California Government Code Section 65352.3 (SB 18) California Native American tribes have been notified of the proposed Safety Element Update and been given the opportunity to initiate consultation with the City. The Safety Element Update was routed to the following six California Native American tribes on June 2, 2020:

- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Indian Canyon Mutsun Band of Costanoan
- Muwekma Ohlone Indian Tribe of San Francisco Bay Area
- North Valley Yokuts Tribe
- The Confederated Villages of Lisian
- The Ohlone Indian Tribe

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

Impacts to each environmental resource topic listed below are given one of the following determinations:

No Impact. The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

Less Than Significant Impact. The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

Less Than Significant with Mitigation. The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

Significant and Unavoidable Impact. The project would have the impact described, and the impact could be significant. The impact cannot be reduced to a less-than-significant level by incorporating mitigation measures. An environmental impact report must be prepared for this project.

All the environmental factors below have been considered for the proposed Safety Element Update. The environmental factors checked below would be potentially affected by the proposed Safety Element Update. Please see the checklist on the following pages for additional information.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Cultural/Historic Resources | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| | <input type="checkbox"/> Noise | <input type="checkbox"/> Wildfire |
| | | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (to be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project **COULD** have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a “potentially significant impact” or “potentially significant unless mitigated impact” on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project **COULD** have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____ Date: _____

Printed name: Robert Reber
Community Development Director
City of Hercules

ENVIRONMENTAL IMPACTS

The purpose of this Initial Study is to identify any potentially significant adverse environmental impacts associated with the proposed Safety Element Update, and to identify mitigation measures, if needed, that would reduce these impacts to a less-than-significant level. The following evaluation provides information regarding environmental impacts from implementation of the goals, policies, and implementation actions in the proposed Safety Element Update.

The Safety Element Update is a policy document and does not approve or facilitate any specific development nor does it grant development entitlements. The Safety Element Update establishes an updated policy framework upon which to base future City decisions. Accordingly, future projects or improvements included in the policy framework in the Safety Element Update, including recommendations to improve the Refugio Creek Channel outlet (SCH No. 2009112058), restore Chelsea Wetlands (SCH No. 2016072063), or complete the dredge project for Refugio Lake and replace aerator for fountains, have been or would be subject to environmental review in accordance with CEQA at the time such projects are designed and submitted for approval and would be required to comply with the laws and regulations in effect at that time. It is too remote and speculative at this time to address potential impacts from future projects or improvements as the timing and details of such projects or improvements cannot be known. Adoption of the Safety Element Update would not result in any physical environmental changes, as defined by CEQA.

Accordingly, the Environmental Impact Checklists indicate No Impact for each category of resources addressed. Specific comments within each section are provided when necessary to further describe the basis for the No Impact finding.

Aesthetics

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Most of the City lies within the lower portion of Refugio Valley encompassed by a perimeter hilly area and San Pablo Bay. The Refugio Creek Valley floor, which features wetland and riparian resources along Refugio Creek, has elevations of approximately 8 to 14 feet above the creek bed and includes vistas northward to Hercules Point, and views of the shoreline beyond the bay. Higher elevations in the City include vantage points with clear views of the Bay as well as distant views of the coastal range in Marin County. The Franklin Canyon corridor (via SR-4) offers scenic valley views and views of rolling hills, natural and undeveloped hillsides, and oak woodlands.

Major scenic vistas in the City include the I-80 freeway, which provides distant views of San Pablo Bay and nearby hillside areas, and SR-4, which affords views of Franklin Canyon and hillsides in their natural state. Neither I-80 nor SR 4 is designated as a state scenic highway. However, the City has designated San Pablo Avenue (from Pinole Valley Road to Willow Avenue), SR-4 (from I-80 to the eastern border of the City near Franklin Canyon), and Refugio Valley Road (from Sycamore Avenue to Falcon Road) as City Scenic Routes.

Project Impacts:

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

The Open Space and Conservation Element contains objectives, policies, and programs that preserve and enhance scenic views within the City. Additionally, the Circulation Element has recognized the scenic character of San Pablo Avenue and Highway 4 by designating them as scenic routes and providing implementation measures for development along them. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation or Circulation Elements. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in a physical change to the environment and no impacts would occur related to a substantial adverse effect on a scenic vista.

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

As described previously, neither I-80 nor SR 4 is designated as a State scenic highway. San Pablo Avenue (from Pinole Valley Road to Willow Avenue), SR-4 (from I-80 to the eastern border of Hercules near Franklin Canyon), and Refugio Valley Road (from Sycamore Avenue to Falcon Road) are designated as City Scenic Routes. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not conflict with the City's Scenic Routes designations. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts would occur related to a substantial adverse effect on a State scenic highway or designated scenic roadway.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in

an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The Open Space and Conservation Element contains objectives, policies, and programs that preserve and enhance scenic resources and important view corridors within the City. Additionally, the Circulation Element has recognized the scenic character of San Pablo Avenue and Highway 4 by designating them as scenic routes and providing implementation measures for development along them. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation or Circulation Elements. The Safety Element Update is also consistent with the land use designations established by the Land Use Element. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts would occur related to a substantial adverse effect on visual character, quality of public views, or conflicts with applicable zoning and other regulations governing scenic quality.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts would occur related to a substantial new source of light and glare or nighttime views.

Mitigation: No impacts have been identified and no mitigation measures are required.

Agricultural and Forestry Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project*:</i> | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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)). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| *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. | | | | |

Discussion

According to the City of Hercules General Plan and based on data from the California Department of Conservation¹, the City does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor does it contain land zoned for agricultural use or land under a Williamson Act contract. Most of the land in the City is designated by the State as “Urban and Built Out,” which includes areas occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. The remaining land is designated by the State as “Grazing Land,” which includes land with existing vegetation suitable for livestock grazing, and land designated as “Other Land,” which includes land not in any other mapping category, such as vacant or non-agricultural land surrounded on all sides by urban development. There are no timber resources or forest land within the City.

Project Impacts:

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

As described previously, the City is almost entirely composed of Urban and Built Out land and does not contain Prime, Unique, or Farmland of Statewide Importance according to the California Department of Conservation. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, no impacts would occur related to conversion of Prime, Unique, or Farmland of Statewide importance to non-agricultural use.

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

As described previously, the City does not contain land under a Williamson Act contract nor

¹ California Department of Conservation (CDC). <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed 10/28/2020.

does it contain land zoned for agricultural use. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, no impacts would occur related to conflicts with existing zoning for agricultural use or Williamson Act contract.

c) Would the project 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))?

As described previously, the City does not contain forest land or timber resources and no areas of the City are zoned for timberland production or forest land. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, no impacts would occur related to conflicts with existing zoning for forest land or timberland.

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

As described previously, the City does not contain forest land or timber resources and no areas of the City are zoned for forest land. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, no impacts would occur related to the loss of forest land or conversion of forest land to non-forest use.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, no impacts would occur related to other changes in the existing environment that could result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use.

Mitigation: No impacts have been identified and no mitigation measures are required.

Air Quality

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as objectionable odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The City is located in western Contra Costa County just south of the Carquinez Strait and is within the nine county San Francisco Bay Area Air Basin. Its location near San Pablo Bay and the Carquinez Strait has a major influence on the climate and air quality of the area.

The Carquinez Strait is the only sea-level gap between San Francisco and the Central Valley. During the summer and fall months, high pressure offshore coupled with temperature related low pressure in the Central Valley causes marine air to flow eastward through the Strait. The wind is strongest in the afternoon. During the nighttime weaker down slope drainage flows are common, particularly in winter.

The pollution potential of the planning area is relatively low compared to other portions of the Bay Area. Ventilation is relatively good, and there is limited transport of pollutants from other upwind urban areas. However, during periods of light or calm winds, which typically occur in the fall and winter months, the entire San Francisco Bay Area Air Basin is subject to stagnation and poor air quality.

The Bay Area Air Quality Management District (BAAQMD) is responsible for maintaining air quality in the San Francisco Bay Area Air Basin and does this by regulating emissions of criteria and toxic air pollutants. The BAAQMD “Spare the Air - Cool the Climate 2017 Clean Air Plan” (Clean Air Plan), which updates the previous 2010 Clean Air Plan, contains a long-term strategic vision for what a “clean air” Bay Area would look like in the year 2050. The BAAQMD Clean Air Plan focuses on two closely related public safety goals: protecting public health and protecting the climate.

Project Impacts:

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards, none of which conflict with or obstruct implementation of the BAAQMD Clean Air Plan. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impacts related to a conflicting with or obstructing implementation of the BAAQMD Clean Air Plan would occur.

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

The San Francisco Bay Area Air Basin is an area of non-attainment for national and state

ozone, state PM10, and PM2.5 air quality standards.² The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements and thus does not include any physical construction or changes that would contribute to a cumulative increase of pollutants. Therefore, no impacts related to criteria pollutants for the region would occur.

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

Sensitive receptors include schools and schoolyards, parks and playgrounds, daycare facilities, nursing homes, hospitals, residential areas, and people who are particularly sensitive to air pollutants, such as children, the elderly, and people with illnesses. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements and thus does not include any physical construction or changes that would expose sensitive receptors to pollutant concentrations. Therefore, no impacts related to exposure of sensitive receptors to substantial pollutant concentrations would occur.

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

The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements and thus does not include any physical construction or changes that would result in other emissions, such as objectionable odors. Therefore, no impacts related to other emissions, such as objectionable odors, affecting a substantial number of people would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

² Bay Area Air Quality Management District, Air Quality Standards and Attainment, <https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status>, accessed 10/28/2020.

Biological Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| 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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Vegetation. Vegetation types in the salt marsh and freshwater wetlands occurring along bay margins, lagoons, and estuaries (e.g., Hercules Point, parts of Refugio Valley) are characterized by salt-tolerant plants, such as pickleweed (*Sarcocornia pacifica*) and saltgrass (*Distichlis spicata*). Coast and valley freshwater marsh areas, which lack strong currents or are otherwise permanently flooded with freshwater, include species such as sedges, spike-rush, tule, and cattail. Arroyo willow is the dominant canopy species in willow scrub riparian communities, which occur along the main channel of Refugio Creek (east of I-80). Central coast live oak riparian forest occurs along the banks of drainages in the southeastern portion of the City as well as on the hillsides of Refugio Valley, and includes native bunchgrasses and non-native grasses, scrub, and chaparral species. The east branch of Refugio Creek contains California bay, coast live oak, and arroyo willow, and occurs in outer floodplains and perennial and ephemeral streams. Non-native tree species in the City are dominated by eucalyptus, primarily blue gum. Non-native grassland,

typically in valleys and on hillsides, includes Johnny jump-ups and California poppies, which bloom during spring and early summer.³

Wildlife. Habitat for wildlife in the City includes areas and places where species live, forage, nest, and find shelter from predators. The City does not have a substantial amount of wildlife or habitat areas, compared to some of the unincorporated areas in Contra Costa County, but does have wetland habitat along the shoreline and Refugio Creek, and also has open space in the hills. Wetland habitat along and near Refugio Creek and its tributaries provides water, food, and cover for many species. Salt marsh areas provide food and cover for nesting bird and mammal species, such as California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), and salt marsh wandering shrew (*Sorex vagrans halicoetes*). Common species include herons and egrets, who use the salt marsh for foraging while nesting in riparian areas nearby. During the winter and spring migrations along the Pacific Flyway, waterfowl also use salt marshes.

Willow riparian habitat, which also occurs along Refugio Creek (east of I-80) and in places along the western branch of the creek, attracts birds such as warbling vireo and black phoebe, as well as mallards and snowy egrets, sharp-shinned hawks, and red-shouldered hawks. Raccoon and striped skunk forage on invertebrate species, plants, amphibians, and fruits. The coast live oak riparian habitat is found in canyon bottoms along the southeastern portion of the City, and provides water, foraging, nesting, cover, and migrating and dispersal corridors for wildlife species. Non-native grassland has largely replaced the annual grasslands, and occurs in most undeveloped areas in the City, supporting wildlife species.⁴

Special-Status Species. Because of the developed nature of much of the City, suitable habitat for special-status animal species is often absent or is limited to potential foraging and possible dispersal habitat. However, in areas with more open space such as Refugio Creek Valley, which would be potential areas for trail and bicycle path extensions, some special-status bird species, including San Pablo song sparrow (*Melospiza melodia samuelis*), California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*), and salt marsh common yellowthroat (*Geothlypis trichas sinuosa*) have been observed in the recent past.⁵

Migratory Birds. The federal Migratory Bird Treaty Act and various sections of the Fish and Game Code prohibit the taking, hunting, killing, selling, purchasing, etc., of migratory birds, parts of migratory birds, and their eggs and nests. Habitat for migratory birds exists in the brush areas and in willow trees along Refugio Creek. Grassland areas in the City can provide habitat for burrowing owl and northern harrier to establish nests. Hercules Point also offers habitat for some bird species, for example San Pablo song sparrow.

Potential Jurisdictional Waters. Jurisdictional waters may exist in the City, and have in the past been identified to include portions of the Refugio Creek corridor, some areas of the City near San Pablo Bay, and near Rodeo Creek in the northeast part of the City.⁶

Habitat Conservation Plan/Natural Community Conservation Plan. There is no adopted habitat conservation plan or natural community conservation plan in the City or affecting the City.

³ Hercules Bayfront Project Draft EIR, November 2010, p. 6-10; Hercules General Plan *Open Space/Conservation Element*, Amended, pp. V-15 and V-16.

⁴ Hercules General Plan *Open Space/Conservation Element*, Amended, p. V-17.

⁵ Hercules Bayfront Project Draft EIR, pp. 6-4, and 6-10 through 6-18.

⁶ Hercules Bayfront Project Draft EIR, pp. 6-3 and 6-4; Hercules General Plan *Open Space/Conservation Element*, Amended, Figure OSC-1: Watercourses and Riparian Areas.

Any future safety improvement projects that are brought forward would be required to comply with General Plan Open Space & Conservation Element Program 6b.1 (biological survey), and if necessary, would be required to comply with specific regulatory agency habitat and species requirements (e.g., CDFW, U.S. Fish and Wildlife Service [USFWS]), as appropriate. These future projects would also be required to be consistent with Program 2a.1 and Programs 3a.1 and 3a.2 (requiring permits, as necessary, from CDFW and the U.S. Army Corps of Engineers [USACOE]), Policy 4a (preventing degradation of riparian and wetland communities from urban pollutants entrained by storm runoff), Program 5a.1 (limiting public access and pedestrian pathways in order to protect tidal habitat), Policy 6c (using native plants to non-invasive species), as well as the City's Tree Removal policy (requiring replacement of trees).⁷

Project Impacts:

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

The Open Space and Conservation Element contains objectives, policies, and programs to protect special status, sensitive, and candidate species within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of biological resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant any development entitlements that could result in impacts to biological resources. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on candidate, sensitive, or special status species would occur.

- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?**

The Open Space and Conservation Element contains objectives, policies, and programs to protect riparian habitat and other sensitive natural communities within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of biological resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on riparian habitat or sensitive natural communities would occur.

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

⁷ City of Hercules Municipal Code, Title 4, Chapter 15, Section 4-15.05; Hercules General Plan Open Space/Conservation Element, Amended, pp. V-26 through V-28.

The Open Space and Conservation Element contains objectives, policies, and programs to protect wetlands within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of biological resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on state or federally protected wetlands would occur.

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

The Open Space and Conservation Element contains objectives, policies, and programs to protect fish and wildlife species and their habitats within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of biological resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on migratory wildlife corridors and nursery sites would occur.

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

The Open Space and Conservation Element contains objectives, policies, and programs to protect biological resources within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element or the City's Tree Removal policy. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element or the City's Tree Removal policy regarding the protection of biological resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on biological resources, including tree preservation policies or ordinances would occur.

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

As described previously, no adopted habitat conservation plan or natural community conservation plan covers the City. Therefore, no impacts related to conflicts with an adopted HCP or NCCP would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Cultural Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Historic Resources. Historic resource include, but are not limited to, buildings, structures, roads, features, and/or objects that are listed in or determined to be eligible for listing in the California Register of Historic Resources, listed in a Local Register, and/or designated as historically significant by a Lead Agency. A cultural resources records search at the California Historic Resources Information System-Northwest Information Center at Sonoma State University (CHRIS-NWIC) was requested on May 30, 2017. The results of the records search indicate that within the City, there are more than 40 historic resources.⁸

Archaeological Resources. Archaeological resources are the physical remains of past human activities and can be either prehistoric or historic in origin. Archaeological sites are locations that contain evidence of human activity, such as food remains, waste from tool-making or tools, modification of rock surfaces, concentrations or alignments of stones, unusual discoloration or accumulation of soil, or human skeletal remains. A cultural resources records search at the California Historic Resources Information System-Northwest Information Center at Sonoma State University (CHRIS-NWIC) was requested on May 30, 2017. The results of the records search indicate that within the City, three prehistoric and two historic archaeological resources located within the City.⁹

In addition, a Sacred Lands File search for the City was requested through the Native American Heritage Commission (NAHC) on May 5, 2017. The results of the Sacred Lands File (SLF) search revealed no known “Native American cultural resources” in the City.¹⁰ Also, follow-up correspondence with six Native American tribes identified by the NAHC as having affiliation with the City was conducted on June 2, 2020. As of March 1, 2021, no responses have been received.

Project Impacts:

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

The Open Space and Conservation Element contains objectives, policies, and programs to

⁸ Northwest Information Center, Cultural Resources Record Search in Support of the Hercules Circulation Element Update, May 30, 2017.

⁹ Northwest Information Center, Cultural Resources Record, May 30, 2017.

¹⁰ Gayle Totton, Native American Heritage Commission, Sacred Lands File, May 5, 2017.

protect and preserve historic resources within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of historical resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on historic resources would occur.

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

The Open Space and Conservation Element contains objectives, policies, and programs to protect and preserve archaeological resources within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of archaeological resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial adverse effects on archaeological resources would occur.

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

The Open Space and Conservation Element contains objectives, policies, and programs to protect buried human remains within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of human remains. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to disturbance of human remains would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Energy

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Pacific Gas and Electric Company (PG&E) provides electricity and gas service to City residences and businesses. The City is served by the Franklin Electrical substation, which contains one 60/12 kilovolt (kV) transformer bank.

Project Impacts:

a) 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 Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impacts related to the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not propose any changes to plans or policies for energy efficiency or renewable energy. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impacts related to a State or local plan for renewable energy or energy efficiency would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Geology and Soils

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Directly or indirectly cause 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The City is located within the Coast Range geomorphic province that encompasses the San Francisco Bay region. The Coast Range geomorphic province features northwest trending mountain ranges, broad basins, and narrow valleys that roughly parallel major geologic structures and the coastline of central California. The City is generally flat around Refugio Valley, but rises gently in the east; the bayside areas west of I-80 have small hill areas.

Soil types in the City include Tierra loam, Clear Lake clay, Los Osos clay loam, Sehorn clay, and smaller amounts of other types (Millsholm loam, Diablo Clay, Conejo clay loam, etc.). Tierra loam, a moderately well drained soil type, is formed in material weathered from sedimentary terrace

deposits. Runoff is medium to rapid, and the hazard of erosion is moderate to high where the soil is bare. Clear Lake clay is a poorly drained soil formed in fine-textured alluvium, with very slow runoff and no hazard of erosion where the soil is exposed. Los Osos clay loam is well drained, and runoff is medium, with a moderate hazard for erosion. Sehorn clay is a well drained soil, with medium runoff; the hazard of erosion is moderate where the soil is bare.¹¹

The City, as part of the San Francisco Bay Area, is in one of the most seismically active regions in the United States. The City could be affected by ground shaking due to movement along any one of several active faults in the region. The San Andreas Fault lies about 21 miles to the southwest of the City, the Hayward Fault lies about 2.5 miles southwest of the City, the Concord-Green Valley Fault lies about 11 miles to the east, and the West Napa fault lies about 14 miles to the north.¹² The Calaveras Fault lies approximately 40 miles to the southeast. The Rodgers Creek Fault, which connects with the Hayward Fault beneath San Pablo Bay, is another major fault only about 10 miles away to the west. The City would be subject to strong ground motion in the event of a moderate to severe earthquake in the Bay Area. The U.S. Geological Survey has estimated that there is a 72 percent probability of one or more earthquakes of magnitude 6.7 or greater (comparable to the 1989 Loma Prieta earthquake of magnitude 6.9) in the San Francisco Bay Area between 2014-2043, with the Hayward Fault having the highest probability of 33%. Ground shaking, rather than surface fault rupture, is the cause of most damage during earthquakes.

In addition to the active faults noted above, there are two inactive faults in the vicinity of the City. Two traces of the Pinole Fault pass immediately southwest of the City, and the Franklin Fault lies about three miles to the northeast. Neither of these two faults shows evidence of surface displacement in Quaternary time (the last two million years), and future movement along them is much more unlikely than along the active faults associated with the Pinole fault.

The Alquist-Priolo Special Studies Zones Act requires the state to identify zones around “active” faults (those having evidence of surface displacement within about the last 11,000 years) in order to manage development near possible surface rupture sites. There are no Special Studies Zones within City (the closest Special Studies Zone is along the Hayward Fault, about two and one half to four miles to the southwest). The northern end of the Pinole Fault was originally included in a Special Studies Zone but was removed from the active category after further analysis.

The Safety Element Update contains goals, policies and implementation actions intended to reduce the risk from geologic hazards that are known to exist in the City. These include fault surface rupture, ground shaking, ground failure, liquefaction, lurch cracking, landslides and flooding. The goals, policies and implementation actions will become actionable as they are applied to future development proposals and projects that may be proposed within the City.

In conjunction with the Safety Element Update, the City authored a LHMP. The purpose of the plan is hazard identification, risk assessment, and mitigation strategies for protecting people, property, and the environment in the City. The LHMP focused on four hazards that could have the greatest impact on the city. The hazard ranking process involved an assessment of the likelihood of occurrence for each hazard, along with its potential impacts on people, property, and the economy. The City aligned its Goals and Objectives with Contra Costa County’s Multi-

¹¹ U.S. Department of Agriculture. Natural Resources Conservation Service, Web Soil Survey. <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>, accessed 8/31/17; U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Contra Costa County, California, 1977.

¹² U.S. Geological Survey, M6.0 South Napa, California Earthquake – August 24, 2014. https://www.usgs.gov/natural-hazards/earthquake-hazards/science/m60-south-napa-california-earthquake-august-24-2014?qt-science_center_objects=0#qt-science_center_objects, accessed 2/21/21,

Jurisdictional Hazard Mitigation Plan for consistency. The plan complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under the Disaster Mitigation Act of 2000 and fulfills requirements for climate change adaptation and resilience under Government Code 65302(g)(4).

Paleontological Resources. An archival research and literature review of paleontological resources in the City was conducted on May 5, 2017. The results of this investigation found that in 2005, invertebrate marine fossils and terrestrial vertebrate fossils from the San Pablo Group sediments and from the Montezuma Formations were recovered during construction of the Victoria by the Bay Project, in the City.¹³ A geological review of the City shows that excavations or construction activities that extend down into the older Quaternary deposits of the Refugio Valley could uncover fossil vertebrate specimens,¹⁴ which suggests a moderate sensitivity level for paleontological resources in the City.¹⁵

Project Impacts:

a) 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? Refer to Division of Mines and Geology Special Publication 42.

The City does not contain any known active earthquake faults nor Alquist-Priolo Earthquake Fault Zones. The Safety Element Update includes goals, policies, and implementation actions to reduce adverse effects involving a known earthquake fault. Implementation Action 2.D.3 requires the City to further investigate possible fault traces in the vicinity of the Pinole Traces and Pinole Ridge. Implementation Action 2.D.3 also requires that new development incorporate setbacks from fault traces based on geological engineering recommendations that result from Geotechnical Investigations (Implementation Action 2.D.1). The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impacts related to the exposure of people or structures to potential substantial adverse effects involving a known earthquake fault would occur.

ii. Strong seismic ground shaking?

Ground shaking, rather than fault surface rupture, is the cause of most damage during earthquakes. The Association of Bay Area Governments (ABAG) has mapped portions of the City's susceptibility to ground shaking as "Severe Shaking MMI 8" (the second highest rating). These areas generally coincide with the bay mud underlying a portion of the valley floor and the bay front. The bay muds are generally located along the bay shore with extending inland from the bay at the mouths of creeks. The Safety Element Update includes goals, policies, and implementation actions to reduce impacts related to seismic shaking by requiring site feasibility studies (Implementation Actions 2.A.1, 2.B.1, 2.B.3)

¹³ LSA Associates, "Paleontological Mitigation for the Victoria by the Bay Project, Hercules, Contra Costa County, California, " October 2005.

¹⁴ RBF Consulting, Draft Environmental Impact Report, Hercules New Town Center, September 2008.

¹⁵ Personal communication with Samuel McLeod, Natural History Museum of Los Angeles County's Vertebrate Paleontological Section, regarding paleontological resource sensitivity in Quaternary deposits; Christopher Purtell, MIG Senior Archaeologist, May 5, 2017.

and geotechnical evaluations (Implementation Action 2.D.1) for new development. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to strong seismic ground shaking would occur.

iii. Seismic-related ground failure, including liquefaction?

There are areas in the City with low to moderate susceptibility of liquefaction. The upland areas surrounding the valley floor are underlain by bedrock and would not be subject to liquefaction. Bay mud underlying the western portion of the valley floor is not likely to liquefy, although sand seams occasionally contained within the bay mud or fine-grained alluvium or artificial fill on top of the bay mud could be susceptible to liquefaction. The liquefaction potential in the area of the rest of the valley floor generally is not known, although there is no indication that materials susceptible to liquefaction are present. The Safety Element Update includes goals, policies, and implementation actions to reduce impacts related to seismic-related ground failure, including liquefaction, by requiring site feasibility studies (Implementation Actions 2.A.1, 2.B.1, 2.B.3) and geotechnical evaluations (Implementation Action 2.D.1) for new development. Implementation Action 2.D.1 also requires implementation of grading best management practices and other geological considerations as conditions of project approval. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to seismic-related ground failure, including liquefaction, would occur.

iv. Landslides?

Numerous shallow landslides of various sizes are present in the City, particularly in the southeastern part of the City. As recently as 2000 and 2006, landslides occurred, and several homes were lost following heavy rains. The Safety Element Update includes goals, policies, and implementation actions to reduce impacts related to landslides by requiring site feasibility studies (Implementation Actions 2.A.1, 2.B.1, 2.B.3) and geotechnical evaluations (Implementation Action 2.D.1) for new development. Implementation Action 2.D.1 also requires implementation of grading best management practices and other geological considerations as conditions of project approval. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to seismic-related ground failure, including liquefaction, would occur.

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

Soils in the City generally have either no hazard of erosion or a moderate hazard of erosion. The Safety Element Update includes goals, policies, and implementation actions to reduce soil erosion by requiring erosion control standards as conditions of approval (Implementation Action 2.D.2) for new development. Implementation Action 2.D.1 also requires implementation of grading best management practices (BMPs) and other geological considerations as conditions of project approval to assist with erosion control or the loss of topsoil. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to soil erosion or the loss of

topsoil would occur.

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

As described under Impacts ii, iii, and iv, the Safety Element Update includes goals, policies, and implementation actions that would reduce impacts related to landslides, lateral spreading, subsidence, and liquefaction, or collapse by requiring site feasibility studies, geotechnical evaluations, and the implementation of grading BMPs and other geological considerations as conditions of project approval. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to on- or off-site landslides, lateral spreading, subsidence, or liquefaction would occur.

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

Most of the upper Refugio Valley is blanketed with an expansive, adobe-type soil. The adobe-like topsoil is generally underlain by bedrock formation with firm to stiff alluvial soils. As described under Impacts ii, iii, and iv, the Safety Element Update includes goals, policies, and implementation actions that would reduce impacts related to expansive soils by requiring site feasibility studies, geotechnical evaluations, and the implementation of grading BMPs and other geological considerations as conditions of project approval. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to expansive soils would occur.

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

None of the actions proposed in the Safety Element Update would result in additional septic tanks or alternative waste water disposal systems. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the use of septic tanks or alternative waste water disposal systems would occur.

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

As previously discussed, the City has a moderate sensitivity level for paleontological resources. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to adverse effects on paleontological resources or unique geologic features would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Greenhouse Gas Emissions

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Greenhouse gas emissions (GHGs) in the State are subject to the California Air Resources Board (CARB) “Scoping Plan,” which contains strategies to reduce GHG emissions in California. In addition, the Sustainable Communities and Climate Protection Act (SB 375) was adopted in 2008 to connect GHG emission reductions targets for the transportation sector to local land use decisions that affect travel behavior, and specifically required CARB to establish GHG emissions reduction targets for the 18 regions in California managed by a metropolitan planning organization (MPO). The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted Plan Bay Area 2040 which projects household and employment growth in the Bay Area over the next 24 years, providing a roadmap for accommodating expected growth, and connecting it to a transportation strategy focused on key Bay Area goals for the environment (e.g., state GHG reduction goals), economy, and social equity.

The BAAQMD “Spare the Air - Cool the Climate 2017 Clean Air Plan” (Clean Air Plan) includes control measures that target the largest source of GHG – transportation – and includes incentives for electric vehicle infrastructure, and for reducing emissions from trucks, school buses, and other vehicles and equipment.

Project Impacts:

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

The Safety Element Update includes the following Implementation Actions that address climate change:

1.A.11 Climate Action Strategy and Resiliency Programs. Consider completing a City of Hercules Municipal Climate Action Plan to identify internal city greenhouse gas reduction or climate resiliency strategies.

1.A.12 Climate Budget Expenditures. Identify for City Council staff reports budget expenditures and their relationship to greenhouse gas reduction or climate resiliency strategies.

The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements and thus does not include any physical construction or changes that would result in the generation of greenhouse gas emissions. Therefore, no

impacts related to greenhouse gas emissions would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards, none of which conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impacts related to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Hazards and Hazardous Materials

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Soil and/or Groundwater Contamination. The City has a long history of industrial uses, and has recognized that the storage, use, and disposal of hazardous materials from past activities could pose health threats to workers or present or future site occupants. Measures to remediate hazardous materials have been incorporated into the General Plan¹⁶ and plans for specific projects and development have successfully reduced risks from hazardous materials.

The Department of Toxic Substance's (DTSC) EnviroStor¹⁷ database and the State Water Resources Control Board's (State Water Board) GeoTracker¹⁸ database list a total of 28 sites in the City. Of these 28 sites, GeoTracker lists eight as leaking underground fuel storage tanks (LUST sites), and all nine of these LUST sites have a "Completed – Case Closed" status. There are four permitted underground storage tanks (which are located at 1540 Sycamore Avenue, 828 Willow Avenue, 3900 San Pablo Avenue and, 4000 San Pablo Avenue). There are also two "Cleanup Program Site" sites with "Completed – Case Closed" status, one "Land Disposal Site" with "Completed – Case Closed" and one "Non-Case Information" site with a "Information Item" status. EnviroStor also shows there are four sites with "Certified" status (having complied with DTSC remediation requirements); three sites with "No Action Required" status; one site with "No Further Action Required" status; one site with "Protective Filer"; one "Refer: RWQCB"; and two sites with "Certified/Operation & Maintenance" status.

These last two sites (Hercules Inc., at the corner of San Pablo & Sycamore Avenue; and Hercules Properties Ltd, at 560 Railroad Avenue) are also included on the State's "Cortese List"¹⁹ and have land use restrictions that run with the land. Also, according to the Environmental Protection Agency (EPA), there are no "superfund" sites in the City.²⁰

Schools. There are four schools located in the City, but no listed hazardous waste site is within one-quarter mile of a school.

Airports and Airstrips. There are no public airports within two miles of the City, nor is the City within the airport influence area designated in the applicable land use plan for the nearest public airports (Metropolitan Oakland International Airport is approximately 19 miles away, and Buchanan Airport in Concord is approximately 9 miles away). There are no private airstrips in the vicinity of the City. The helipads at Children's Hospital (Oakland) and at John Muir Medical Center (Walnut Creek) are both approximately 12 miles away.²¹

¹⁶ Hercules General Plan, *Hazardous Waste Management Plan Element*, December 1990.

¹⁷ EnviroStor is an on-line research and Geographic Information System tool that allows a search for information on investigation, cleanup, permitting, and/or corrective actions that are planned, being conducted, or have been completed under DTSC's oversight. <https://www.envirostor.dtsc.ca.gov/public/>; accessed 10/27/2020.

¹⁸ GeoTracker is an on-line research tool similar to EnviroStor, but it collects information from different databases, such as State and local agency lists of Leaking Underground Storage Tanks (LUSTs). <https://geotracker.waterboards.ca.gov/>; accessed 10/27/2020.

¹⁹ The "Cortese list" is a collection of databases compiled pursuant to the California Government Code that identify hazardous waste facilities, waste disposal sites, contaminated properties, and other related sites.

²⁰ U.S. Environmental Protection Agency, <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>; accessed 10/27/2020.

²¹ Federal Aviation Administration, Airport Data & Contact Information, https://www.faa.gov/airports/airport_safety/airportdata_5010/; current as of 10/08/2020.

Emergency Evacuation. The City has an Emergency Operation Plan to provide effective preparation in the event of an emergency. The City is divided into seven zones, each with designated emergency evacuation routes and alternate routes, and also emergency shelters.²²

Wildland Fire Hazard. The City is designated as a Local Responsibility Area, non-Very High Fire Hazard Severity Zone, based on the 2009 CAL FIRE map for Contra Costa County.²³ According to the City of Hercules Local Hazard Mitigation Plan “Land adjacent to the City limits and some land located within the City’s Sphere of Influence are designated with a high fire hazard severity zone in the State Responsibility Area (SRA). No land within the incorporated areas of the City has been identified within Local or State Responsibility Areas for fire hazards.”²⁴

Project Impacts:

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

The Safety Element Update contains goals, policies, and implementation actions intended to reduce the risks association with hazardous materials and hazards. For example, Implementation Actions, 3.B.4 Hazardous Materials Training, 5.A.2 Mutual Aid Response, 5.A.3 Rail Safety Measures, and 5.A.4 Pipeline Setbacks aim to reduce impacts from hazardous materials spills and ensure emergency preparedness. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to significant hazards to the public or environment would occur from the routine transport, use, or disposal of hazardous materials.

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

The Safety Element Update contains goals, policies, and implementation actions intended to reduce the risks association with hazardous materials and hazards. For example, Implementation Actions, 3.B.4 Hazardous Materials Training, 5.A.2 Mutual Aid Response, 5.A.3 Rail Safety Measures, and 5.A.4 Pipeline Setbacks aim prevent accident conditions and ensure first responders are prepared in the event of hazardous materials spills. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to significant hazards to the public or environment from the accidental release of hazardous materials into the environment would occur.

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

As stated previously, there are four schools located in the City, but no listed hazardous waste

²² City of Hercules website, <https://www.ci.hercules.ca.us/government/police/emergency-preparedness/emergency-evacuation-routes>; accessed 10/27/2020.

²³ The California Department of Forestry and Fire Protection (CAL FIRE) is responsible for identifying areas of very high fire hazard severity zones (VHFHSZ) within Local Responsibility Areas (LRA). CAL FIRE, Contra Costa County FHSZ Map, <https://egis.fire.ca.gov/FHSZ/>, accessed 10/27/2020.

²⁴ City of Hercules Local Hazard Mitigation Plan being adopted with Safety Element Update.

site is within one-quarter mile of a school. The Safety Element Update would not alter or revise the General Plan land use designations or the City's Zoning Ordinance. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the emission of hazardous materials within one-quarter mile of a school would occur.

d) 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?

As discussed previously, two sites in the City are included on the State's "Cortese List" (Hercules Inc. at the corner of San Pablo & Sycamore Avenue, and Hercules Properties Ltd. at 560 Railroad Avenue). Both have land use restrictions with the following pertinent site management requirements:

- o 560 Railroad Avenue site: No excavation of contaminated soils without agency review and approval; prohibition of groundwater extraction without approval; perform a Health & Safety plan prior to subsurface work.²⁵
- o San Pablo & Sycamore Avenue site: No excavation of contaminated soils without agency review and approval; prohibition of activities which disturb the remedy and monitoring systems without approval.²⁶

Although the City contains two sites on the Cortese List, the Safety Element Update includes Implementation Actions, 3.B.4 Hazardous Materials Training, 5.A.2 Mutual Aid Response, 5.A.3 Rail Safety Measures, and 5.A.4 Pipeline Setbacks, which aim to reduce impacts from hazardous materials and ensure emergency preparedness. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to significant hazards to the public or environment from the presence of known contamination would occur.

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

As discussed previously, the City is not included within an airport land use plan or located within two miles of a public airport or public use airport. The closest airport is Buchanan Field in the City of Concord located approximately 12 miles to the east. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impact would occur.

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

The Safety Element Update contains goals, policies, and implementation actions intended to

²⁵ DTSC, Hazardous Waste and Substances Site List - Site Cleanup (Cortese List), http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=07280016, accessed 10/28/2020.

²⁶ DTSC, Hazardous Waste and Substances Site List - Site Cleanup (Cortese List), http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=07280156, accessed 10/28/2020.

support the existing Emergency Operation Plan adopted in 2014. These goals, policies and implementation actions provide for enhanced safety in the event of an emergency and do not involve and direct or indirect impacts on the environment. For example, Implementation Action 1.A.9 Evacuation Centers ensures all areas of the City have readily available access to an evacuation center. Implementation Action 2.C.1 Update Emergency Response Plan would ensure that an update to the emergency response plan would not interfere with an adopted evacuation plan through coordination with relevant departments within the City. The Safety Element Update also incorporates the primary and secondary evacuation route maps and shelters provided in the Circulation Element of the General Plan page III-67. Furthermore, Implementation Action 1.A.10 Secondary Evacuation Routes would identify the adequacy of primary and secondary evacuation routes in different disaster scenarios and the types of public communication that would be most effective during a disaster. The Safety Element includes several policies to protect the public from exposure to hazardous materials and waste, and all future development would be required to comply with applicable federal, State, and local regulations and policies regarding hazardous materials and waste. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to implementation of an adopted emergency response plan or evacuation plan would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to reduce impacts related to wildland fires. For example, Goal 1 is to consider potential fire hazards and introduce adequate safety measures through implementing actions such as, 1.A.2 that requires new development to provide minimum road widths for emergency access. Furthermore, the following Implementation Actions aim to reduce the risk of wildland fires: 3.A.2 Update Fire Impact Fees, 3.B.1 Fire Safety in New Subdivisions, 3.B.2 Open Space as Fire Buffer, and 3.B.3 WUI Measures. Additionally, the Safety Element Update references current data associated with each wildland fire hazards and incorporates the LHMP which addresses wildland fire risk by providing incentives to minimize hazard impacts (Objective 4) and considering the impacts of natural hazards in all planning mechanisms (Objective 12). In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to wildland fires would occur.

Mitigation: No significant impacts have been identified and no mitigation measures are required.

Hydrology and Water Quality

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| sustainable groundwater management of the basin? | | | | |
| 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) result in substantial erosion or siltation on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Citywide Drainage and Hydrology. The City is located primarily in the Refugio Valley along the western shore of San Pablo Bay, on the northeast side of the San Francisco Bay Area. The City is bounded by hills to the northeast and east, and by Pinole Ridge to the south.²⁷

Refugio Creek is the main drainage basin in the City and flows into the City from the southeast. The creek's largest tributary is Ohlone Creek, to the southwest. Pinole and Rodeo Creeks are adjacent to the northern and southern City boundaries and drain the neighboring communities of Pinole and Rodeo; the creeks drain relatively small portions of the City.²⁸

Neighboring Pinole Creek, near the City's southwestern border with the City of Pinole, and Rodeo Creek, near the City's northeastern border with the community of Rodeo, also drain to the San Pablo Bay.

Drainage in the area generally trends to the northwest, with storm water flowing from urbanized areas towards San Pablo Bay. Storm water flows are conveyed by a combination of regional facilities maintained by the Contra Costa County Flood Control District and also by localized

²⁷ ESA, City of Hercules General Plan Land Use and Circulation Elements Update and Redevelopment Plan Amendments Environmental Impact Report, Volume I: EIR Text, June 9, 1995, p. IV.I-1.

²⁸ Text Hercules General Plan, Safety Element, September 22, 1998, amended April 14, 2015, p. 7.

drainage facilities. Generally, developed areas of the City are served by drainage facilities while drainage on vacant sites is by sheet flow to local streets.²⁹

Water Quality. Surface water quality is largely dependent on the purity of storm water runoff. Accidental spills or storage and disposal of chemicals (solvents, fuels, waste materials) may result in contamination of surface runoff that can enter the City's municipal storm drainage system and local creeks. In addition, streets are collection areas for pollutants that can contaminate runoff and receiving waters. Local soil erosion and motor vehicle emissions can also deposit pollutants on street surfaces, which can then be carried by surface runoff to storm drains.

Soil erosion can also occur in exposed and steep areas. Site clearing, excavation, and cut-and-fill operations associated with construction can temporarily expose land areas to erosion, which can lead to an increase in suspended solids concentrations (turbidity) in the storm drain system, creeks, and the San Pablo Bay.

The State Water Resources Control Board is required to report on the condition of surface water quality pursuant to the Federal Clean Water Act. Water bodies with pollutants that exceed protective water quality standards are placed on the State's 303(d) List of Water Quality Limited Segments (also known as the list of impaired water bodies), which identifies the pollutant causing impairment and establishes a schedule for developing a control plan to address the impairment, called a Total Maximum Daily Load (TMDL). Both Rodeo Creek and Pinole Creek are classified on the State's 303(d) list under the Category 4A Criteria for diazinon, and this issue is being addressed by a U.S. EPA-approved TMDL.³⁰ Refugio Creek is not on the State's 303(d) List.

Flooding and Flood-Prone Areas. Based on FEMA National Flood Insurance Program maps,³¹ most of the City is located in Zone X ("Areas Determined to be Outside the 0.2% Annual Chance Floodplain"), though two areas are designated "Other Areas of Flood Hazard (0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile)." One is a residential area bounded by Sycamore Avenue and North and South Front Streets; the other is an undeveloped area located southwest of Santa Fe and Railroad Avenue. There are also small areas ("pockets") near the shoreline and/or creeks in Special Flood Hazard Zone AE.

Refugio Creek is generally designated Special Flood Hazard Zone AE ("Regulatory Floodway") with some portions designated Zone AO ("Floodway contained in structure"), although two of its branches are designated AE ("Regulatory Floodway – Flood discharge contained in structure"), with some parts of the west branch designated Zone A.

Tsunamis and Sea-Level Rise. The Safety Element Update incorporates the Association of Bay Area Governments (ABAG) Resilience Program data which identified the City's shoreline as being susceptible to tsunami effects.³² However the General Plan Update EIR does not identify any potential impacts due to tsunamis (earthquake-generated ocean waves), primarily due to the rarity

²⁹ MIG, Inc., City of Hercules Housing Element Update Initial Study and Negative Declaration, January 16, 2015, p. 57.

³⁰ State Regional Water Quality Control Board, 2014 and 2016 California List of Water Quality Limited Segments--Category 4A, https://www.waterboards.ca.gov/water_issues/programs/tmdl/2014_16state_ir_reports/category4a_report.shtml; accessed 11/4/2020.

³¹ FEMA, Flood Map Service Center, <https://msc.fema.gov/portal>, maps 060130042H, 060130043H, 060130044H, and 060130063H; accessed 11/4/2020.

³² ABAG Resilience Program, <http://resilience.abag.ca.gov/tsunamis/>; accessed 11/4/2020.

of tsunamis in San Pablo Bay.³³ Also, the City is not in a dam inundation area, nor are there any levees that pose a risk from failure.³⁴

Project Impacts:

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

The Open Space and Conservation Element contains objectives, policies, and programs to protect water quality in the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of water quality. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to water quality standards, waste discharge requirements, or the degradation of surface or groundwater quality would occur.

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

Figure OSC-1 of the Open Space and Conservation Element identifies rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for the purposes of groundwater recharge. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of groundwater supplies and groundwater recharge. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to groundwater supplies or groundwater recharge would occur.

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

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial erosion or siltation on- or off-site would occur.

³³ ESA, City of Hercules General Plan Land Use and Circulation Elements Update and Redevelopment Plan Amendments Environmental Impact Report, Volume I: EIR Text, June 9, 1995, p. IV.I-1.

³⁴ Contra Costa County, Hazard Mitigation Plan Draft 2018 Update, Volume 1: Planning-Area-Wide Elements, pp. 12-1 to 12-7, 6-1 to 6-18.

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

The Safety Element Update includes goals, policies, and implementation actions to ensure that new development is located and designed to minimize the generation of and exposure to flood hazards (e.g., Implementation Actions 4.C.1 Promote Flood Safety and 4.C.7 Green Infrastructure). In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial flooding on- or off-site would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to increased stormwater runoff would occur.

iv. impede or redirect flood flows?

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to impeding or redirecting flood flows would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to ensure that new development is located and designed to minimize the generation of flood hazards (e.g., Implementation Actions 4.C.1 Promote Flood Safety and 4.C.7 Green Infrastructure). Implementation Action 4.C.5 requires that the Waterfront PDA build-out plans, the new ferry plans, train railway improvements, waterfront park, and Refugio Creek improvement plans recognize and reflect the tsunami inundation line. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the risk of release of pollutants due to project site inundation would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards, none of which approve physical changes to the environment or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in a

physical change to the environment and no impacts related to conflicting with or obstructing implementation of a water quality control plan or sustainable groundwater management plan would occur.

Mitigation: No significant impacts have been identified and no mitigation measures are required.

Land Use and Planning

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The City is a suburban community, with the largest major land use category designated for single-family detached homes, and most of its land area located east of I-80. Newer housing development has also been proceeding of I-80 as sites from former industrial uses have become available for higher density and mixed-use projects. Commercial uses are concentrated along the two east-west running roads of Sycamore Avenue and Willow Avenue near the I-80 Hercules off-ramps. Research and development/office uses exist in the northwest portion of the city. In addition, the City has about 950 acres of open space areas and trails distributed throughout the community. The open space areas and City parks (two community and five neighborhood parks) account for approximately one-third of the City’s total land area.

The General Plan contains a Land Use Element (Chapter II), which establishes specific goals, objectives and policies related to land use planning and community development in the City. As part of the Safety Element Update, there are no amendments being proposed to the Land Use Element of the General Plan. The Safety Element Update identifies land use and development as being a critical factor in emergency preparation.

Project Impacts:

a) Would the project physically divide an established community?

The Land Use Element establishes specific goals, objectives and policies related to land use planning and community development in the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and revisions to provide consistency with the Land Use Element. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to division of an established community would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards, none of which conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to conflicts with a land use plan, policy, or regulation would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Mineral Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Areas subject to California mineral land classification studies are divided into one of four categories that reflect mineral potential, known as mineral resource zones, or “MRZ.” Lands classified MRZ-1 are areas where geologic information indicates that no significant mineral deposits are present. Lands classified MRZ-2 are areas that contain identified mineral resources. Lands classified MRZ-3 are areas of undetermined mineral resource significance. Lands classified MRZ-4 are areas of unknown mineral resource potential.

According to the California Division of Mines and Geology Mineral Land Classification mapping, the City contains areas designated MRZ-1, MRZ-3, and MRZ-4. There are no areas designated MRZ-2. The MRZ-3 areas are generally located in hilly areas east of I-80, both north and south of SR 4, and also to the north of John Muir Parkway on the west side of I-80.³⁵ As stated in the Open Space and Conservation Element, there is no information to suggest that these areas have extractable minerals of commercial value such that existing and planned land uses would generally be of less benefit to the community and region.³⁶

Project Impacts:

³⁵ Mineral Resource Zones and Resource Sectors, Contra Costa County, South San Francisco Bay Production-Consumption Region 1996, <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>, accessed 11/4/2020.

³⁶ Hercules General Plan Open Space/Conservation Element, Amended, p. V-15.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not make any changes to existing land uses or zoning. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the loss of a known mineral resource that would be of value to the region and the residents of the state would occur.

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 Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the loss of availability of a locally-important mineral resource recovery site would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Noise

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project result in:</i> | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

According to the General Plan Noise Element (1998), noise sources in the City include traffic (on freeways, highways, and major local roadways), railroad operations (both the Union Pacific and Atchison- Topeka and Santa Fe railroads), and local industrial plants.

Sound is typically measured using the decibel scale (dB), which calculates sound levels on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dBs is 100 times more intense, and so on. In general, the relationship between the subjective noisiness (or loudness) of a sound and its amplitude (or intensity) with each 10 dB increase in sound level is perceived as approximately a doubling of loudness.

Sound can be characterized using the “A-weighted sound level,” referred to as dBA. This scale gives greater weight to the frequencies of sound to which the human ear is generally most sensitive. For instance, using the A-weighted scale, a sound of 60 dBA is perceived as twice as loud as a sound of 50 dBA. In a quiet environment, an increase of 3 dB is usually perceptible, however, in a noise environment such as a busy street, a noise increase of less than 3 dB is usually not perceptible, and an increase of 5 dB is usually perceptible. By way of comparison, normal human speech is in the range from 50 to 65 dBA. Generally, as environmental noise exceeds 50 dBA, it becomes intrusive; above 65 dBA, noise becomes excessive. Nighttime activities, including sleep, are more sensitive to noise and are considered affected over a range of 40 to 55 dBA.

Sound is transmitted as pressure waves, which dissipate with distance and can be absorbed by the surrounding environment. Theoretically, sound levels decrease (attenuate) by 6 dB with each doubling of distance from the source. Sound levels can be affected by environmental factors like ground cover (asphalt pavement vs. grass or trees), atmospheric absorption, and barriers. Traffic noise generally attenuates by 3 dB with each doubling of distance from a roadway. Outdoor noise is also attenuated by the building envelope so that sound levels inside a residence are from 10 to 20 dB lower than outside, depending mainly on whether windows are open for ventilation or not.

When more than one point source contributes to the sound pressure level, the overall sound level is determined by combining the contributions of each source. But because decibels are logarithmic units, they cannot be directly added or subtracted. Under the dB scale, a doubling of sound energy corresponds to a 3 dB increase in noise levels. For example, if one noise source produces a sound level of 70 dB, two of the same sources would combine to produce a sound level of 73 dB, not 140 dB.

Section 13-31.300 of the City’s Zoning Ordinance contains performance standards related to noise, which apply to all uses and development that require Zoning Ordinance permits and approvals. In some cases, the performance standards refer to specific properties within the City. No permit shall be approved unless applicable performance standards are met.

Project Impacts:

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

The Safety Element Update would not alter or revise the General Plan Noise Element (1998) or the City’s Zoning Ordinance. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies in the Noise Element or the noise standards in the City’s Zoning Ordinance. In addition, the Safety Element Update does not approve or facilitate any specific development designs or proposals, nor does it grant any development entitlements that could result in noise impacts. As a result, the Safety Element Update would not result in any physical environmental changes or introduce any new sources of noise and no impacts related to a substantial temporary or permanent increase in ambient noise levels would occur.

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

The Safety Element Update would not alter or revise the Noise Element or the City’s Zoning Ordinance. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies in the Noise Element or the noise standards in the City’s Zoning Ordinance. In addition, the Safety Element Update does not approve or facilitate any specific development designs or proposals, nor does it grant any development entitlements that could result in groundborne vibration. As a result, the Safety Element Update would not result in any physical environmental changes or introduce any new sources of vibration and no impacts related to the generation of excessive groundborne vibration or noise levels would occur.

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?

As discussed in the Hazards & Hazardous Materials section, the City is not included within an airport land use plan or located within two miles of a public airport or public use airport. The closest airport is Buchanan Field in the City of Concord located approximately 12 miles to the east. The Safety Element Update does not include changes to land use or zoning nor does it contain any construction or operational components that could expose people residing or working in the City to excessive noise. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Therefore, no impacts related to exposure of excessive noise levels in the vicinity of an airport would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Population and Housing

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

In 2015, pursuant to State law, the City adopted an updated Housing Element (Housing Element 2015-2023), which explained City housing goals and how the City intends to meet them.

Project Impacts:

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

The General Plan Housing Element (2015) establishes policies, programs, and quantified objectives to address housing needs within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Housing Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies, programs, and quantified objectives of the Housing Element regarding population growth. The Safety Element Update does not include construction or operational components (such as employment opportunities) that could directly or indirectly induce population growth. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to substantial unplanned population growth would occur.

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

The Housing Element establishes policies, programs, and quantified objectives to address housing needs within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Housing Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies, programs, and quantified objectives of the Housing Element regarding the displacement of people or housing. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements or require or facilitate the demolition of housing or other structures that could displace people. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the displacement of existing people or housing would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Public Services

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|
| <i>Would the project:</i> | | | | |
| a) 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: | | | | |

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|-----------------------------|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| i) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Fire protection and emergency medical services for the City are provided by the Rodeo-Hercules Fire Protection District (RHFD), which also serves the unincorporated community of Rodeo. RHFD has two fire stations: Rodeo Station #75 at 326 Third Street in Rodeo; and Hercules Station #76 at 1680 Refugio Valley Road in Hercules. The RHFD has a staff of 23 firefighters (including eight cross-trained as paramedics), and five reserve firefighters.

Police services for the City are provided by the Hercules Police Department, which is located at 111 Civic Drive in Hercules. The police department includes 21 sworn and 3 non-sworn staff. Additionally, the Police Department houses the Emergency Operations Division.

Hercules schools include Ohlone Elementary School, Lupine Hills Elementary School, and Hanna Ranch Elementary School (all K-5); Hercules Middle School (6-8); and Hercules High School (9-12).

The Hercules Library is located at 109 Civic Drive in Hercules, and has two meeting rooms, three study rooms, a teen room, gardens, a children’s story area, a library bookstore, and a reading area with a fireplace. The City also operates the Hercules Senior Center and Hercules Community Center.

Project Impacts:

- a) **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:**
- i. **Fire protection?**
 - ii. **Police protection?**
 - iii. **Schools?**
 - iv. **Parks?**
 - v. **Other public facilities?**

The Safety Element Update contains goals, policies and implementation actions intended to support and improve fire and police protection capability and other resources within the City. The Safety Element Update contains the following policies and implementation actions to improve public safety: Policy 3.A Fire Service, 1.A.3 Building and Fire Codes., 1.A.4 Emergency Operations Plan., 1.A.6 Location of New Essential Public Facilities., 1.A.7 Fire Education., 2.A.1 Critical Facilities Siting., 2.B.1 Alternative Site Feasibility for Critical Facilities., 2.B.2 Optional Site Feasibility Non-Critical Facilities., and 2.B.6 Coordinate School Evacuation Training.

The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Additionally, the Safety Element Update would not directly or indirectly result in an increased resident population, necessitating the need for new or physically altered facilities or manpower. As a result, adoption and implementation of the Safety Element Update would not result in any physical environmental changes and no impacts related to the provision of new or altered governmental facilities would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Recreation

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The City operates the following parks: Refugio Valley Park, Ohlone Park and Community Garden, Woodfield Park and tennis courts, Foxboro Park and tennis courts, Frog Pad Park, Duck Pond Park, Railroad Park, Shoreline Park, Hanna Ranch Park, Beechnut Mini-Park, and Bayside Park. In addition, park facilities in the City also include the Hercules Swim Center and the Ohlone Dog Park. The East Bay Regional Park District has several regional parks near the City. The San Francisco Bay Trail passes through part of the City, with other extensions being planned for the future.

Project Impacts:

- 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?**

The Land Use Element and Open Space and Conservation Element contain objectives, policies, and programs related to parks and recreational facilities. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Land Use or Open Space and Conservation Elements. The Safety Element Update also includes revisions to provide consistency with the Land Use Element. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Nor does the adoption or implementation of the Safety Element Update result in direct or indirect population growth that could increase demand for parks or other recreational facilities. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the increased use of existing neighborhood and regional parks or other recreational facilities would occur.

- 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?**

The Land Use Element and Open Space and Conservation Element contain objectives, policies, and programs related to recreational facilities. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Land Use or Open Space and Conservation Elements. The Safety Element Update also includes revisions to provide consistency with the Land Use Element. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the construction or expansion of recreational facilities would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Transportation

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The City’s circulation network provides not only mobility, but also the City’s largest form of public space, with immense communal, economic, and aesthetic value. Streets, bike ways, and pedestrian ways are conduits for the most basic needs of the community. They provide the means to accomplish ongoing travel to and from workplaces, schools, and for the procurement of basic needs. Communities rely on circulation for their economies, public safety, and the conduct of many aspects of social life. The circulation network knits together the unique physical, social, and economic fabric of communities like Hercules.

The City’s roadway network is based on connecting the residential communities to the downtown and waterfront commercial areas as well as to the regional connectors: I-80, SR-4, and San Pablo Avenue. These regional connectors represent the only routes into or out of the City by motor vehicle. Because of this limited regional access, the majority of regional and commute traffic tends to concentrate at the I-80 and SR-4 interchange, but also can become congested at the intersections of San Pablo Avenue/ Sycamore Avenue and Sycamore Avenue/Willow Avenue.

The General Plan Circulation Element (2018) provides the basis for decision making regarding the continued development and enhancement of the transportation system for the City’s residents, employees, and visitors; as well as for the community’s changing residential and commercial needs, evolving technology, and future growth.

Project Impacts:

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

The Circulation Element contains policies and implementation actions related to the City’s circulation system, including transit, roadway, bicycle and pedestrian facilities. Other regional transportation plans include: Plan Bay Area, Regional Transportation Improvement Program, Countywide Comprehensive Transportation Plan, Congestion Management Plan, Countywide Bicycle and Pedestrian Plan, and West County Action Plan. The Safety Element Update

includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Circulation Element. The Safety Element Update does not propose any actions that would directly result in development of a specific site or specific infrastructure, nor would it change any land uses or zoning. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and implementation actions in the Circulation Element regarding the City's circulation system. Additionally, the Safety Element Update would not conflict with any of the regional transportation objectives identified in Plan Bay Area, Regional Transportation Improvement Program, Countywide Comprehensive Transportation Plan, Congestion Management Plan, Countywide Bicycle and Pedestrian Plan, and West County Action Plan. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts would occur related to a conflict with CEQA Guidelines Section 15064.3, subdivision (b).

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes nor any changes related to street design, and no impacts would occur related to a substantial increase in hazards due to a geometric design feature or incompatible uses.

d) Would the project result in inadequate emergency access?

The Circulation Element contains policies and implementation actions related to emergency access. The Safety Element Update does not propose changes to the Circulation Element. In addition, the Safety Element Update contains goals, policies, and implementation actions to improve emergency preparedness and identify evacuation routes. For example, Implementation Actions 1.A.7, 1.A.9, and 1.A.10 aim to educate the public about evacuation routes, centers, and ensure adequate access evacuation routes and centers is provided to the public. Increased awareness of these evacuation routes will better prepare City residents and businesses to evacuate in an emergency. To the extent the public is aware of and utilizes the designated routes and centers during an emergency evacuation, first responders, such as fire, police and ambulances will be able to allocate their resources more effectively. Therefore, the adoption and implementation of the policies and implementation actions in the Safety Element Update would have a beneficial impact on traffic and circulation during an emergency. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element

Update would not result in any physical environmental changes and no impacts related to inadequate emergency access would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Tribal Cultural Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| 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) 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Tribal Cultural Resources are defined as either: (1) sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or (2) resources that the lead agency (e.g., the City) chooses, in its discretion, to treat as a Tribal Cultural Resource.

As described above in the Cultural Resources section: (1) a records search through the California Historic Resources Information System-Northwest Information Center at Sonoma State University (CHRIS-NWIC) was requested; (2) a Sacred Lands File search through the Native American Heritage Commission (NAHC) was requested; and (3) follow-up correspondence was sent to six Native American tribes identified by the NAHC as having affiliation with the City on June 2, 2020. The results of the CHRIS-NWIC records search indicated no known Tribal Cultural Resources in the City. The results of the Sacred Lands File search revealed no known "Native American cultural resources" in the City. And as of March 1, 2021, no responses had been received from any of the six Native American tribes contacted.

Project Impacts:

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) 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**

The Open Space and Conservation Element contains objectives, policies, and programs to protect and preserve historic resources within the City. The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and would not update or alter the Open Space and Conservation Element. The Safety Element Update does not propose policies or implementation actions that would conflict with the policies and programs in the Open Space and Conservation Element regarding the protection of historical resources. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to tribal cultural resources listed or eligible for listing in the California Register of Historical Resources or local register of historical resources would occur from adoption or implementation of the Safety Element Update.

- b) 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 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Assembly Bill 52 (Gatto, 2014) and Senate Bill 18 (Burton, 2004) requires local governments to consult with California Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. Pursuant to Public Resources Code Section 21080.3.1, as of March 1, 2021, no California Native American tribe has requested an AB 52 consultation. Additionally, in accordance with California Government Code Section 65352.3 (SB 18) California Native American tribes have been notified of the proposed Safety Element Update and been given the opportunity to initiate consultation with the City. The Safety Element Update was routed to six California Native American tribes on June 2, 2020. As of December 1, 2020, no responses had been received from any of the six Native American tribes contacted.

While the City and its vicinity are known to have been inhabited by Native American groups and/or individuals, the Safety Element Update does not propose any updates to the Open Space and Conservation Element, which contains objectives, policies, and programs to protect and preserve archaeological resources within the City. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to tribal cultural resources would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Utilities and Service Systems

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <i>Would the project:</i> | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Wastewater Treatment. The Pinole-Hercules Wastewater Treatment Plant (WWTP), located at the foot of Tennant Avenue, provides wastewater treatment for the cities of Pinole and Hercules for up to 4.06 mgd (million gallons per day) dry weather flow and 10.3 mgd wet weather flow. The Regional Water Quality Control Board (RWQCB) mandated improvements to the WWTP to increase secondary treatment up to 20 mgd, and other facility modifications. The two cities are currently coordinating the WWTP upgrade efforts.³⁷

Storm Water Drainage. The City's storm water system is designed to prevent flooding on streets and sidewalks by capturing flows and conveying them to the nearest storm drain, eventually to flow into San Pablo Bay. The system of underground storm water pipes is maintained by the Public Works department.³⁸

Water Supplies. Water service is provided by the East Bay Municipal Utility District (EBMUD), which also provides water for other cities, jurisdictions, and unincorporated lands in Contra Costa and Alameda counties. EBMUD has water rights and contracts for up to 325 million gallons a day (mgd) from the Mokelumne River watershed, which provides approximately 90 percent of the

³⁷ City of Hercules web site, <http://www.ci.hercules.ca.us/index.aspx?page=228>; accessed 11/4/2020.

³⁸ City of Hercules web site, <http://www.ci.hercules.ca.us/index.aspx?page=133>; accessed 11/4/2020.

water used by EBMUD. The remainder is supplemented by local run-off collected in EBMUD reservoirs and by water from the Sacramento River under a 2006 contract with the U.S. Bureau of Reclamation.³⁹

Landfills. Solid waste service for the City is handled by Richmond Sanitary Service, a subsidiary of Republic Services, which provides residential pick-up of solid waste, recyclables, and green waste. Solid waste from Hercules is taken to the Golden Bear Materials Recovery Facility. After processing, landfill materials are transferred to the Keller Canyon Landfill in Contra Costa County.⁴⁰

Project Impacts:

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards. The Safety Element Update contains Policy 4.A: Refugio Creek Channel Improvements and 4.C.6 Stormwater Maintenance, which would be stormwater infrastructure improvements. However, adoption of the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the relocation or construction of new or expanded utility infrastructure would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. Nor does the adoption or implementation of the Safety Element Update result in direct or indirect population growth that could increase water demand. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to water supplies would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. Nor does the adoption or implementation of the Safety Element Update result in direct or indirect population growth that could increase wastewater generation. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to wastewater treatment capacity would occur.

³⁹ East Bay Municipal Utility District, Urban Water Management Plan, 2015; pp. 6, 8, and 11.

⁴⁰ CalRecycle Solid Waste Facilities Directory, <http://www.calrecycle.ca.gov/SWFacilities/Directory/07-AA-0056/Document?SITESCH=07-AA-0056>; and, Contra Costa County, Hercules Curbside - Richmond Sanitary Service, <http://www.cccounty.us/depart/cd/recycle/options/v6429.htm>; accessed 11/16/2020.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. Nor does the adoption or implementation of the Safety Element Update result in direct or indirect population growth that could increase solid waste generation. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to generation of solid waste or impairment of solid waste reductions goals would occur.

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

The Safety Element Update includes goals, policies, and implementation actions to minimize risks from the effects of natural and non-natural hazards and does not approve or facilitate any specific development nor does it grant development entitlements. Nor does the adoption or implementation of the Safety Element Update result in direct or indirect population growth that could generate solid waste. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to compliance with federal, State, and local solid waste reduction regulations would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Wildfire

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

The impacts of climate change pose an increasing and growing challenge to the safety and wellbeing to the residents of Hercules, including wildfire. The State Responsibility Area map in Figure 11 of the Safety Element Update shows fire hazard severity zones. Land adjacent to the City limits and some land located within the City's Sphere of Influence are designated with a high fire hazard severity zone in the State Responsibility Area (SRA). No land within the incorporated areas of the City have been identified within Local or State Responsibility Areas for fire hazards.

Large portions of the City have been designated as Wildland Urban Interface (WUI) areas, shown in Figure 13 of the Safety Element Update, where homesteads are adjacent to the county open space. The open space includes brush and grass covered hills with forested area, including non-native blue gum Eucalyptus trees which are particularly flammable. The City collaborates with the County and the Rodeo–Hercules Fire District to assist with annual maintenance of the open space and to educate the public about weed clearance around their structures to reduce these fire hazards.

A community-wide survey conducted in December 2019 confirmed that next to earthquakes, the second highest concern for the public was wildfire. According to the Rodeo–Hercules Fire District Wildland Fire Action Guide, homes within one mile of a natural area are considered part of an ember zone, where wind-driven embers can be a risk to property.

In conjunction with the Safety Element Update, the City authored a LHMP. The purpose of the plan is hazard identification, risk assessment, and mitigation strategies for protecting people, property and the environment in the City. The LHMP focused on four hazards that could have the greatest impact on the city. The hazard ranking process involved an assessment of the likelihood of occurrence for each hazard, along with its potential impacts on people, property, and the economy. The City aligned its Goals and Objectives with Contra Costa County's Multi-Jurisdictional Hazard Mitigation Plan for consistency. The plan complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under the Disaster Mitigation Act of 2000 and fulfills requirements for climate change adaptation and resilience under Government Code 65302(g)(4).

Project Impacts:

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

The Safety Element Update provides more current information on evacuation routes and identifies additional risks associated with evacuation planning for the overall protection of the community and to reduce the risk of property loss and damage during wildfires. For example, Goal 1 is to consider potential fire hazards and introduce adequate safety measures through implementing actions such as, 1.A.2 that require new development to provide minimum road widths for emergency access. The Safety Element Update does not modify or change designated emergency evacuation routes designed in the Emergency Operations Plan or Circulation Element. The Safety Element Update would not conflict with or change any evacuation plans and does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes that would impair an emergency response or evacuation plan and no impact would occur.

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

The Safety Element Update identifies wildfire as a hazard and the document supports practices that would reduce risks and the severity of wildfires. For example, Implementing Action 1.A.7 Fire Education, would educate residents in or near WUI zones about evacuation routes and best management practices to reduce fire susceptibility. Furthermore, Policy 3.B: Fire Hazard Mitigation seeks to minimize fire hazards and risk in new development through design measures. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes that would exacerbate wildfire risks and no impacts related to wildfire risks would occur.

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

The Safety Element Update identifies wildfire as a hazard and the document supports practices that would reduce risks and the severity of wildfires. The Safety Element Update includes Implementing Action 3.B.2 Open Space as Fire Buffer, which would allow future development to include open space as a fuel break/fire break to promote fire safety while also evaluating project applications during application review and implemented through adoption as conditions of approval. Policy 3.B: Fire Hazard Mitigation and Implementing Action 3.B.1 require as conditions of approval fire safety measures such as, adequate fire water flow, access to structures and open space, and road circulation for fire and emergency vehicles.

The Safety Element Update includes the incorporation of the LHMP and current information on hazards associated with wildfires, including Goal 2 Increase resilience of infrastructure and critical facilities and Objective-1 Increase resilience of (or protect and maintain) infrastructure and critical facilities. The Safety Element Update also includes policies, such as 1.A.6 Location of New Essential Public Facilities, that aim to keep public facilities out of fire hazards zones. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to the installation or maintenance of associated infrastructure would occur.

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

The Safety Element Update identifies wildfire as a hazard and the document supports practices that would reduce risks and the severity of wildfires. Policy 3.B: Fire Hazard Mitigation and Implementation Action 3.B.1 require as conditions of approval fire safety measures such as, adequate fire water flow, access to structures and open space, and road circulation for fire and emergency vehicles. In addition, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. Future development projects would be reviewed prior to implementation to ensure fire hazard safety during project construction and implementation. Construction would be required to adhere to building and fire codes to ensure safety during construction and operation and not exacerbate or create risk toward humans or structures. As a result, the Safety Element Update

would not result in any physical environmental changes and no impacts related to the exposure of people of structures to significant risks from post-fire impacts would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.

Mandatory Findings of Significance

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

As discussed in this Initial Study, the Safety Element Update does not approve or facilitate any specific development nor does it grant development entitlements. As a result, the Safety Element Update would not result in any physical environmental changes and no impacts related to biological resources, cultural resources, air quality, water quality, or noise would occur.

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” As discussed throughout this Initial Study, the Safety Element Update would not result in any physical environmental changes and no impacts have been identified for any of the environmental resource topics. As such, the Safety Element Update would not contribute to cumulative impacts to any of the environmental resource topic areas. Therefore, adoption of the Safety Element update would not result in environmental effects that are individually limited but cumulatively considerable.

As reflected in this Initial Study, the Safety Element Update does not have the potential to result in substantial adverse impacts to humans. Therefore, no impacts related to significant adverse impacts on humans either directly or indirectly would occur.

Mitigation: No impacts have been identified and no mitigation measures are required.