CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY

The Department of Toxic Substances Control (DTSC) has completed the following document for this project in accordance with the California Environmental Quality Act (CEQA) [Pub. Resources Code, div. 13, § 21000 et seq] and accompanying Guidelines [Cal. Code Regs., tit. 14, § 15000 et seq].

PROJECT INFORMATION

PROJECT TITLE: Remedial Action Plan Boorman Park		SITE CODING: 400928-48
PROJECT ADDRESS: South 25th Street and Maine Avenue	CITY: Richmond	COUNTY: Contra Costa
PROJECT SPONSOR: City of Richmond	CONTACT: Jene Levine-Snipes	PHONE: (510) 307-8132
APPROVAL ACTION UNDER CONSIDERATION BY DTSC: ☐ Initial Permit Issuance ☐ Permit Re-Issuance ☐ Permit Modification ☐ Closure Plan ☐ Removal Action Workplan ☒ Remedial Action Plan ☐ Interim Removal ☐ Regulations ☐ Corrective Measure/Study/Statement of Basis ☐ Other (specify):		
STATUTORY AUTHORITY: ☒ California H&SC, Chap. 6.5 ☐ California H&SC, Chap. 6.8 ☐ Other (specify):		
DTSC PROGRAM/ADDRESS: Site Mitigation and Restoration Program 8800 Cal Center Drive Sacramento, California 95826	CONTACT: Kenneth Gath Hazardous Substances Engineer Kenneth.gath@dtsc.ca.gov	PHONE: (916) 255-3643

PROJECT DESCRIPTION:

The Department of Toxic Substances Control (DTSC) is considering approval of a Remedial Action Plan (RAP) for the remediation of chemicals of potential concern (COPCs) in soil at Boorman Park (Site). The remedial action would involve capping and institutional controls, excavation, soil stabilization, and offsite disposal.

This remedial action was selected because it is the most effective and acceptable alternative for achieving the site Remedial Action Objectives (RAOs), which consist of minimizing or eliminating potential exposure of site receptors to COPCs; reducing the human health-based risks associated with onsite COPCs in soil and groundwater so that the site is acceptable for restricted land use; and remediating impacted site media so that COPCs are either below their respective remediation goals (RGs) or mitigated to protect site receptors.

The remedial action is anticipated to require 10 weeks to complete.

BACKGROUND:

The Site is located east of South 25th Street and north Maine Avenue in the City of Richmond, Contra Costa County, California (refer to Figure 1). The site is surrounded by existing light industrial properties to the north and west, residential to the south, and railroad tracks to the east. The Site encompasses approximately 2.9 acres and includes a public park, known as Boorman Park, consisting of flat and gentle to moderately sloped (bermed) landscaped and grassy areas, asphalt-paved pathways, basketball courts, play structure areas, a picnic area, and a sunken concrete plaza. The Site was developed sometime prior to 1916 as the Richmond Pottery Company, and was eventually developed into a park by the City of Richmond (City) in the early 1980s.

The City of Richmond plans to perform park improvements to the existing Boorman Park resulting in improved health and wellness, safety, beauty, access to outdoor recreation, and catalyzing community revitalization for a diversity of ages and abilities. The park improvements include a soccer field, basketball court, children's play areas with integrated artwork, an outdoor fitness zone, community gathering areas including a shade pavilion and outdoor classroom, a multi-use trail with fitness stations, skate features, a public restroom with amenities, two parking lots, and perimeter fencing. Sustainable design features include green infrastructure for stormwater management, energy efficient lighting, Bay-Friendly landscaping, permeable paving, and the use of site furnishings and equipment that utilize recycled content. The synthetic turf soccer field will serve as a bioretention area.

The main COPCs onsite are semi-volatile organic compounds (SVOCs), lead, and arsenic in soils. Groundwater is also impacted with total petroleum hydrocarbons as gasoline and diesel (TPHg and TPHd), and methyl-tert butyl ether (MTBE). Soil vapor samples collected contained TPHg, TPHd, benzene, and naphthalene concentrations exceeding Department of Toxic Substances Control (DTSC) HERO Note 3 residential screening criteria. Based on the results of the investigations, the City entered into a Voluntary Cleanup Agreement with the DTSC.

Figure 2 shows the areas where excavation activities would occur as part of the remedial action.

Figure 3 shows the grading plan for the remedial action along with the location of trees to be removed as part of the construction activities.

PROJECT ACTIVITIES:

The remedial action would consist of removing COPC-impacted soils to approximately 37 feet above mean sea level (amsl), stabilizing any non-RCRA (Resource Conservation and Recovery Act) Class I waste on site so that it is acceptable at a Class II non-hazardous waste disposal facility, exporting any Class I RCRA waste and Class II non-hazardous waste to the appropriate permitted off-site facility for disposal, and capping the Site with 2 to 3 feet of clean soils depending on whether there will be either hardscape or softscape materials used for the cap. Approximately 12,700 cubic yards (cy) of Class II non-hazardous soils, approximately 4,100 cy of Class I non-RCRA hazardous soil, and potentially 1,800 cy of RCRA hazardous waste would be removed from the site by excavating. A demarcation material consisting of orange snow fencing or a similar material would be installed between the clean and COPC-impacted soils left in place.

Because COPC-impacted soils exceeding the site RGs will be capped and left in place, Institutional Controls in the form of Land Use Restrictions will be included in a Land Use Covenant (LUC) for the Site. Land use restrictions would also be recommended for site groundwater (e.g., not to be utilized for drinking water or irrigation), which is impacted with low concentrations of TPH and VOCs.

Lastly, to ensure that the cap remains intact, this alternative would require annual inspections and reporting, and a 5-year Remedial Performance Report prepared by a Professional Geologist or Registered Engineer.

Construction activities would take a total of approximately 10 weeks.

Subsequent to site remediation activities and the construction of Boorman Park, a Post-Remediation Soil Vapor Sampling Work Plan (Work Plan) will be prepared and implemented to evaluate the potential for soil vapor intrusion into the single-family homes located adjacent to the south of the site. The Work Plan will be implemented, and soil vapor samples will be collected from nested sampling probes installed at 5 and 15 feet bgs within 60 days of park completion. At least one semi-annual soil vapor sampling event will be conducted after the initial event, and additional semi-annual events may be conducted based on data from the first two sampling events.

PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:

While DTSC approves the overall remedy for the Site, other public agencies may be involved through permitting or consultation such as the State Water Resources Control Board, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and the City of Richmond.

NATIVE AMERICAN CONSULTATION:

DTSC complied with the 2014 Assembly Bill 52 (AB 52). DTSC provided written notification to seven tribes on the Tribal Consultation List from the Native American Heritage Commission (NAHC) regarding the Proposed Project on May 31, 2023. The notice included a brief project description, project location, and lead agency's contact information. DTSC did not receive interest from any Tribal governments contacted.

Based on the Proposed Project Site location, history, and absence of cultural resource findings during prior Site work, it is not likely that historical resources would be identified or impacted during remedial actions. However, if historical resources are discovered during remedial actions, then work would stop in that area until a qualified archaeologist or appropriately licensed professional can assess the significance of the find and, if necessary, develop appropriate response measures in consultation with the DTSC and other agencies and Native American representatives, as appropriate. Please refer to the Tribal Cultural Resources analysis (Section 18) for additional information.

REFERENCES USED:

City of Richmond. 2024. *Remedial Action Plan, Boorman Park, 25th Street.* Prepared by Ninyo & Moore. May 22, 2024.

Figure 1
Project Site Location

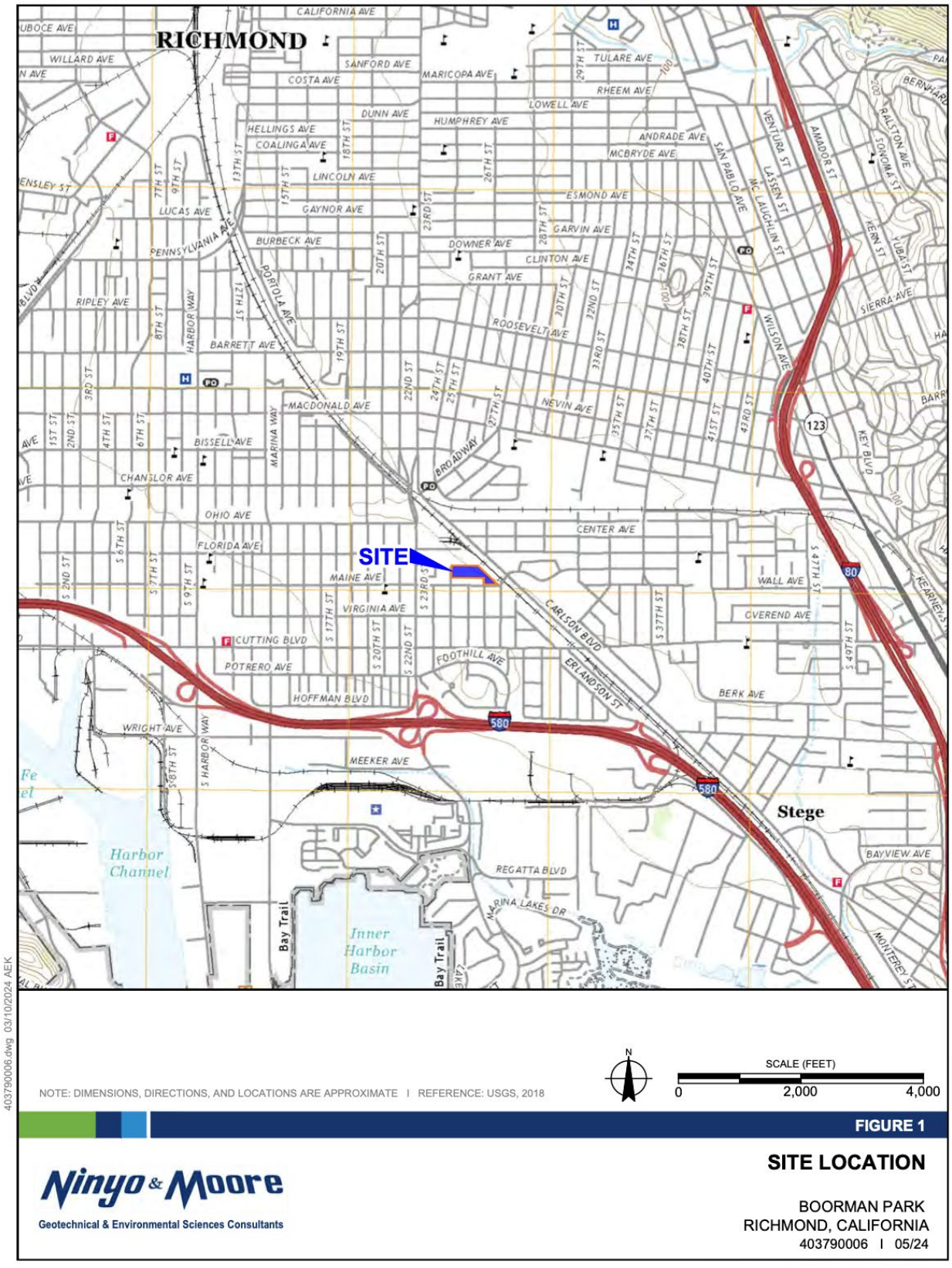


FIGURE 1

SITE LOCATION

BOORMAN PARK
RICHMOND, CALIFORNIA
403790006 I 05/24

Ninyo & Moore
Geotechnical & Environmental Sciences Consultants

Figure 2
Proposed Excavation Areas

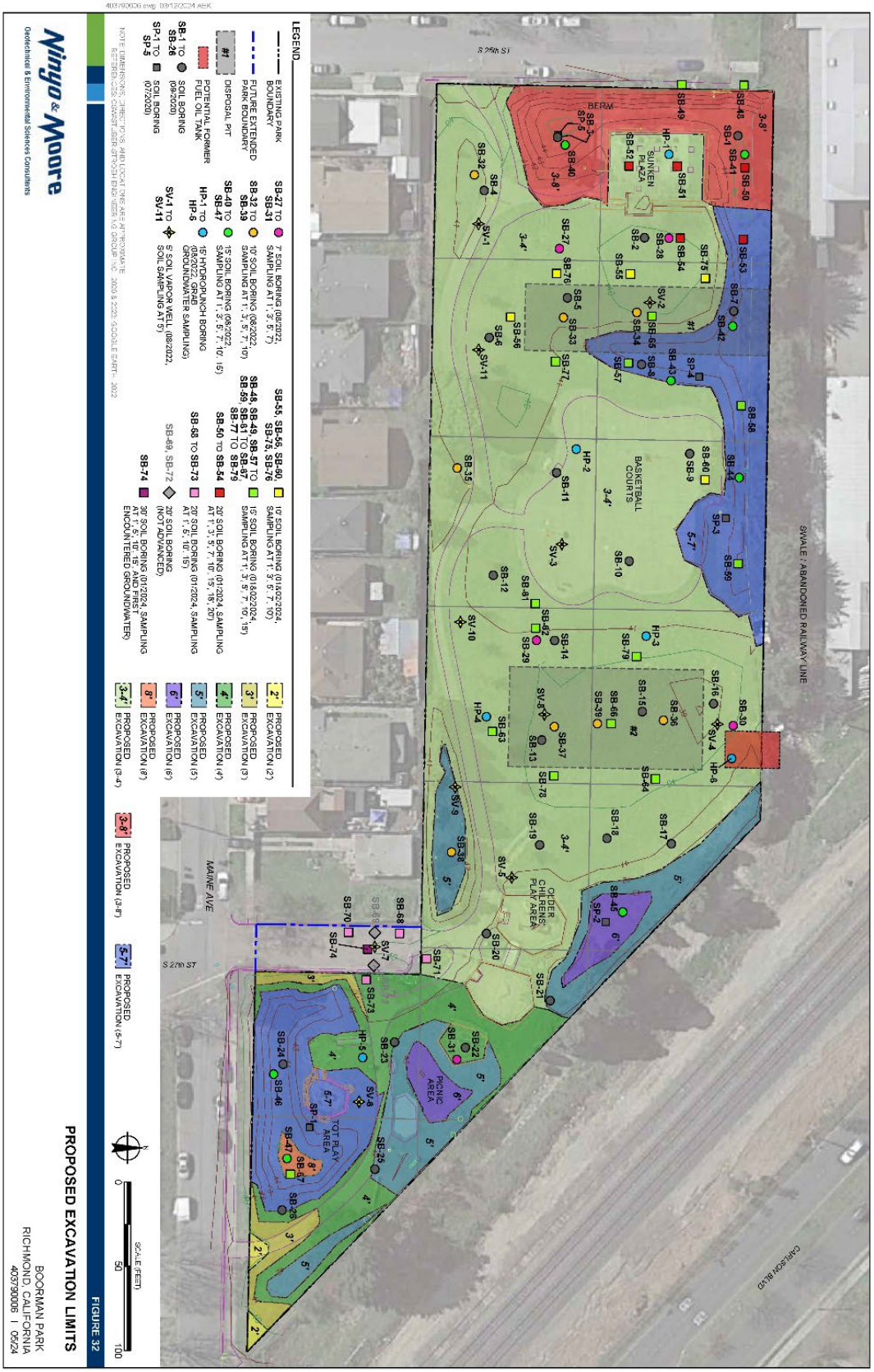
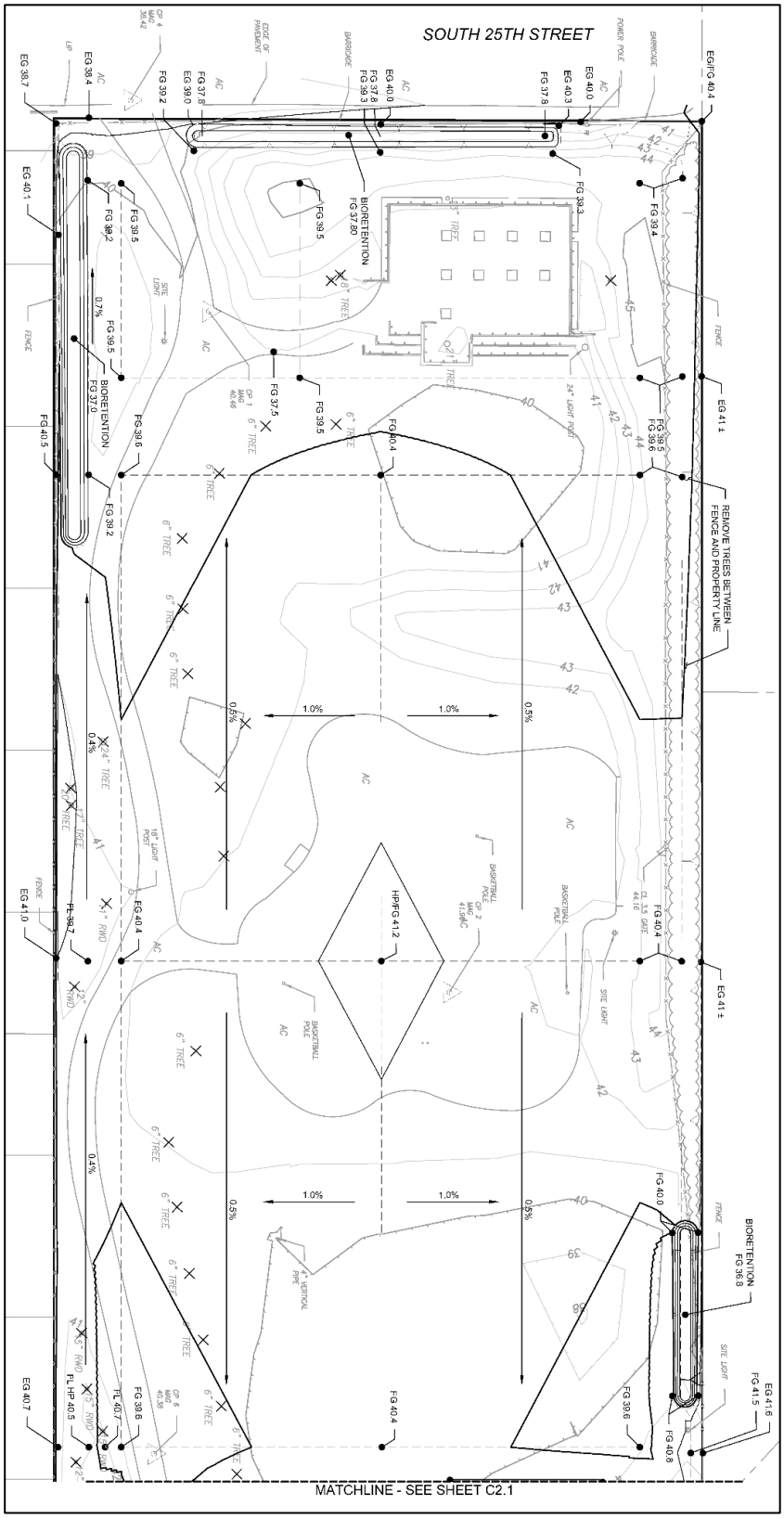


Figure 3
Grading Plan Identifying
Location of Trees Removed



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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist beginning on page 14. Please see the checklist beginning on page 14 for additional information.

☐	Aesthetics	☐	Agriculture and Forestry	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology/Soils	☐	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials
☐	Hydrology/Water Quality	☐	Land Use/Planning	☐	Mineral Resources
☐	Noise	☐	Population/Housing	☐	Public Services
☐	Recreation	☐	Transportation	☐	Tribal Cultural Resources
☐	Utilities/Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance

SUMMARY OF MITIGATION

DTSC has determined that mitigation measure(s) would not be required beyond those actions incorporated as part of the Proposed Project to ensure that potential impacts would remain at a less-than-significant level.

DETERMINATION

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 (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached documentation, present the data and information required for this initial study evaluation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Kenneth Gath	10/14/2024
Preparer's Signature	Date

Kenneth Gath, PE	Hazardous Substances Engineer	(916) 255-3643
Preparer's Name	Preparer's Title	Phone #

Dominique Forrester	10/14/2024
Branch Chief Signature	Date

Dominique Forrester, PE	Chief	(916) 255-3613
Branch Chief Name	Branch Chief Title	Phone #

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL IMPACT ANALYSIS

1. AESTHETICS				
Except as provided in Public Resources Code Section 21099, would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a 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?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

California Scenic Highway Program

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment.

City of Richmond General Plan

The Land Use and Urban Design Element within the City of Richmond General Plan 2030, adopted April 25, 2012, does not contain any policies related to visual character that are applicable to the proposed cleanup activities.

ENVIRONMENTAL SETTING (BASELINE):

The proposed project site is located in the center of an existing urban area of the City of Richmond east of South 25th Street and north Maine Avenue. The proposed project site is an existing park and was historically used for operation of the Richmond Pottery Company. The main COPCs onsite are SVOCs, lead, and arsenic in soils and TPHg, TPHd, and MTBE in groundwater. Visible features of the proposed project site are consistent with existing, surrounding urban area with residential and industrial uses.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The significance determination in this visual analysis is based on consideration of: (1) the extent of change related to visibility of the proposed project site from key public vantage points; (2) the degree of visual contrast and compatibility in scale and character between project activities and the existing surroundings; (3) conformance of the proposed project with public policies regarding visual and urban design quality; and (4) potential adverse effects on scenic vistas and scenic resources.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

No project-specific environmental studies related to aesthetic resources were prepared for the proposed project. However, the methodology employed for assessing potential aesthetic impacts involved considering the existing viewshed and the project activities that have the potential to change the project-area visual character.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Have a substantial adverse effect on a scenic vista?

Impact Analysis:

The proposed project would implement remedial actions to address impacted soil involving capping and institutional controls, excavation, soil stabilization, and offsite disposal of contaminated soils.

Remedial actions would not require construction of any new above ground structures. Therefore, no adverse effects on the view of the nearest scenic ridge or local vantage points would occur. The nearest scenic vista (central coast range) is approximately 5 miles away to the east. Temporary construction activities at the proposed project site would occur for approximately 10 weeks. The short-term construction activities would not result in any long-term adverse effects to a scenic vista.

Conclusion:

Components of the proposed remedial actions and the short-term construction activities would not have the potential to substantially affect the view of a scenic vista. Therefore, there would be no impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Impact Analysis:

The nearest roadway to the proposed project site that is officially designated as a California State Scenic Highway is a section of Route 24, located over 10 miles to the east from the site. The nearest roadway to the proposed project site that is identified as eligible for California State Scenic Highway Program is a segment of Interstate 80 (Bay Bridge), located over 10 miles to the south from the site (CalTrans, 2024). There are no views of the proposed project site from these sections of Route 24 or Interstate 80.

The proposed project site has been used continuously since the early 1980s as a public park at its current location and currently is used as a public park. No scenic resources would be damaged with implementation of the proposed remedial actions.

Conclusion:

Scenic resources (e.g., trees, rock outcroppings, historic buildings) would not be disturbed or damaged through implementation of proposed remedial actions. Implementation of the proposed project would not result in any impacts to scenic resources.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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

Impact Analysis:

Publicly accessible vantage points of the proposed project site include adjacent roadways of Main Avenue and South 25th Street. The proposed project site has been used since the early 1980s as a public park and the visual character of the proposed project site currently reflects the site's long-term uses.

Construction activities would occur for approximately 10 weeks at the proposed project site. Even though implementation of the proposed remedial actions would minimally alter the visual character or quality of the proposed project site, the remedial actions would not conflict with any applicable zoning and other regulations governing scenic quality.

Conclusion:

Based on the temporary nature of the construction activities at the proposed project site, no impact related to conflicting with applicable zoning and other regulations governing scenic quality at the proposed project site would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Impact Analysis:

The proposed project activities would be conducted during daytime hours with the potential for some work to occur after sunset. The proposed project would not require any night-shift or swing-shift work. The nearest sensitive receptors (i.e., residences) are located adjacent to the park to the south along Main Avenue. Although views towards the project site are not blocked and these residents have direct views of the project site, any nighttime lighting used during construction activities would be occasional and limited to a relatively small work area and would not introduce any new temporary or permanent sources of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Conclusion:

Project activities would not require nor introduce a new temporary or permanent source of substantial light or glare that would adversely affect views in the project area. Therefore, implementation of the proposed remedial actions would result in no impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

California Department of Transportation. 2021. California Scenic Highway Program. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways (Accessed August 2024).

City of Richmond. 2012. City of Richmond General Plan 2030. https://www.ci.richmond.ca.us/2608/General-Plan-2030 (Accessed August 2024).

2. AGRICULTURE AND FORESTRY RESOURCES				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting agriculture or forestry resources are applicable to the proposed project.

ENVIRONMENTAL SETTING (BASELINE):

The proposed project site is not located in or near any agricultural or forestry resources. The proposed project site has been used continuously since the early 1980s as a public park at its current location.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of agriculture or forestry resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of agricultural or forestry resources in or near the proposed project site, no environmental studies relating to agriculture or forestry resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

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?

Impact Analysis:

The closest designated Farmland is over 15 miles from the proposed project site (DRLP, 2024). Project-related activities would remain within the proposed project site boundaries. Therefore, no impact to designated Farmland would occur.

Conclusion:

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Impact Analysis:

There is no farmland or vacant/fallow lands located near the proposed project site. Therefore, project-related activities would not have the ability to conflict with any Williamson Act contracts. The proposed project site is zoned for industrial uses and would not conflict with any existing agricultural zoning. No impact would occur.

Conclusion:

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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))?

Impact Analysis:

There is no land with existing zoning of forest land or timberland within the proposed project site. Proposed project-related activities would not conflict with existing zoning or cause rezoning of forest land or timberland, as none exists within the proposed project Site boundaries. Therefore, there would be no impact to forest land or timberland.

Conclusion:

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Impact Analysis:

There are no forests or timberland on or near the proposed project site and the proposed project would not convert any land to forest or timberland. Therefore, there would be no impact.

Conclusion:

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural uses?

Impact Analysis:

The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or agricultural land. Therefore, there would be no impact.

Conclusion:

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

California Department of Conservation, Division of Land Resource Protection (DLRP). 2024. California Important Farmland Finder. https://maps.conservation.ca.gov/DLRP/CIFF/ (Accessed August 2024)

3. AIR QUALITY				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

Federal Regulations

Clean Air Act (1970): The Environmental Protection Agency (EPA) is responsible for implementing most aspects of the Clean Air Act, including setting National Ambient Air Quality Standards (NAAQS) for major air pollutants; setting hazardous air pollutant (HAP) standards; approving state attainment plans; setting motor vehicle emission standards; issuing stationary source emission standards and permits; and establishing acid rain control measures, stratospheric O_3 protection measures, and enforcement provisions. Under the Clean Air Act, NAAQS are established for the following criteria pollutants: O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, and lead. The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. States with areas that exceed the NAAQS must prepare a state implementation plan that demonstrates how those areas will attain the standards within mandated time frames.

Hazardous Air Pollutants: The 1977 federal Clean Air Act amendments required EPA to identify national emission standards for hazardous air pollutants to protect public health and welfare. HAPs include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals.

State Regulations

California Clean Air Act: The federal Clean Air Act delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to California Air Resources Board (CARB), with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB has established California Ambient Air Quality Standards (CAAQS), which are generally more restrictive than the NAAQS. Air quality is considered “in attainment” if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The NAAQS and CAAQS are presented in Table 9, “Ambient Air Quality Standards.”

Air Toxics Program: The California TAC list identifies more than 700 pollutants, of which carcinogenic and non-carcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. The Legislature enacted the Air Toxics “Hot Spots” Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere. AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics

problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years.

Local Regulations

BAAQMD CEQA Guidelines and Thresholds: The Bay Area Air Quality Management District (BAAQMD) published a revised CEQA Guidelines and Thresholds of Significance guidance in 2023. The purpose of the guidelines is to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the San Francisco Bay Area Air Basin. The BAAQMD guidelines provide BAAQMD-recommended procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements (BAAQMD, 2023). In this section, air quality is evaluated against numbers set forth in the BAAQMD guidance.

ENVIRONMENTAL SETTING (BASELINE):

The Proposed Project Site is located in the San Francisco Bay Area Air Basin (SFBAAB), which comprises all of Contra Costa County. Air quality in SFBAAB is determined by such natural factors as topography, meteorology, and climate, along with the presence of existing air pollution sources and ambient conditions.

The SFBAAB is characterized by complex terrain consisting of coastal mountain ranges, inland valleys, and bays which each affect wind flow patterns. Prevailing winds originate from the west and during the summer and fall months, high pressure offshore coupled with low pressure in the Central Valley causes marine air to flow eastward through the Carquinez Strait. Winds are typically strongest in the afternoon. However, atmospheric conditions can cause air to flow from the east during the summer and fall months. East winds usually contain more pollutants than the cleaner marine air from the west. This can allow elevated pollutant levels to move into the central SFBAAB through the strait. These high-pressure periods are usually accompanied by low wind speeds, shallow mixing depths, higher temperatures and little or no rainfall.

Throughout the year, the temperature in the City of Richmond varies between a low of 42° Fahrenheit (F) and a high of 77° F. The city also experiences an annual precipitation of 24 inches (Weather Spark, 2024).

The Bay Area is in attainment for National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for the following pollutants: carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and sulfates. The Bay Area is in non-attainment for fine particulate matter less than 2.5 microns in size ($PM_{2.5}$) and ozone with respect to both NAAQS and CAAQS. In addition, the Bay Area is in non-attainment with respect to the CAAQS for respirable particulate matter less than 10 microns in size (PM_{10}) (BAAQMD, 2024).

The Proposed Project Site is located within the San Francisco Bay Area, and the BAAQMD is primarily responsible for enforcing air quality standards, in accordance with standards set by the California Air Resources Board (CARB) and the United States Environmental Protection Agency.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The 2023 BAAQMD CEQA Guidelines Thresholds of Significance for average daily air emissions are shown in Table 3.1 below. If project-related average daily emissions are below these thresholds, the impacts are considered less than significant, even if peak days have emissions over the thresholds.

TABLE 3.1

THRESHOLDS OF SIGNIFICANCE FOR CONSTRUCTION-RELATED CRITERIA AIR POLLUTANTS AND PRECURSORS

Criteria Pollutant or Precursor	Maximum Annual Emissions, tons per year (tpy)
ROG	10
NOx	10
PM_{10}[1]	15
$PM_{2.5}$[1]	10

Notes:
[1] Applies to construction exhaust emissions only.
NOx = nitrogen oxide
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
ROG = reactive organic gases

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

California Emissions Estimator Model ® (CalEEMod, Version 2022.1.1.26) was run to determine if project-related air emissions exceed BAAQMD Air Quality Significance Thresholds (April 20, 2023). The CalEEMod results are summarized in Table 3.2 below, and the model basis information is summarized in Attachment A. Complete CalEEMod Input and Output is provided in Attachment A. The following construction equipment was considered in modeling air emissions:

- On-road trucks (worker transportation),
- Forklifts,
- Loaders,
- Augers,
- Backhoes, and
- Generators.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Impact Analysis:

Construction-related activities would result in emissions of ozone precursors (NOx and reactive organic gases (ROG)), particulates (PM_{10} and $PM_{2.5}$), air toxics, and greenhouse gases (project-related greenhouse gas emissions are analyzed separately in Section 8 of this Initial Study/Negative Declaration). Emissions for construction activities associated with implementing the proposed remedial actions were performed in accordance with the BAAQMD Air Quality Significance Thresholds (April 20, 2023), using the California Emissions Estimator Model ® (CalEEMod, Version 2022.1.1.26) and the results are shown in Table 3.2 below. The CalEEMod Input and Output model results are provided in Attachment A.

TABLE 3.2

THRESHOLDS OF SIGNIFICANCE FOR CONSTRUCTION-RELATED CRITERIA AIR POLLUTANTS AND PRECURSORS

Criteria Pollutant or Precursor	BAAQMD Maximum Annual Emissions (tpy)	Estimated Unmitigated Proposed Project Annual Emissions (tpy)	Is Threshold of Significance Exceeded?
ROG	54	0.03	No
NO_x	54	0.38	No
PM_{10}	82	0.10	No
$PM_{2.5}$	54	0.05	No

Notes:
tpy = tons per year
NOx = nitrogen oxide
ROG = reactive organic gases
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size

As shown in Table 3.2, project-related construction activities would generate air emissions below 2023 BAAQMD Air Quality Significance Thresholds for construction impacts.

Conclusion:

The CalEEMod results indicate that the project-related emissions would be below the 2023 BAAQMD Air Quality Significance Thresholds for construction projects. The short-term construction activities of the proposed project and implementation of appropriate and feasible control strategies identified in the RAP (e.g., dust control plan, BMPs) would not conflict with or obstruct implementation of the BAAQMD Air Quality Management Plan. Therefore, project impacts are considered less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Result in 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.

Impact Analysis:

The proposed project site is non-attainment for ozone, PM_{10}, and $PM_{2.5}$ (BAAQMD, 2024). As shown in Table 3.2 above, the proposed project-related emissions of these pollutants would not exceed any of the thresholds of significance established in the 2023 BAAQMD Air Quality Significance Thresholds.

Health Effects of Criteria Air Pollutants

Reactive organic gases (ROG) and nitrous oxides (NO_x) are precursors to ozone (O_3), for which the San Francisco Bay Area Air Basin (SFAAB) is designated as nonattainment with respect to the NAAQS and CAAQS. The health effects associated with O_3 are generally associated with reduced lung function. The contribution of ROG and NO_x to regional ambient O_3 concentrations is the result of complex photochemistry. The increases in O_3 concentrations in the SCAB due to O_3 precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O_3 concentrations would also depend on the time of year that the ROG emissions would occur because exceedances of the O_3 NAAQS and CAAQS tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O_3 precursors is speculative due to the lack of quantitative methods to reliably and meaningfully assess this impact. Thus, a project's ROG and NOx emissions are evaluated in the context of the BAAQMD significance thresholds, which define the levels of emissions that can occur without causing or contributing to violations of the NAAQS or CAAQS. In turn, the NAAQS and CAAQS define the pollutant concentrations above which adverse health effects are expected to occur. Nonetheless, because ROG and NO_x emissions associated with project construction would be potentially significant before mitigation, the project could minimally contribute to regional O_3 concentrations and the associated health effects.

As related to health effects related to particle pollution (PM_{10} and $PM_{2.5}$), health studies have shown a significant association between exposure to particle pollution and health risks, including premature death. Health effects may include cardiovascular effects such as cardiac arrhythmias and heart attacks, and respiratory effects such as asthma attacks and bronchitis. Exposure to particle pollution can result in increased hospital admissions, emergency room visits, absences from school or work, and restricted activity days, especially for those with pre-existing heart or lung disease, older people, and children. The size of particles is directly linked to their potential for causing health problems. Fine particles ($PM_{2.5}$) pose the greatest health risk. These fine particles can get deep into lungs, and some may even get into the bloodstream. Exposure to these particles can affect a person's lungs and heart. Coarse particles ($PM_{10-2.5}$) are of less concern, although they can irritate a person's eyes, nose, and throat.

Conclusion:

Construction activities associated with implementing the proposed project would generate emissions of non-attainment pollutants that are below the thresholds of significance identified in the 2023 BAAQMD Air Quality Significance Thresholds. Therefore, implementation of the proposed project would result in a less-than-significant impact to the net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

c. Expose sensitive receptors to substantial pollutant concentrations?

Impact Analysis:

The California Air Resources Board (CARB) defines sensitive receptors as children, elderly, asthmatics, or others who are at a heightened risk of negative health outcomes due to exposure to air pollution. For the

purposes of this analysis, the locations where these populations can typically congregate (e.g., schools, hospitals) are considered sensitive receptor locations. Remedial actions associated with implementing the proposed project would take place in an area zoned for recreational uses. The closest sensitive receptors (Coronado Elementary School, DeJean Middle School) are located approximately 0.19 miles (1,000 feet) and 0.44 miles (2,300 feet) distant to the proposed project site, respectively. However, activities associated with the proposed remedial actions would not generate any substantial pollutant concentrations. Therefore, the project would not have the ability to expose sensitive receptors to substantial pollutant concentrations.

Conclusion:

Schools are located within 1 mile from the proposed project site. However, implementation of remediation actions would not involve activities with the potential to expose sensitive receptors to substantial pollutant concentrations and no impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact Analysis:

Implementation of proposed remedy actions have the potential to generate odors during the operation of construction equipment, such as those experienced from diesel engine exhaust. The closest receptor of odors are residences which could be located within 20 feet of construction equipment. Construction activities would use Tier 4 engines on all construction equipment. Currently, Tier 4 diesel engine standards are the strictest Environmental Protection Agency (EPA) emissions requirement for off-highway diesel engines. This requirement regulates the amount of PM, or black soot, and NO_x that can be emitted from an off-highway diesel engine. Specifically, Tier 4 compliant engines significantly reduce emissions of PM and NO_x relative to previous emissions standards whereby Tier 4 compliant engines reduce emissions by over 95 percent for most agricultural and construction equipment. The use of Tier 4 engines on all construction equipment and distance between construction activities and residences is considered sufficient to substantially reduce the ability for a resident to discern an odor originating from the Proposed Project Site (i.e., diesel exhaust fumes) from the overall air space.

Conclusion:

Project-related odors during construction activities would not be discernable by the closest receptors (i.e., residences) because of the use of Tier 4 engines on all construction equipment and distance between them and all construction equipment. Therefore, implementation of the remediation actions would not result in other emissions that could adversely affect a substantial number of people.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

References Used:

Bay Area Air Quality Management District (BAAQMD). 2023. *California Environmental Quality Act Air Quality Guidelines*. https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines (Accessed August 14, 2024)

BAAQMD. 2024. *Air Quality Standards and Attainment Status*. https://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status (Accessed August 14, 2024)

Weather Spark. 2024. *Climate and Average Weather Year Round in Richmond*. https://weatherspark.com/y/551/Average-Weather-in-Richmond-California-United-States-Year-Round (Accessed October 3, 2024).

4. BIOLOGICAL RESOURCES				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	☐	☒	☐	☐
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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

Applicable statutes and regulations to the Proposed Project include:

Federal Endangered Species Act (ESA): (16 United States Code (USC) § 1531-1544, 50 Code of Federal Regulations (CFR) Part 17). The Federal ESA provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found.

Federal Migratory Bird Treaty Act (MBTA): (16 USC § 703-712, 50 CFR Part 21). The MBTA makes it illegal to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid Federal permit.

California Endangered Species Act (CESA): (Fish and Game Code (FGC) chapter 1.5, sections 2050-2115.5, California Code of Regulations (CCR), title 14, chapter 6, § 783.0-787.9). CESA protects or preserves all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation.

CESA states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved.

Additionally, the California FGC § 3503 prohibits the take, possession, or needless destruction of the nest or eggs of any bird; and § 3513 prohibits the take or possession of any migratory nongame bird or part there of as designated in the MBTA. Any birds in the orders Falconiformes or Strigiformes (birds of prey, such as hawks and owls) are protected under FGC 3503.5, which makes it unlawful to take, posses, or destroy their nest or eggs.

ENVIRONMENTAL SETTING (BASELINE):

The proposed project site is surrounded by residential and light-industrial uses. There are no wetlands on the proposed project site.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of biological resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Reconnaissance-level biological resources surveys were not conducted because of the urban nature of the proposed project site and nearby areas.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

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?

Impact Analysis:

Urban residential and light-industrial development surrounding the proposed project site and other activities in the general project vicinity has reduced or, in some cases, eliminated connectivity to undisturbed natural habitats in the area. However, some animals have adapted to these types of conditions and are expected to traverse the proposed project site such as raptors and other birds protected by the MBTA and California FGC Code. Trees lining the northern, eastern, and southern boundaries of the proposed project site potentially contain habitat suitable for nesting birds. Implementation of remedial actions would result in the removal of trees between an existing fence and northern property line (refer to Figure 3). As a result, implementation of the remedial actions would result in direct disturbance of a biological habitat (i.e., trees with potential for nesting birds). Therefore, implementation of Mitigation Measure BIO-1 is recommended to substantially reduce the potential for impacts to nesting birds. With implementation of Mitigation Measure BIO-1, impacts to special status species would be less than significant.

Conclusion:

The proposed project site contains suitable habitat for nesting of special status species. Therefore, proposed remedial actions would have the potential to adversely affect special status species. Implementation of Mitigation Measure BIO-1 would reduce potential impacts to special status species to a less-than-significant level.

☐ Potentially Significant Impact

☒ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☐ No Impact

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

Impact Analysis:

The proposed project site does not contain any riparian habitat or sensitive natural community. The site is completely disturbed and is surrounded by an urban residential and light-industrialized area. Implementation

of remedial actions would not result in direct disturbance of any riparian habitat or sensitive natural community. There would be no impact.

Conclusion:

Riparian habitat is not located on the proposed project site and implementation of proposed remedial actions would not have the potential to effect on any riparian habitat or other sensitive natural community.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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

Impact Analysis:

Remedial actions would not occur in any wetland areas and would only occur on the proposed project site. The site is completely disturbed and is surrounded by an urban residential and light-industrialized area. Implementation of remedial actions would not result in direct disturbance of any wetlands. There would be no impact.

Conclusion:

Wetlands are not located on the proposed project site and implementation of remedial actions would not have the potential to affect any state or federally protected wetlands.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

Based on the temporary nature and duration of the remedial actions and the location of the proposed project site, which is a heavily disturbed, urban residential and light-industrial setting, the proposed project would not have the potential to interfere 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.

Conclusion:

There are no established native resident or migratory wildlife corridors, or native wildlife nursery sites located on or near the proposed project site. The remedial actions would not have no impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

e. Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact Analysis:

There are no biological resources on the proposed project site that are protected by local policies or ordinances.

Conclusion:

Implementation of the proposed remedial actions would not conflict with any local polices or ordinances for the purposes of protecting biological resources.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

The proposed project site is not located in any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The proposed remedial actions would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Conclusion:

The proposed remedial actions would not have the potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

MITIGATION MEASURES:

Mitigation Measure BIO-1: Preconstruction Nesting Bird Surveys. No more than 5 days prior to construction during the nesting bird season (February 1 through September 15), a qualified biologist shall conduct a survey for nesting birds. If work within an area lapses for more than 14 days during the nesting season, the survey shall be repeated. The survey shall encompass all work areas. Where accessible, the location of active nests will be recorded using a handheld global-positioning system unit. Should an active nest be discovered, the area of the nest and an appropriate buffer area will be cordoned off during construction activities that could cause disturbance of the nest. The qualified biologist conducting the nesting surveys should prepare a report that provides details about the nesting outcome and the removal of buffers. This report should be submitted to the City and DTSC for review and approval prior to the time that buffers are removed at the end of the project, at which time the biologist will confirm that the nests were not disturbed.

References Used:

Environmental Protection Agency. 2024. *NEPAssist.* https://nepassisttool.epa.gov/nepassist/nepamap.aspx (Accessed August 14, 2024).

5. CULTURAL RESOURCES				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

The definition of historical resources can be found in PRC §21084.1 and 14 CCR § 15064.5. Unique archaeological resources are defined in PRC § 21083.2 and 14 CCR § 15064.5. Tribal cultural resources are defined in PRC Div. 13 Section 21074.

California Assembly Bill 52 (AB 52) specifies that any project for which a Notice of Preparation, Notice of Mitigated Negative Declaration or Notice of Negative Declaration is filed on or after July 1, 2015, the Lead agency must provide formal notification within 14 days of determining that an application for a project is complete or of a decision to undertake a project to the designated contact or tribal representative of the affiliated California Native American tribes. The tribe that is traditionally and culturally affiliated to the geographic area where a project is located must have requested that the lead agency in question provide notification to the tribe (PRC 21081.3.1). Please refer to Section 18, Tribal Cultural Resources, of this Initial Study for additional discussion.

If remains are found on Site, the County Coroner will make the determination of origin and disposition, pursuant to Public Resources Code (PRC) § 5097.98. If the remains are determined to be Native American, the Coroner would notify the NAHC (per Health and Safety Code (HSC) 7050.5(c)) The NAHC would identify and notify the person(s) who might be the most likely descendent, who would make recommendations for the appropriate and dignified treatment of the remains (PRC Div. 5 section 5097.98). The descendants shall complete their inspection and make recommendations for treatment within 48 hours of being granted access to the Site (CEQA Guidelines, CCR section 15064.5(e); HSC section 7050.5).

ENVIRONMENTAL SETTING (BASELINE):

There are numerous archaeological Sites within the San Francisco Bay Area Basin that have been recorded with the Archaeological Inventory Report, Northwest Information Center (NWIC) at California State University Sonoma. However, the Proposed Project site has been previously disturbed and is located in a largely urbanized area. Therefore, the project site is not anticipated to contain sensitive archaeological resources.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, state, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of undisturbed areas on or near the proposed project site, no environmental studies relating to cultural resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?

Impact Analysis:

Historical resources, as defined by 14 CCR section 15064.5, have not been identified at the proposed project site. The proposed project site has been used continuously since the early 1980s as a city park. It is acknowledged that the site was developed sometime prior to 1916 as the Richmond Pottery Company. Based on the proposed project site location, history, and absence of resource findings during prior ground disturbing activities on the site, it is highly unlikely that historical resources would be identified or impacted. However, if historical resources are discovered during the proposed project activities, then ground disturbing activities within 25 feet would stop until a qualified archaeologist or appropriately licensed professional can assess the significance of the find and, if necessary, develop appropriate response measures in consultation with the DTSC, City of Richmond, and other agencies and Native American representatives, as appropriate.

Conclusion:

The proposed project would not include demolition, elimination, or manipulation of a historical resource. In addition, the finding of a historical resource during implementation of the remedial actions is unlikely based on the proposed project site history and conditions, and absence of findings during prior onsite development. Therefore, the proposed project would not cause a substantial adverse change in the significance of a known historical resource.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Impact Analysis:

Archaeological resources, as defined by 14 CCR section 15064.5, have not been identified at the proposed project site. The proposed project site has been used continuously since the early 1980s as a city park. It is acknowledged that the site was developed sometime prior to 1916 as the Richmond Pottery Company. Based on the proposed project site location, history, and absence of resource findings during prior ground disturbing activities on the site, it is highly unlikely that archaeological resources would be identified or impacted. In addition, there is no unique geologic feature at the Site and the presence of a unique paleontological resource in the proposed project work area is unlikely. However, if archaeological resources are discovered during the proposed project activities, then ground disturbing activities within 25 feet would stop until a qualified archaeologist or appropriately licensed professional can assess the significance of the find and, if necessary, develop appropriate response measures in consultation with the DTSC, City of Richmond, and other agencies and Native American representatives.

Conclusion:

The proposed project would not include demolition, elimination, or manipulation of an archaeological resource. In addition, the finding of an archaeological resource during implementation of the remedial actions is unlikely based on the proposed project site history and conditions, and absence of findings during prior onsite work. Therefore, the proposed project would not cause a substantial adverse change in the significance of a known archaeological resource.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

c. Disturb any human remains, including those interred outside of dedicated cemeteries?

Impact Analysis:

There are no known human remains on or near the project site and given the repeated disturbance of the site and the surrounding area, and the findings of the cultural resource study, the potential for such remains to be present is considered extremely low. If human remains are encountered, the County Coroner would be immediately notified. No further ground disturbing activities shall occur within 25 feet of the work area until the County Coroner has made a determination of origin and disposition, pursuant to PRC § 5097.98. If the remains are determined to be Native American, the Coroner would notify the NAHC (per Health and Safety Code 7050.5(c)) and the County Coordinator of Indian Affairs.

Conclusion:

Implementation of remedial actions is not expected to encounter or disturb any human remains, including those interred outside of dedicated cemeteries. If human remains are encountered, procedures will be followed to prevent disturbing the remains and ensure compliance with applicable codes and regulations.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

6. ENERGY				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

In 2015, Governor Brown signed Senate Bill 350 to codify climate, clean energy, and energy efficiency goals. The regulations focus on generating energy through renewable sources and increasing the energy efficiency of buildings.

ENVIRONMENTAL SETTING (BASELINE):

Electrical power and natural gas are provided to the Proposed Project site by Pacific Gas & Electric Company (PG&E). PG&E obtains its electricity supplies from power plants and natural gas fields in northern California and from energy purchased outside its service area and delivered through high voltage transmission lines. In addition, PG&E obtains its natural gas supplies from natural gas fields in northern California and from sources outside of California.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of energy resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of significant increase in energy demand from the proposed project site due to wasteful, inefficient, or unnecessary consumption, no environmental studies relating to energy resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Result in potentially significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact Analysis:

To implement the Proposed Project, it is expected that construction equipment (e.g., tractors, excavators, loaders, generators, trucks, light-duty vehicles) would use petroleum fuels (diesel and gasoline products) and would not use on-site electricity or natural gas sources. Implementation of the proposed remedial action would occur over a short duration (10 weeks) and, therefore, the wasteful, inefficient, or unnecessary use of petroleum fuels would not occur. Construction contractors would use existing office space at the Proposed Project site. Implementation of the proposed project would not result in adding any new facilities that would increase the demand for energy resources.

Conclusion:

The Proposed Project would not add new facilities that could increase the demand for energy resources. Construction activities would use equipment in accordance with manufacturer's specifications. Therefore, implementation of the proposed remedial action would not result in a wasteful, inefficient, or unnecessary consumption of energy resources. In addition, implementation of proposed remedy actions would not result in a new permanent energy demand.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact Analysis:

In 2015, Governor Brown signed Senate Bill 350 to codify climate, clean energy, and energy efficiency goals. The regulations focus on generating energy through renewable sources and increasing the energy efficiency of buildings. Implementation of proposed remedial actions would not result in constructing any new buildings that would increase the demand for energy resources, renewable or otherwise.

Conclusion:

The proposed project would not construct new facilities or permanent structures and would not generate any new energy demands. Therefore, the proposed project would not conflict with or obstruct any state or local plan for renewable energy or energy efficiency.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

California Legislative Information. 2015. SB-350 Clean Energy and Pollution Reduction Act of 2015. October. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB350 (Accessed August 14, 2024).

7. GEOLOGY AND SOILS				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting geological or soil resources are applicable to the proposed project.

ENVIRONMENTAL SETTING (BASELINE):

The project site is located on the eastern side of the San Francisco Bay in the Coast Ranges geomorphic province of California. The Coast Ranges are comprised of several mountain ranges and structural valleys stretching approximately 600 miles from the Oregon border to the Santa Ynez River and are formed by tectonic processes commonly found around the Circum-Pacific belt. Basement rocks have been sheared, faulted, metamorphosed, and uplifted, and are separated by thick blankets of Cretaceous and Cenozoic sediments that fill structural valleys and line continental margins. The San Francisco Bay Area has several ranges that trend northwest, parallel to major strike-slip faults such as the San Andreas, Hayward, and Calaveras.

Project site soils predominantly consist of mixtures of silt to sandy silt, and clay to clay with sand. Construction debris (debris) including fragments of brick, concrete, and ceramics, were observed at various locations across the project site. Generally, debris was observed between the ground surface and approximately 3 feet below ground surface (bgs). Some debris was observed at deeper depths (approximately 10 ft bgs) within berm areas, which are attributed to their taller vertical profiles ranging from 1 to 5 feet in height.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of geological and soils resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Site lithology has been characterized through investigations completed as part of the site investigations. Soil samples were also collected and characterized.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Impact Analysis:

The proposed project site is located approximately 2 miles from the Richmond Earthquake Fault Zone. However, no known earthquake fault crosses the site (CGS, 2024). Site workers would only be present for a short duration during proposed remedial actions (10 weeks) and, therefore, the potential for exposure to substantial risk of injury to people would be limited

Conclusion:

The proposed project site is identified as being near an Earthquake Fault Zone. However, the risk of loss, injury, or death involving from onsite ruptures would be limited because of the short duration of project activities that would reduce the potential exposure of people or structures to significant impacts from fault rupture associated effects.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

ii) Strong seismic ground shaking?

Impact Analysis:

The proposed project site is located in a seismically active area and the site may be exposed to moderate to strong shaking in the event of an earthquake in the region (CGS, 2024). Implementation of remedial actions would require the use of heavy equipment and would place numerous workers onsite. Site workers would only be present for approximately 10 weeks; therefore, the potential for substantial risk or injury to people from seismic ground shaking would be limited.

Conclusion:

Even though the proposed project site is in a seismically active area and the site may be exposed to moderate to strong shaking if an earthquake occurred, the remedial actions would occur for a short duration (10 weeks) that would reduce the potential exposure of people or structures to significant impacts from strong seismic ground shaking.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

iii) Seismic-related ground failure, including liquefaction?

Impact Analysis:

The proposed project site is located in a Liquefaction Zone and, therefore, has a high liquefaction susceptibility (CGS, 2024). Due to liquefaction, which generally occurs at depths shallower than 50 feet bgs, soils may lose their ability to support structures. However, proposed remedial actions would not involve building new structures.

Site workers would only be present for the short project duration (10 weeks); therefore, the potential for substantial risk or injury to people would be limited and would not expose people or structures to significant impacts from seismic-related ground failure, including liquefaction.

Conclusion:

Even though the proposed project site is in a high liquefaction susceptible area, remedial actions would not involve activities that would place buildings or people at risk of loss, injury, or death at significant risk if liquefaction.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

iv) Landslides?

Impact Analysis:

The proposed project site is not located in an area that could be adversely affected by landslides (CDC, 2024). In addition, the proposed remedial actions would be performed on a flat area and there is little potential for substantial risk or injury from landslides.

Conclusion:

No landslide impacts from the on the site or nearby areas would occur relating to placing people or buildings at risk loss, injury, or death involving landslides.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

b. Result in substantial soil erosion or the loss of topsoil?

Impact Analysis:

The proposed remedial actions would not substantially increase the amount of potential soil erosion by preventing storm water runoff contact and water intrusion into the soil. The proposed excavations and cap would not substantially affect the coverage of impermeable surfaces on the project site. Therefore, substantial soil erosion or the loss of topsoil would not occur with implementation of the proposed remedial actions.

Conclusion:

Remedial actions associated with the proposed project would not increase the potential for soil erosion or loss of topsoil on the proposed project site. Impacts related to soil erosion and loss of topsoil would not occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

The proposed project site is flat with very little relief; therefore, the potential for slope instability, lateral spreading, or collapse are minimal. The soils beneath the proposed project site would not be subject to subsidence because remedial actions would not involve the removal of groundwater. In addition, remediation of the Proposed Project site would not involve any activities that could result in liquefaction of existing onsite soils (process by which saturated, unconsolidated soil or sand is converted into a suspension during an earthquake). The vibrations associated with the proposed work, such as operation of auger drills, would be incapable of approximating those necessary to cause liquefaction.

Conclusion:

Characteristics of existing soils on the proposed project site would not be unstable or become unstable as a result of implementing the proposed project. This would be considered a less-than-significant impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact Analysis:

Expansive soils are characterized by their ability to undergo volume change due to variations in moisture content. The proposed project area is located on an area underlain by clay. Clay is a type of soil that exhibits expansive characteristics (Geology, 2021). However, implementation of proposed remedial actions would not involve construction of new structures or facilities. Therefore, the remedial actions would not create a substantial direct or indirect risk to life or property.

Conclusion:

Proposed remedial actions would not result in any new structures or facilities being placed on expansive soils. Therefore, substantial risk to life or property from expansive soils would not occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Impact Analysis:

The proposed project activities would not require the use of septic tanks or alternative wastewater disposal systems nor involve construction of such new systems.

Conclusion:

The use or construction of septic tanks or alternative wastewater disposal systems are not part of the proposed remedial actions. No impact involving septic tanks or alternative wastewater disposal systems as a result of onsite soils would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

f. Directly or indirectly destroy a unique paleontological resources or site unique feature?

Impact Analysis:

The proposed project site has been used continuously since the early 1980s as a city park. It is acknowledged that the site was developed sometime prior to 1916 as the Richmond Pottery Company. There are no unique geologic features at the site and the presence of a unique paleontological resource in the proposed project work area is unlikely. The proposed project is not expected to encounter or destroy any unique paleontological resources or geological features.

Conclusion:

There is no unique geologic feature at the site and the presence of a unique paleontological resource in the proposed project work area is unlikely.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

References Used:

Geoscience News and Information. *Expansive Soil and Expansive Clay: The hidden force behind basement and foundation problems*. https://geology.com/articles/expansive-soil.shtml (Accessed August 14, 2024).

California Department of Conservation, California Geological Survey (CGS). 2024. Earthquake Zones of Required Investigation. https://maps.conservation.ca.gov/cgs/EQZApp/app/ (Accessed August 14, 2024).

International Conference of Building Officials. 1994. Uniform Building Code, Seventh Printing. May 1.

8. GREENHOUSE GAS EMISSIONS				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

The Bay Area Air Quality Management District (BAAQMD) 2023 Air Quality Significance Thresholds recommend that greenhouse gases (GHGs) for projects be quantified and that the lead agency should make a determination on the significance of construction-related GHG emissions.

ENVIRONMENTAL SETTING (BASELINE):

Greenhouse gases are global pollutants, unlike criteria air pollutants that are of regional or local concern. The largest anthropogenic source of GHGs is the combustion of fossil fuels, which results primarily in emissions of carbon dioxide (CO_2). Other GHGs include methane, nitrous oxide, fluorinated gases, ozone, and sulfur hexafluoride. To account for the differences of the warming effects of various GHGs, emissions are standardized into carbon dioxide equivalents (CO_2e).

A GHG emissions inventory is available for the San Francisco Bay Area Region for 2015. In 2015, approximately 84.7 million metric tons (MMT) CO_2e were attributable to the San Francisco Bay Area (BAAQMD, 2017).

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The BAAQMD CEQA Guidelines indicate that a lead agency should determine the significance of construction-related GHG emissions even though BAAQMD does not identify a standard to make such a determination. However, the BAAQMD CEQA Guidelines identify an operation-related maximum annual threshold of significance for stationary sources of 10,000 metric tons of CO_2e per year (BAAQMD, 2024).

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

California Emissions Estimator Model ® (CalEEMod, Version 2022.1.1.24) was run to identify project-related greenhouse gas emissions. The CalEEMod results and the model basis information are provided in Attachment A.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact Analysis:

Implementation of proposed remedial actions would generate GHG emissions through mobilization of construction equipment; onsite delivery of materials, equipment and supplies; onsite use of vehicles and heavy equipment; worker commutes to the proposed project site; and demobilization activities. The CalEEMod was run to identify the potential greenhouse gas emissions generated by implementation of proposed remedial actions. Results of the model indicate that remedial actions would generate approximately 115 metric tons of CO_2e per year during the construction period (refer to Attachment A). Carbon dioxide equivalent, or CO_2e, is a term for describing

different greenhouse gases in a common unit. For any quantity and type of greenhouse gas, CO_2e signifies the amount of CO_2 which would have the equivalent global warming impact (Ecometrica 2012).

Although the BAAQMD CEQA Guidelines do not provide a construction-related threshold of significance for GHG emissions, construction-related CO_2e emissions were compared to operation-related maximum annual threshold of significance for land-use projects. Construction activities associated with implementation of remedial actions would generate approximately 115 metric tons of CO_2e per year. This amount of CO_2e falls below the BAAQMD CEQA Guidelines operation-related maximum annual threshold of significance for stationary sources of 10,000 metric tons of CO_2e per year.

In addition, the proposed project would implement the following basic construction BMPs recommended by the BAAQMD to reduce GHG emissions during construction activities.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes, as required by the California airborne toxics control measure 13 CCR Section 2485. Clear signage regarding this practice shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

Other BMPs that may be implemented include:

- Use of local source(s) of backfill material that would minimize travel distance.
- Limiting equipment idle time.
- Carpooling and overnight stays at local hotels to reduce commuting distance.
- Use of local labor and subcontractors whenever practicable.

Conclusion:

The proposed project would not result in a new permanent stationary or non-stationary source of GHGs and construction-related GHG emissions would be short-term and temporary. In addition, the estimated CO_2e emissions from implementing the remedial actions (115 metric tons of CO_2e per year) would fall below BAAQMD Air Quality Significance Thresholds for stationary sources (10,000 metric tons of CO_2e per year). Therefore, GHG emissions resulting from implementation of the proposed project are considered to have a less-than-significant impact on the environment.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Analysis:

The BAAQMD is responsible for regulating GHG emissions in the project area. The BAAQMD 2023 Air Quality Guidelines recommend that GHGs for projects be quantified; however, the guidelines do not identify a CEQA threshold of significance for construction-related GHG emissions. In addition, construction activities would not conflict with any goals set by the BAAQMD to achieve the Bay Area's implementation of Assembly Bill 32 pertaining to global warming (CARB, 2006).

Conclusion:

The operation of construction equipment during implementation of remedy actions at the Proposed Project Site would be short-term and temporary and would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. All remedy actions would be

performed in compliance with the BAAQMD rules and polices. No impact related to conflict with a GHG reduction plan would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

Bay Area Air Quality Management District (BAAQMD). 2017. *Bay Area Emission Estimate and Draft Forecasts*. March 2017. https://www.baaqmd.gov/en/about-air-quality/emission-inventory/climate-forcing-pollutants

Bay Area Air Quality Management District (BAAQMD). 2023. *California Environmental Quality Act Air Quality Guidelines*. https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines (Accessed August 14, 2024)

Ecometrica 2012. Greenhouse Gases, CO_2, CO_2e, and Carbon: What Do All These Terms Mean? August 2012. Matthew Brander

9. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

Federal laws and regulations:

- Resource Conservation and Recovery Act (RCRA) Title 42 United States Code and 40 Code Federal Regulations (CFR) Parts 260-279. More specifically, hazardous waste generators are governed by 40 CFR part 262, subpart E and transporters of hazardous waste governed by 40 CFR part 263. RCRA gives EPA the authority to control hazardous waste from the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid waste.

- The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration regulates the transport of hazardous materials through Title 49 of the Code of Federal Regulations, Subchapter C.

State laws and regulations:

- Hazardous Waste Control Law (Health and Safety Code (HSC) Chapter 6.5) and 22 California Code of Regulations (CCR). The law establishes regulations and incentives which ensure that the generators of hazardous

waste employ technology and management practices for the safe handling, treatment, recycling, and destruction of their hazardous wastes prior to disposal. Article 6 of HSC Chapter 6.5 discusses the transportation of hazardous waste.

- California Vehicle Code: Divisions 2, 6, 12, 13, 14, 15 also apply to transportation of hazardous materials.

ENVIRONMENTAL SETTING (BASELINE):
The proposed project site has been used continuously since the early 1980s as a city park. The site was developed sometime prior to 1916 as the Richmond Pottery Company, and was eventually developed into a park by the City of Richmond (City) in the early 1980s. The main COPCs onsite are semi-volatile organic compounds (SVOCs), lead, and arsenic in soils. Groundwater is also impacted with total petroleum hydrocarbons as gasoline and diesel (TPHg and TPHd), and methyl-tert butyl ether (MTBE). Soil vapor samples collected contained TPHg, TPHd, benzene, and naphthalene concentrations exceeding Department of Toxic Substances Control (DTSC) HERO Note 3 residential screening criteria.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of hazards and hazardous materials effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance**.**

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Human health and ecological risk assessments performed for the proposed project site are summarized in the *Remedial Action Plan, Boorman Park, 25th Street* (Ninyo & Moore, 2024).

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Create a significant hazard to the public or the environment throughout the routine transport, use, or disposal of hazardous materials?

Impact Analysis:

Hazardous materials used during implementation of remedy actions would include fuels and oils for standard operation of construction equipment. Proper storage and disposal and compliance with applicable laws and regulations governing the management of hazardous materials and hazardous waste would minimize potential impacts associated with the use of such materials. Construction activities are estimated to occur over an anticipated 10-week period during use and transport of hazardous materials, and management and/or transport of waste generated would occur.

The proposed project would implement remedy actions to address impacted soil by removing COPC-impacted soils to approximately 37 feet amsl, stabilizing any non-RCRA Class I waste on site so that it is acceptable at a Class II non-hazardous waste disposal facility, exporting any Class I RCRA waste and Class II non-hazardous waste to the appropriate permitted off-site facility for disposal, and capping the site with between 2- to 3-feet of clean soils depending on whether there will be either hardscape or softscape materials used for the cap.

The routine management, storage, and transport of materials would be consistent with all applicable federal and state laws. Any storage of hazardous or impacted materials would occur in a designated material-handling area with secondary containment. In addition, the proposed project would implement a Health and Safety Plan (HASP) which would describe, in detail, how potential for exposures would be minimized for all personnel who enter the proposed project site and how migration of contaminated materials beyond the area would be prevented.

Conclusion:

The adherence to the HASP and standard practices, implementation of remedy actions would not a create a significant hazard to the public or the environment throughout the routine transport, use, or disposal of hazardous materials. Project-related impacts would be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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?

Impact Analysis:

Implementation of remedy actions at the proposed project site have the slight potential to release hazardous materials into the environment during disturbance of contaminated soils; from an accidental release of fuel, oil, or maintenance chemicals from construction equipment; and/or from dust generated during construction activities. During construction activities, potential spills or releases of hazardous materials would be minimized through the following:

- Preparation and implementation of a HASP including requirements for workers and other construction management components;
- Implementation of contaminant control measures for the construction and maintenance of soil stockpiles, if stockpiles are needed, to prevent potentially impacted soil from being released onto clean soil or into the air; and
- Implementation of a Storm Water Pollution Prevention Plan (SWPPP) to reduce erosion, sediment, and pollution levels in storm water runoff discharged from the site to storm drains during and after excavation activities.

Conclusion:

Remedy actions would be required to adhere to the requirements of hazardous waste management plans (i.e., HASP) and to implement standard practices (e.g., contaminant control measures, SWPPP). Therefore, the proposed project potential to 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 would be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Impact Analysis:

Coronado Elementary School is located within one-quarter mile of the proposed project site. The proposed remedy actions would involve activities that would disturb the existing contaminated soils in such a way that could impact offsite areas, including the any school. However, the proposed project would implement contaminant control measures for proper construction and maintenance of soil stockpiles, if stockpiles are needed, to prevent potentially COPC-impacted soil from being released into the air. In addition, dust monitoring stations would be placed on-site, and careful visual monitoring would be conducted to assure dust suppression techniques are effective in preventing dust from traveling off-site during excavation and loading. Potential releases of hazardous materials would be minimized through implementation of contaminant control measures during construction activities which protect students within one-quarter mile of the project site from potentially hazardous emissions or handle hazardous or acutely hazardous materials.

Conclusion:
Implementation of remedy actions at the proposed project site would occur within one-quarter mile of one elementary school. Activities associated with the remedy actions would disturb the existing contaminated soils in such a way that could impact offsite areas, including schools. The proposed project would implement contaminant control measures (e.g., dust monitoring) which would substantially reduce the potential for emissions of hazardous

emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of school to a less-than-significant level.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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?

Impact Analysis:

The proposed project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, the purpose of the remedy actions is to clean up contaminated soils on the site. Therefore, proposed activities would not create a significant hazard to the public or the environment.

Conclusion:

The proposed project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed remedial actions would remove, not create, a significant hazard to the public or the environment. Therefore, no impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

The proposed project site is not located within two miles of any public airport or public use airport. The closest airport to the site is Oakland International Airport which is located approximately 15 miles to the south in Oakland, California.

Conclusion:

The proposed remedy actions would not occur in an area located within an airport land use plan nor within two miles of a public airport or public use airport. Therefore, implementation of the project would not result in a safety hazard or excessive noise for people residing or working in the project area.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

f. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

Impact Analysis:

In the event of an emergency during proposed remedy actions, a project Health and Safety Plan (HASP) will be developed and implemented which outlines the actions to protect workers during remedy implementation. The HASP includes contingency plans for spills, fires, or other emergencies during construction activities.

The transportation of equipment and materials to and from the proposed project site have the potential to impair implementation or interfere with the existing emergency response plan and/or evacuation plan. The HASP would include a stop-work authority requirement for all work locations and workers and grants any worker the ability to stop work if an unsafe condition is identified that could cause substantial harm or imminent danger to health and safety of workers, the public, or the environment. As a result, if actions described in the HASP were to be implemented in response to an emergency, project management would be able to immediately suspend equipment operation until the emergency response is completed or the evacuation order is lifted.

Conclusion:

The proposed project would implement a HASP that would allow for suspending construction activities that could impair implementation of an adopted emergency response plan or emergency evacuation plan. Impacts to an adopted emergency response plan or emergency evacuation plan are considered less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Impact Analysis:

The proposed project site is not located in an area with environmental conditions conducive to wildland fires. The project site is in an area lacking dry vegetation (urban area). Although construction equipment has a minimal potential to spark a fire during remedial actions, implementation of best management practices (BMPs) would further limit the potential for a wildland fire that exposes people or structures to a significant risk of loss, injury or death to occur.

Conclusion:

Impacts from wildland fires during implementation of the remedial actions are considered less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

10. HYDROLOGY AND WATER QUALITY				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede 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:			☒	
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
(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	☐	☐	☒	☐
(iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

The State Water Resources Control Board and the Regional Water Quality Control Boards (collectively Water Boards) share authority to implement the Federal Clean Water Act (CWA, 33 U.S.C. §1251 et seq.) and California's Porter-Cologne Water Quality Control Act (California Water Code, Section 7). The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

The Water Boards enforce waste discharge requirements through National Pollutant Discharge Elimination System (NPDES) permits. The Porter-Cologne Act mandates the Regional Water Board to develop, adopt and implement a Basin Plan for the Region. The Water Quality Control Plan for the Los Angeles Basin (Los Angeles Region Basin Plan) is the master policy document that contains descriptions of the legal, technical, and programmatic bases of water quality regulation in the Region.

The following are also applicable:

- The State Board published a resolution (SWRCB Resolution No. 88-63, as revised by Resolution No. 2006-0008) adopting policy regarding sources of drinking water where exceptions are provided for waters meeting certain criteria.

- The U.S. Environmental Protection Agency promulgated numeric water quality criteria for priority toxic pollutants and other water quality standards provisions to be applied to inland surface waters, enclosed bays and estuaries in California (California Toxics Rule, CTRs).

- A California Stormwater Construction General Permit is required for construction projects disturbing more than 1 acre. The legally responsible person is required to electronically file permit registration documents consisting of a notice of intent, risk assessment, site map, SWPPP, annual fee, and signed certification statement through the State Water Board's Storm Water Multi-Application and Report Tracking System.

ENVIRONMENTAL SETTING (BASELINE):

The project site is located in the East Bay Plain Subbasin (subbasin). There are no surface water bodies within a one-mile radius of the proposed project and the Proposed project site does not include wetlands. Groundwater is encountered at the proposed project site at depths ranging from approximately 20 to 35 feet below ground surface (bgs). The subbasin is a northwest trending alluvial basin, bounded on the north by San Pablo Bay, on the east by the contact with the Franciscan basement rock, and on the south by the Nile Cone Groundwater Basin. The subbasin extends beneath the San Francisco Bay to the west.

The project site does not contain any storm drains or culverts including ponds, lakes, creeks or any other surface water bodies. The project site is composed of mostly permeable surfaces, which are generally lawn and children's play areas where sand is the surface cover and, therefore, there is very little or no runoff on-site. In those areas of the project site where impermeable surfaces are located (e.g., basketball courts, sunken plaza, pathways), they are surrounded by permeable areas. Because of the existing features on the project site, storm water runoff would most likely be free of sediment and would flow from the site toward south 25th Street to the west and Maine Avenue to the south. A swale is located to the north of the northern site boundary, and storm water runoff likely occurs from the northern site berms to the swale; however, the area is heavily vegetated and is unlikely to transport sediment in runoff to the swale.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of hydrology and water quality effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance**.**

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

The hydrogeological conditions have been characterized through investigations completed as part of the Site investigations. Groundwater samples were also collected and characterized.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Impact Analysis:

The objectives of the proposed remedy actions include improving water quality conditions by excavating contaminated soils from the project site. The removal of contaminated soils as part of the remedy actions would also result in improvement to the groundwater quality and would not violate any water quality standards or water discharge requirements.

Conclusion:

The proposed remedy actions are anticipated to improve groundwater quality and result in the overall reduction of contaminants in on-site soils. Project activities would not violate any water quality standards,

waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Impacts are considered to be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?

Impact Analysis:

Groundwater would not be extracted as part of implementation of the remedy actions. Groundwater beneath the site would remain isolated. Implementation of the remedy actions would not result in reducing groundwater discharge because the project site is currently covered with impervious surfaces. Excavation of contaminated soils and installation of a cap would not change the overall amount of impervious surfaces on the project site. Therefore, implementation of the proposed remedy actions would not substantially interfere with the overall recharge of the East Bay Plain Subbasin.

Conclusion:

Implementation of the remedy actions would not interfere substantially with groundwater recharge of the East Bay Plain Subbasin. A less-than-significant impact is expected to occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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;

Impact Analysis:

Excavation of contaminated soils and installation of a cap would not substantially increase or decrease the paved surface area of the site from existing conditions. Runoff from the project site would not change and would continue to be managed in accordance with all applicable laws and regulations.

Conclusion:

Implementation of the remedy actions would not result in any substantial changes to onsite drainage patterns. Therefore, the proposed remedy actions would not substantially alter the existing drainage pattern of the overall proposed project site or project area in a manner which would result in substantial erosion or siltation on- or offsite. Consequently, impacts are considered to be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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

Impact Analysis:

Excavation of contaminated soils and installation of a cap would not substantially increase or decrease the paved surface area of the site from existing conditions. The existing storm water runoff at the proposed project site would continue to occur in the same manner as currently experienced.

Conclusion:

The proposed remedy actions would not alter the overall, existing drainage patterns on the proposed project site and, therefore, it would not substantially alter the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Impacts related to flooding are considered to be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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

Impact Analysis:

Excavation of contaminated soils and installation of a cap would not substantially increase or decrease the paved surface area of the site from existing conditions. The existing storm water runoff at the proposed project site would continue to occur in the same manner as currently experienced, including continuing to prevent polluted runoff.

Conclusion:

Construction activities and implementation of proposed remedy actions would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

(iv) impede or redirect flood flows?

Impact Analysis:

According to the FEMA Flood Map, the proposed project site does not lie within a 100-year flood hazard area (FEMA, 2024). In addition, the proposed remedy actions would not involve building any structures which could impede or redirect flood flows.

Conclusion:

Activities associated with proposed remedy actions would not construct any structures which could impede or redirect flood flows. Therefore, no impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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

Impact Analysis:

The proposed project site is not located in an area at risk from tsunami inundation (CDC, 2024). The proposed project site is not susceptible to seiche inundation because there are no major landlocked bodies of water within or near the site.

Conclusion:
Implementation of proposed remedy actions would not occur in an area at risk to seiche or from tsunami inundation. Therefore, the potential for release of pollutants from the proposed project site would not occur. No impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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

Impact Analysis:

The objectives of the proposed remedy actions include improving water quality conditions through excavation of contaminated soils and installation of a cap at the project site. Overall, remedy actions would decrease the potential for contaminants to migrate from soil or groundwater.

Conclusion:

Construction activities during implementation of site remedy actions would not violate any water quality standards or water discharge requirements identified in any water quality control plan or sustainable groundwater management plan.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

California Department of Conservation (CDC). 2022. Department of Conservation Tsunami Inundation Map, https://www.conservation.ca.gov/cgs/tsunami/maps. (Accessed August 21, 2024).

FEMA. 2024. FEMA Flood Map Service Center: Search By Address. https://msc.fema.gov/portal/search?AddressQuery=253%20S%2025th%20St%2C%20Richmond%2C%20CA%20944804 (Accessed August 21, 2024).

11. LAND USE AND PLANNING				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

City of Richmond Zoning Code provides restrictions and regulations on land uses and identifies the proposed project site as Parks and Recreation (PR). Similarly, the City of Richmond General Plan designates the land use of the proposed project site as Parks and Recreation.

ENVIRONMENTAL SETTING (BASELINE):

The City of Richmond General Plan refers to the proposed project site as an area that includes publicly owned local and regional parks as well as privately owned recreational facilities such as golf courses. Small-scale recreation-supporting uses such as rental shops, bike repair facilities, small restaurants, interpretation centers and museums are also permitted.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of land use and planning resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of land use changes in or near the proposed project site, no environmental studies relating to land use and planning were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Physically divide an established community?

Impact Analysis:

There are no residential areas or developed community on the proposed project site. Implementation of the proposed remedy actions would not physically divide the nearby established community.

Conclusion:

Proposed remedy actions would not have the potential to physically divide an established community based on the distance between the proposed project site and nearest developed community. No impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

The proposed remedy actions are intended to be a remedy to previous environmental effects (e.g., excavation of contaminated soils, installation of a cap). Implementation of the proposed remedy actions would not conflict with land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect but would improve the existing environment.

Conclusion:

The proposed remedy actions would remedy previous environmental effects and would not conflict with land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

City of Richmond. Zoning Information. 2024. https://www.ci.richmond.ca.us/3379/Zoning-Ordinance (Accessed August 21, 2024).

City of Richmond. 2012. General Plan 2030, Land Use and Urban Design Element. https://www.ci.richmond.ca.us/2608/General-Plan-2030 (Accessed August 21, 2024).

12. MINERAL RESOURCES				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):
No laws, ordinances, regulations, or standards protecting mineral resources are applicable to the proposed project.

ENVIRONMENTAL SETTING (BASELINE):

The proposed project site is located in an urban, developed area of the City of Richmond which has been identified as Urban Land by the California Department of Conservation and has been designated as parks and recreation in the City of Richmond General Plan.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of mineral resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of mineral resources in or near the proposed project site, no environmental studies relating to mineral resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

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?

Impact Analysis:

The proposed project site is located in an urban, developed area and no known mineral resources of value to the region and the residents of the state exist on the site.

Conclusion:

The cap would not prevent access to potential mineral resources if the proposed project site and surrounding area are ever reclassified. Therefore, no impacts would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

b. 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?

Impact Analysis:

The proposed project site is located in an urban, developed area and is not located in an area identified as a mineral resource area.

Conclusion:

The proposed project site is not likely to contain significant mineral deposits and the proposed remedy actions would not prevent access to mineral resources if the proposed project site and surrounding area are ever reclassified. Therefore, no impacts would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

13. NOISE				
Would the project result in:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

The Noise Element of the City of Richmond General Plan identifies its purpose to appraise noise levels in the community, prepare noise contours to guide land use decisions, and establish measures that address current and future noise impacts. This element works to ensure that the City limits the exposure of the community to excessive noise levels in noise-sensitive areas and at noise-sensitive times of day. The City adopted noise levels that exceed 55 dBA for more than 30 minutes in any hour to be unacceptable for single family residential land uses.

The City of Richmond Municipal Code (Section 15.04.605.060) addresses impacts that are due to construction noise. The regulations state that noise associated with construction activities shall be limited to weekdays between 7:00 a.m. and 6:00 p.m. The regulations also state that loud construction activities (e.g., pile driving) shall be limited to weekdays from 8:00 a.m. to 5:00 p.m. Lastly, the regulations state that pre-construction activities (e.g., loading and unloading, cleaning of mechanical toilets, deliveries, truck idling, backup beeps, yelling, radios) shall be limited to the same construction noise hours.

The City of Richmond Municipal Code (Section 15.04.608.080) addresses impacts that are due to construction vibration. Specifically, the regulations exempt vibrations generated from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trucks) from the minimum amount allowable by applicable State and federal regulations.

ENVIRONMENTAL SETTING (BASELINE):

The proposed project site is located in an urban, developed area of the City of Richmond and currently zoned for parks and recreation development as part of the City's General Plan. Existing ambient noise in the area of the proposed project site includes residential activities, light industrial activities, vehicle trips along nearby roads (e.g., Main Avenue, South 25th Street), and trains along the rail line adjacent to the east.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

For purposes of this analysis, noise effects may be considered significant if project activities would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the proposed project site in excess of City noise level standard of 75 dB CNEL or result in generation of excessive ground-borne vibration or ground-borne noise levels.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

The Federal Highway Administration (FHWA) developed the Roadway Construction Noise Model (RCNM), which has become the industry-accepted standard model for calculating construction noise levels at specific receptor locations. Model

inputs include the type and number of pieces of heavy construction equipment, their usage factors, distance to a receptor, and estimated shielding reduction (if any). The noise modeling for the proposed remedial actions were analyzed according to default construction equipment list from the air quality impact analysis for the proposed project. To reflect a conservative analysis, a reasonable worst-case scenario was modeled, assuming that each piece of modeled equipment would operate simultaneously at a reasonable distance from one another at the nearest possible locations to each modeled receptor. The modeled receptor locations represent the closest existing sensitive receptors to the proposed project site.

The City uses CNEL for regulating noise levels throughout the City. CNEL is the average equivalent sound level over a 24-hour period, with a penalty added for noise during the nighttime hours of 7:00 p.m. to 10:00 p.m. and of 10:00 p.m. to 7:00 a.m. During the evening period, 5 dB is added to take into account the decrease in community background noise between the hours of 7:00 p.m. to 10:00 p.m. During the nighttime period, 10 dB is added to take into account the decrease in community background noise between the hours of 10:00 p.m. to 7:00 a.m. However, construction activities associated with implementing the proposed remedial actions would occur only during daytime hours and would not be subject to the noise penalty applied to CNEL. Therefore, this analysis uses L_{eq}, the equivalent continuous sound level in decibels measured over a stated period of time (typically one hour), for the purposes of measuring project-generated noise.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would result in:

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?

Impact Analysis:

The proposed project would use heavy equipment for excavation of contaminated soils and construction of a cap. Remedy actions would occur over 10 weeks during daytime hours (Weekdays, 7:00 a.m. to 7:00 p.m.) to meet the City of Richmond's requirement for construction activities to provide relative quiet during the more sensitive evening and early morning periods (Municipal Code Section 9.52.110).

The City uses CNEL for regulating noise levels, however, construction activities associated with implementing the proposed remedy actions would occur only during daytime hours and would not be subject to the noise penalty applied to CNEL. Therefore, this analysis uses L_{eq} for the purposes of measuring noise generated during construction activities and is considered relevant and appropriate. L_{eq} is the equivalent continuous sound level in decibels, equivalent to the total sound energy measured over a stated period of time (typically one hour).

The proposed project site is located adjacent to residences to the south and would potentially operate construction equipment within 20 feet of a residence (refer to Figure 2). Using the RCNM, noise levels generated by the loudest construction equipment anticipated to be used for remedy actions (i.e., auger, loader, excavator) at the proposed project site are predicted to be 88.2 L_{eq} dBA at 20 feet (closest distance between the proposed project site and nearest residence) (FHWA 2006). Based on this predicted noise level, temporary noise levels during construction activities are anticipated to be noticed at nearby receptors (e.g., residences) and construction activities would be allowed in accordance with City regulations.

Conclusion:

Noise levels generated during project construction activities would be discernible from the existing ambient noise levels in the proposed project site area because of the distance (20 feet) to the nearest noise receptor (e.g., residence). However, the proposed project would meet City of Richmond's requirement that construction activities be limited to weekdays between 7:00 a.m. and 6:00 p.m. The proposed project would have a less than significant impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Generation of excessive ground-borne vibration or ground-borne noise levels?

Impact Analysis:

Implementation of proposed remedy actions would require the use of heavy construction equipment (e.g., auger, loader, excavator) at the proposed project site. Ground-borne vibration and noise generated by the use of these heavy construction equipment could be felt at the nearest receptor (i.e., residence) because of the potential distance to construction activities (20 feet) (refer to Exhibit 2). Therefore, ground-borne vibration and ground-borne noise levels could occur at levels that would be considered excessive because the ground would substantially attenuate vibration and noise. Temporary vibration levels during construction activities are anticipated to be noticed at nearby receptors (e.g., residences) and construction activities would be allowed in accordance with City regulations.

Conclusion:

Construction equipment used during proposed remedial actions could generate excessive ground-borne vibration or noise felt because of the distance (20 feet) to the nearest noise receptor (e.g., residence). However, the temporary vibrations generated from the proposed project would be exempt from applicable standards. The proposed project would have a less than significant impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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?

Impact Analysis:

The proposed project site is not located within an airport land use plan, vicinity of a private airstrip, or within two miles of a public airport or public use airport. The closest airport to the site is Oakland International Airport which is located approximately 15 miles to the south in Oakland, California.

Conclusion:
The proposed remedy actions would not the potential to expose people residing or working in the project area to excessive noise levels generated by a nearby airport or airfield. No impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

References Used:

City of Richmond Municipal Code. https://library.municode.com/ca/richmond/codes/code_of_ordinances (Accessed September 25, 2024).

Federal Highway Administration (FHWA). February 15, 2006. Roadway Construction Noise Model. https://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/ (Accessed October 2, 2024).

14. POPULATION AND HOUSING				
Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting population and housing resources are applicable to the proposed project.

ENVIRONMENTAL SETTING (BASELINE):

City of Richmond Zoning Code provides restrictions and regulations on land uses and identifies the proposed project site as Parks and Recreation. The City of Richmond General Plan designates the land use of the proposed project site as Parks and Recreation.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of population and housing resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of housing on the proposed project site, no environmental studies relating to population and housing resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Induce substantial unplanned population growth in area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Impact Analysis:

Implementation of the proposed remedy actions are intended to clean up contaminated soils. Remediation of contaminated soils would not change the underlying use of the site for park and recreation uses and would not allow for increased population growth.

Conclusion:

The proposed project would not have the potential to allow for future population growth. No impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Impact Analysis:
Implementation of the proposed remedy actions are intended to clean up contaminated soils at the proposed project site. Remediation of contaminated soils would not require removing any existing people or housing.

Conclusion:
The proposed project would not have the potential to displace substantial numbers of existing people or housing.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

15. PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting public services resources are applicable to the proposed project.

ENVIRONMENTAL SETTING (BASELINE):

City of Richmond Zoning Code provides restrictions and regulations on land uses and identifies the proposed project site for park and recreation uses. The City of Richmond General Plan designates the land use of the proposed project site as parks and recreation.

Public parks located within 1 mile of the proposed project site includes John F. Kennedy Park (2/3-mile to the east), State Court Park (1 mile to the east), Nicholl Park (1/2-mile to the north), and Memorial Park (3/4-mile to the northwest). Coronado Elementary School is located approximately ¼-mile to the west of the project site, and DeJean Middle School is located 1/2-mile to the northeast of the project site. Richmond Police Department is located approximately 3/4-mile to the south of the project site. Richmond Fire Department Station 66 is located 1 mile to the northeast and Kaiser Permanente Richmond Medical Center is located 1 mile to the northwest of the site. Lastly, the Richmond Public Library is located 1/2-mile to the north of the project site.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of public services resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the less than significant impact of the proposed project site to public services resources, no environmental studies relating to public services resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

Result in substantial adverse physical impacts associated with the provision of new or physically altered government 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 following public services:

Fire protection?

Impact Analysis:

The closest fire station to the proposed project site is Richmond Fire Department Station 66, located at 4100 Clinton Avenue in Richmond. The drive distance between the proposed project site and Station 66 is 2.2 miles. Potential demands on fire protection services may increase slightly during the construction period as a result of unforeseen events related to the scope of work. However, ongoing adherence to procedures and practices identified in the proposed project's HASP would reduce the potential for incidents to occur that would require a fire district response.

Conclusion:

Ongoing adherence to procedures and practices identified in the proposed project's HASP would reduce the potential for incidents to occur that would require response from fire protection services. After completion of remedial actions, the proposed project would not cause an increase in demand on fire protection, as compared to the current demand.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

Police protection?

Impact Analysis:

The proposed project Site is located in the jurisdiction of the City of Richmond's Police Department. Potential demands on law enforcement or emergency response services could increase slightly during the construction period as a result of unforeseen events or circumstances. However, risks to human health and safety would be minimized through ongoing adherence to procedures and practices identified in the proposed project's HASP.

Conclusion:

Ongoing adherence to procedures and practices identified in the proposed project's HASP would reduce the need for police protection services. After completion of remedial actions, the project would not cause an increase in demand on police protection, as compared to current demand.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

Schools?

Impact Analysis:

The closest schools to the proposed project site are Coronado Elementary School which is located approximately ¼-mile to the west and DeJean Middle School which is located 1/2-mile to the northeast. The proposed project would not result in an increase in population or associated increase in demand on these schools.

Conclusion:

Remedy actions would not create a demand for existing or new school facilities. No impact to school facilities would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

Parks?

Impact Analysis:

The nearest neighborhood parks to the project site, other than Boorman Park itself, is Nicholl Park (located 1/2-mile to the north). The proposed project would not result in an increase in population or associated increase in demand on parks.

Conclusion:

Remedy actions would not create a demand for existing or new park facilities. No impact to park facilities would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

Other public facilities?

Impact Analysis:

The closest hospital to the proposed project site is the Kaiser Permanente Richmond Medical Center, located approximately 1 mile to the northwest at 901 Nevin Avenue in Richmond. Construction activities could result in a slight increase in demands for services at the hospital. The potential for incidents requiring medical attention would be minimized through adherence with the proposed project's HASP.

Conclusion:

Ongoing adherence to procedures and practices identified in the proposed project's HASP would reduce the need for other public facilities and services. After remedy actions complete, the project would not cause an increase in demand on other public facilities and services, as compared to current demand.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

16. RECREATION				
	Potentially Significant Impact	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting agriculture or forestry resources are applicable to the Proposed Project.

ENVIRONMENTAL SETTING (BASELINE):

Public parks located within 1 mile of the proposed project site, excluding Boorman Park itself, include John F. Kennedy Park (2/3-mile to the east), State Court Park (1 mile to the east), Nicholl Park (1/2-mile to the north), and Memorial Park (3/4-mile to the northwest). Nicholl Park is a 21-acre community park that offers a playground, picnic area, BBQ, lawn area, baseball/softball fields, lawn bowling, putting green, tennis courts, soccer field, and community center.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of recreational resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the lack of impacts to recreational resources in or near the proposed project site, no environmental studies relating to recreational resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

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?

Impact Analysis:

The nearest neighborhood park is Nicholl Park, located 1/2-mile north of the proposed project site in a residential district. Implementation of proposed remedy actions would not directly increase the permanent resident population in the area because no habitable structures are planned as part of the project.

Conclusion:

The proposed project would not increase the use of existing neighborhood and regional parks, other recreational parks, or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. No impact to the use of existing neighborhood and regional parks or other recreational facilities would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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

Impact Analysis:

The proposed project site contains 4 acres of park area including an ADA Playground, picnic area, BBQ, lawn area, and basketball court. The intent of the remedy action is to excavate contaminated soils on the project site and then improve the existing Boorman Park resulting in improved health and wellness, safety, beauty, and access to outdoor recreation. Implementation of proposed remedy actions would not involve or require construction of any recreational facilities.

Conclusion:

The proposed project would not construct or cause the need for construction of additional recreational facilities beyond the City of Richmond's planned improvements to Boorman Park. No impact to existing or need for additional recreational facilities would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

17. TRANSPORTATION				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

Federal laws and regulations:

- Resource Conservation and Recovery Act (RCRA) Title 42 United States Code Subtitle C and 40 Code Federal Regulations (CFR) Parts 260-279. More specifically, transporters of hazardous waste are governed by 40 CFR part 263. RCRA gives EPA the authority to control hazardous waste from the generation, transportation, treatment, storage, and disposal of hazardous waste.

- The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration regulates the transport of hazardous materials through Title 49 of the Code of Federal Regulations, Subchapter C.

State laws and regulations:

- Hazardous Waste Control Law (Health and Safety Code (HSC) Chapter 6.5) and 22 California Code of Regulations (CCR). The law establishes regulations and incentives which ensure that the generators of hazardous waste employ technology and management practices for the safe handling, treatment, recycling, and destruction of their hazardous wastes prior to disposal. Article 6 of HSC Chapter 6.5 discusses the transportation of hazardous waste.

- California Vehicle Code: Divisions 2, 6, 12, 13, 14, 15 also apply to transportation of hazardous materials.

Local laws and regulations:

The Metropolitan Transportation Commission (MTC) is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area. MTC has created guidance for consistency between the counties' transportation planning work and the work of the Plan Bay Area. MTC prepares the *Plan Bay Area 2050* which is a 30-year regional plan that charts a course for a Bay Area that is affordable, connected, diverse, healthy and vibrant for all residents through 2050 and beyond. The MTC prepares the Congestion Management Plan (CMP) mandated by State Law, which defines the countywide transportation network, establishes service level targets for network routes, and identifies strategies to reduce congestion.

ENVIRONMENTAL SETTING (BASELINE):

Maine Avenue, South 27th Avenue, and South 25th Street provide the main access routes into the proposed project site. None of the nearby roadways are included in the MTC CMP.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of transportation resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance. LOS has been the standard by which transportation impacts of major developments and changes to roads were measured. LOS was formally defined in the 1965 Highway Capacity Manual as a "qualitative measure of the effect of a number of factors, which include speed and travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience, and operating cost". It is better understood today that LOS does not accurately reflect vehicle travel as it only focuses on individual local intersections and roadway segments and not on the entire vehicle trip. In 2013, the State of California passed Senate Bill (SB) 743 which required the Office Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. LOS was replaced with Vehicle Miles Traveled (VMT) as "the most appropriate metric of a project's potential transportation impacts". VMT data are used primarily by transportation agencies, environmental agencies, and consultants to perform a variety of functions such as allocating resources, estimating vehicle emissions, computing energy consumption, and assessing traffic impacts.

Section 15064.3(b) of the CEQA Guidelines states the following:

(b) Criteria for Analyzing Transportation Impacts.

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the less than significant impact to transportation resources in or near the proposed project site, no environmental studies relating to transportation resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?

Impact Analysis:

The proposed remedy actions would not affect public roadways in the long-term because these activities would not substantially affect the overall circulation system. The proposed project would add some traffic to roadways during the anticipated 10-week construction period due to delivery of materials and supplies to the

site, removal of any wastes from the site, and workers traveling to and from the site. The proposed project would not have any long-term effects on congestion levels.

During construction, periodic movement of heavy equipment would occur using Maine Avenue, South 27th Avenue, and South 25th Street. It is anticipated that heavy truck trips would be only associated with moving equipment associated with excavation activities to the site. The trucks would primarily enter and exit the proposed project site on these local roadways. As these trips would be intermittent, the remedy actions would not substantially increase the traffic on any public street system. Prior to entering the site, all haulers will demonstrate that their vehicles are properly registered, operational, and placarded in compliance with Federal, State and Local laws, for the type of material being transported. Overall, the proposed project is considered a less-than-significant impact in relation to congestion management.

There are no bike lanes in the vicinity of the project site. The nearest bus line (Alameda-Contra Costa Transit District (AC Transit) Route #74 and #376) operates along South 23rd Street near the site. The temporary increase in truck traffic during implementation of remedy actions would not affect any program, plan, ordinance or policy relating to these transportation facilities.

Conclusion:

The proposed project would not incorporate any activities, short-term or long-term, that would have the ability to conflict with any program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities in the project area.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Analysis:

Vehicle miles traveled (VMT) is a measure used in transportation planning for a variety of purposes. It measures the amount of travel for all vehicles in a geographic region over a given period of time, typically a one-year period. VMT is calculated by adding all the miles driven by all the cars and trucks on all the roadways in a region. This metric plays an integral role in the transportation planning, policy-making, and revenue estimation processes due to its ability to indicate travel demand and behavior. VMT may also be used to evaluate conformity assumptions, adjust travel demand forecasts, and identify pavement maintenance needs. Implementation of remedial actions would not generate additional long-term vehicle trips or change circulation patterns in the project area.

Conclusion:

The proposed remedy actions would not increase long-term vehicle miles traveled levels from/to the proposed project site consistent with Section 15064.3(b) of the CEQA Guidelines. There would be no impact.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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

Impact Analysis:

The proposed project involves onsite remedy actions to address soil contamination. The proposed remedy actions would not contain a design feature or incompatible use that would substantially increase traffic hazards because the activities would not alter the public roadways system.

Conclusion:

Implementation of the remedy actions would not include any design features or incompatible uses which would substantially increase hazards. No impacts related to increased hazards due to a geometric design feature or incompatible uses would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

d. Result in inadequate emergency access?

Impact Analysis:

The proposed remedy actions would not affect emergency access to/from the proposed project site in the long-term because these activities would not substantially change the overall circulation system on- and offsite. In addition, all construction equipment would be located and stored onsite and would not have the potential to block access roads.

Conclusion:

Emergency access to/from the proposed project site would not change with implementation of remedy actions. No impacts related to inadequate emergency access would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

18. TRIBAL CULTURAL RESOURCES				
Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.				
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:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
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	☐	☐	☒	☐
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.	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

Tribal cultural resources are defined in PRC Div. 13 Section 21074. California Assembly Bill 52 (AB 52) specifies that any project for which a Notice of Preparation, Notice of Mitigated Negative Declaration or Notice of Negative Declaration is filed on or after July 1, 2015, the Lead agency must provide formal notification within 14 days of determining that an application for a project is complete or of a decision to undertake a project to the designated contact or tribal representative of the affiliated California Native American tribes. The tribe that is traditionally and culturally affiliated to the geographic area where a project is located must have requested that the lead agency in question provide notification to the tribe (PRC 21081.3.1).

If remains are found on site, the County Coroner will make the determination of origin and disposition, pursuant to Public Resources Code (PRC) § 5097.98. If the remains are determined to be Native American, the Coroner would notify the NAHC (per Health and Safety Code 7050.5(c)) The NAHC would identify and notify the person(s) who might be the most likely descendent, who would make recommendations for the appropriate and dignified treatment of the remains (PRC Div. 5 section 5097.98). The descendants shall complete their inspection and make recommendations for treatment within 48 hours of being granted access to the Site (CEQA Guidelines, CCR section 15064.5(e); HSC section 7050.5).

ENVIRONMENTAL SETTING (BASELINE):

There are no known tribal cultural resources, as defined in PRC Div. 13 Section 21074, on the proposed project site or in its immediate vicinity. The proposed project site was developed sometime prior to 1916 as the Richmond Pottery Company, and was eventually developed into a park by the City of Richmond in the early 1980s.

DTSC complied with the 2014 Assembly Bill 52 (AB 52). DTSC provided written notification to seven tribes on the Tribal Consultation List from the NAHC regarding the proposed project on May 31, 2023. The notice included a brief project description, project location, and lead agency's contact information. DTSC did not receive interest from any Tribal governments.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

Tribal cultural resources are defined as either 1) sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register) or listed in a local register of historical resources or 2) a resource determined by the lead agency, in its discretion and supported by substantial evidence, is a tribal cultural resource (OPR, 2017).

To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, state, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the unlikely potential for unknown cultural resources to be located on the proposed project site, no environmental studies relating to cultural resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

a. 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:

   i. 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

   Impact Analysis:

   There are no known tribal cultural resources, as defined in PRC Section 21074, on the proposed project site or in its immediate vicinity. As described in the Baseline Environmental Conditions, the project site was developed sometime prior to 1916 as the Richmond Pottery Company and was eventually developed into a park by the City of Richmond in the early 1980s. Based on the proposed project site location, history, and absence of cultural resource findings during prior site work, it is not likely that historical resources would be identified or impacted during remedial actions. However, if tribal cultural resources are discovered during remedial actions, work would stop in that area until a qualified archaeologist or appropriately licensed professional can assess the significance of the find and, if necessary, develop appropriate response measures in consultation with the DTSC and other agencies and Native American representatives, as appropriate.

   Specifically, in the event of discovery of human remains during ground-disturbing activities, work within 25 feet of the discovery shall stop immediately and the County Coroner shall be notified to determine its origin. The County Coroner would determine disposition within 48 hours. If the remains are Native American, the County Coroner would be responsible for contacting the NAHC within 24 hours. The NAHC would identify and notify the person(s) who might be the most likely descendent, who would make recommendations for the appropriate and dignified treatment of the remains (PRC Div. 5 section 5097.98). The descendants shall complete their inspection and make recommendations for treatment within 48 hours of being granted access to the Site (CEQA Guidelines, CCR section 15064.5(e); HSC section 7050.5).

   In the event of discovery of potential cultural or archaeological resources, remediation activities would be immediately suspended in the immediate area and surrounding 25 feet along with contacting and informing

the DTSC Project Manager (Kenneth Gath at (916) 255-3643; Kenneth.gath@dtsc.ca.gov). After discussion with their Tribal Chairperson or respective Cultural Resources Managers or Tribal Historic Preservation Officers and in collaboration with DTSC (including the Office of Environmental Equity) and the property owner, any measures deemed necessary to record and/or protect the cultural or archaeological resource(s) would be implemented.

Conclusion:

The proposed project would not include the demolition, elimination, or manipulation of a known tribal cultural resource. In addition, the finding of an unknown tribal cultural resource during implementation of remedy actions is unlikely based on the site history and conditions and absence of findings during prior onsite work. However, the proposed project includes measures that would be implemented if discovery of unknown tribal cultural resource were uncovered during remedy actions. The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource and impacts would be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

ii. 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 Resource 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.

Impact Analysis:

There are no known tribal cultural resources, as defined in PRC Section 21074, on the proposed project site or in its immediate vicinity. The site was developed sometime prior to 1916 as the Richmond Pottery Company, and was eventually developed into a park by the City of Richmond (City) in the early 1980s.

On May 31, 2023, the DTSC formally notified the seven tribes identified in the NAHC listing. By October 11, 2024, no tribal Government responded to the AB 52 Consultation letter and requested consultation. In addition, the tribes communicated with did not identify any known tribal cultural resources that may be affected by the proposed project. However, the proposed project includes a standard operating procedure whereby all possible damages caused in the event of an unanticipated discovery can be avoided. Specifically, if tribal cultural resources are discovered during remedy actions, work would stop in that area until a qualified archaeologist or appropriately licensed professional can assess the significance of the find and, if necessary, develop appropriate response measures in consultation with the DTSC and other agencies and Native American representatives, as appropriate. As previously stated, the proposed project site has been previously disturbed and no information regarding the presence of known tribal cultural resources has been provided to the DTSC from the contacted tribes or from cultural resource surveys or records.

Conclusion:

As no known tribal cultural resources occur at the proposed project site or would be affected by the proposed project, and implementation of the contingency set forth in Section 18 (a)(i) would reduce impacts to unknown tribal cultural resources during excavation activities, impacts would be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

References Used:

Governor’s Office of Planning and Research (OPR). 2017. Technical Advisory, AB 52 and Tribal Cultural Resources in CEQA. June 2017.

19. UTILITIES AND SERVICE SYSTEMS				
Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting utilities and service systems resources are applicable to the Proposed Project.

ENVIRONMENTAL SETTING (BASELINE):

Water delivered to customers in the proposed project area originates from East Bay Municipal Utility District (EBMUD) water supplies in the Mokelumne River watershed in the Siarra Nevada.

The Richmond Sanitary Sewer District No. 1 (RSSD) provides wastewater treatment and effluent disposal services for most of the City of Richmond and a small area within unincorporated Contra Costa County. Under contract with the City, Veolia Water North America operates and maintains the RSSD facilities, which include a wastewater collection system, the Water Pollution Control Plant, and an effluent disposal system. Republic Services provides refuse and recycling service in the City of Richmond.

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of utilities and service systems resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the less than significant impacts to utilities and service systems resources in or near the proposed project site, no environmental studies relating to utilities and service systems resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

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?

Impact Analysis:

The proposed remedy actions would not create the need for or result in the construction of new or expanded water or wastewater treatment, electric power, natural gas, or telecommunications facilities. The excavation of contaminated soils and construction of a cap would not affect the current drainage pattern of the site. Runoff on the site would continue to be collected in the existing drainage system.

Conclusion:

Activities associated with the proposed project would not require new or expanded water or wastewater treatment, electric power, natural gas, or telecommunications facilities. Impacts to these facilities would be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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

Impact Analysis:

Implementation of remedy actions would require approximately 10 weeks to complete. The primary source of water required during construction activities would be supplied by the existing onsite non-potable fire protection water system. If needed, additional water would be transported to the proposed project site by water trucks.

Conclusion:

Sufficient water supplies from existing entitlements and resources onsite are available to serve the needs of remedy actions during the anticipated 10-week construction period. The remedy actions would not create long-term, future demand for water supply beyond existing conditions. Impacts to water supplies would be less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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?

Impact Analysis:

Implementation of remedy actions would not generate wastewater that would require a wastewater treatment provider. Wastewater generated during equipment decontamination activities would be containerized, profiled, and disposed at an appropriate offsite facility.

Conclusion:

Construction activities associated with remediation of the proposed project site would not create a demand for wastewater treatment at any wastewater treatment provider. No impact to a wastewater treatment provider would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

Implementation of the proposed site remediation activities are temporary in nature and would not result in any long-term operational generation of solid waste. Any solid waste generated during the remediation activities would be negligible, well within the capacity of local solid waste infrastructure and not of an amount which would impair attainment of solid waste reduction goals.

Conclusion:

Any minimal solid waste generated by remedy actions would be served by the existing solid waste service provider. A less-than-significant impact would occur to solid waste facilities.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Analysis:

Implementation of remedy actions would not generate substantially increase the amounts of solid waste needing transport offsite.

Conclusion:

Any minimal solid waste generated by remedy actions would comply with all federal, state, and local statues and regulations related to solid waste. Therefore, no impacts related to compliance with federal, state, and local management and reduction statutes and regulations related to solid waste would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

20. WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐

REGULATORY SETTING (LAWS, ORDINANCES, REGULATIONS, STANDARDS):

No laws, ordinances, regulations, or standards protecting wildfire resources are applicable to the proposed project.

ENVIRONMENTAL SETTING (BASELINE):

State Responsibility Areas are boundaries adopted by the Board of Forestry and Fire Protection and are areas where the California Department of Forestry and Fire (CAL FIRE) has a financial responsibility for fire suppression and prevention. Review of the Fire Hazzard Severity Zones in State Responsibility Areas indicate the proposed project site is not located in a Very High Hazard Severity Zone (VHFHSZ) but is located in a Local Responsibility Area. The closest area classified as a VHFHSZ is located approximately 4 miles east of the proposed project site (CAL FIRE 2024).

APPLICABLE THRESHOLDS OF SIGNIFICANCE:

The list of wildfires resource effects that may be considered significant contained in Appendix G of the CEQA Guidelines (Environmental Checklist) was used to establish a threshold of significance.

ENVIRONMENTAL STUDIES PERFORMED AND METHODOLOGY:

Based on the less than significant impacts to wildfire resources in or near the proposed project site, no environmental studies relating to wildfire resources were prepared for the proposed project.

IMPACT ANALYSES AND CONCLUSIONS:

Analysis as to whether or not project activities would:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Impact Analysis:

Please refer to the analysis provided in Section 9(f) of this Initial Study.

Conclusion:

Please refer to the conclusion provided in Section 9(f) of this Initial Study.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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?

Impact Analysis:

The proposed project site is not located in an area with environmental conditions conducive to wildland fires. The project site is in an urban area lacking dry vegetation. However, operation of construction equipment on the during remedial actions has the limited potential to spark a fire. However, construction activities would implement BMPs which address fire prevention methods.

Conclusion:

Although construction equipment has a minimal potential to spark a fire during remedy actions, implementation of BMPS would substantially limit the potential for a wildland fire that exposes people or structures to a significant risk of loss, injury or death to occur. Impacts from wildland fires during implementation of the remedy actions are considered less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

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?

Impact Analysis:

Implementation of remedy actions would not require the installation or maintenance of associated infrastructure (e.g., fuel breaks, emergency water sources, power lines, other utilities) that could exacerbate fire risk or could result in temporary or ongoing impacts to the environment.

Conclusion:

The proposed remedy actions would not install any infrastructure that could exacerbate fire risk or could result in temporary or ongoing impacts to the environment. No impact would occur.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☐ Less Than Significant Impact

☒ No Impact

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?

Impact Analysis:

Landslides tend to occur where slopes are steeper with higher relief. The proposed project site is flat with very little relief. The proposed remedy actions would not significantly change the existing slope of the proposed project site.

Conclusion:

The proposed remedy actions would not create steep slopes or disturb any landslide-prone areas. In addition, proposed remedy actions would not expose people or structures to risk from uncontrolled storm water runoff. These impacts are considered less than significant.

☐ Potentially Significant Impact

☐ Less Than Significant With Mitigation Incorporated

☒ Less Than Significant Impact

☐ No Impact

References Used:

California Department of Forestry and Fire (CAL FIRE), 2024. Fire Hazard Severity Zones in State Responsibility Area. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones (Accessed August 22, 2024).

21. MANDATORY FINDINGS OF SIGNIFICANCE

Based on evidence provided in this Initial Study, DTSC makes the following findings:

a. The project does not 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.

b. The project does not have impacts that are individually limited but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of an individual 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.)

c. The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Authority: Public Resources Code 21083, 21094.5.5
Reference: Public Resources Code Sections 21094.5 and 21094.5