

**Mitigation Monitoring and Reporting Program
for the
PowerPlant Park Project
Draft Initial Study/Mitigated Negative Declaration
City of Richmond, Contra Costa County, California**

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Table 1: PowerPlant Park Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
3. Air Quality					
<p>MM AIR-1: During construction activities, the following air pollution control measures shall be implemented:</p> <ul style="list-style-type: none"> Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. All roadways, driveways, and sidewalks shall be paved as soon as possible. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure, Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage 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 visible emissions evaluator. A publicly visible sign shall be posted with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours of a complaint or issue notification. The BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations. 	Notes on construction plans; Site inspections	During construction	City of Richmond Water Resource Recovery Department		

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4. Biological Resources					
<p>MM-BIO-1: Prior to ground disturbance that occurs during the nesting season (February 15 through August 31), a qualified biologist shall conduct pre-construction surveys for northern harrier, white tailed-kite and other migratory birds and raptors surrounding the construction area no more than 3 days prior to the start of ground disturbing activities in the construction area. If an active nest is located during pre-construction surveys, USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or a qualified biologist deems disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 300 feet around an active raptor nest and 50-foot radius around an active migratory bird nest) or alteration of the construction schedule. A qualified biologist shall delineate the buffer using nest buffer signs, ESA fencing, pin flags, and or flagging tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.</p>	<p>Submittal of documentation; Notes on construction plans</p>	<p>Prior to ground disturbance that occurs during the nesting season (February 15 through August 31)</p>	<p>City of Richmond Planning Department</p>		
5. Cultural Resources					
<p>MM CUL-1: A qualified archaeologist who meets the Secretary of Interior’s Professional Qualification Standards for archaeology must be present during the initial phase of ground clearance and grading in order to check for the inadvertent exposure of cultural materials. This may be followed by regular periodic or “spot-check” archaeological monitoring as needed, but full-time archaeological monitoring is not recommended at this time. In the event a potentially significant cultural resource is encountered during subsurface earthwork</p>	<p>Notes on construction plans; Site inspection; Submittal of documentation</p>	<p>During the initial phase of ground clearance</p>	<p>City of Richmond Planning Department</p>		

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<p>activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until the archaeologist has evaluated the find. The Applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified archeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources include, but are not limited to, stone, bone, glass, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the Project Site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Richmond, the Northwest Information Center, and the State Historic Preservation Office, as required.</p>					
<p>MM CUL-2: In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The applicant shall retain a qualified paleontologist to examine the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed</p>	<p>Notes on construction plans; Site inspection; Submittal of documentation</p>	<p>During construction (In the event that fossils or fossil-bearing deposits are discovered)</p>	<p>City of Richmond Planning Department</p>		

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before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the City of Richmond for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the plan.					
<p>MM CUL-3: In the event of an accidental discovery or recognition of any human remains, Public Resource Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Contra Costa County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98, or 2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the 	Notes on construction plans; Site inspection; Submittal of documentation	During construction (in the event of an accidental discovery or recognition of any human remains)	City of Richmond Planning Department		

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<p>recommendations of the most likely descendent or on the project area in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> • The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission; • The descendent identified fails to make a recommendation; or • The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner. 					
7. Greenhouse Gas Emissions					
<p>MM GHG-1: Prior to issuance of the certificate of occupancy, the applicant shall provide documentation to the City of Richmond demonstrating that the project would achieve additional GHG emission reductions totaling 67 MT CO₂e per year through the following measure or through other measures approved by the City:</p> <ul style="list-style-type: none"> • Purchase voluntary carbon credits from a verified GHG emissions credit broker in an amount sufficient to offset operational GHG emissions of approximately 67 MT CO₂e per year over the lifetime of the project (or a reduced amount estimated based on implementation of other measures listed above). Copies of the contract(s) shall be provided to the City of Richmond. 	Submittal of documentation	Prior to issuance of the certificate of occupancy	City of Richmond Planning Department		

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9. Hydrology and Water Quality					
<p>MM HYD-1: Prior to grading activities, the project applicant shall submit the SWPPP to the City of Richmond for review and approval. The SWPPP shall be designed to address the following objectives: (1) all pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity are controlled; (2) where not otherwise required to be under a Regional Water Quality Control Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated; (3) site BMPs are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity; and (4) stabilization BMPs installed to reduce or eliminate pollutants after construction are completed.</p> <p>The SWPPP shall be prepared by a qualified SWPPP preparer. The SWPPP shall include the minimum BMPs required for the identified risk level. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Stormwater Quality Handbook Construction Site Best Management Practices Manual.</p> <p>The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate, depending on the project risk level, sampling of site effluent and receiving waters. A qualified SWPPP practitioner shall be responsible for implementing the BMPs at the project site. The practitioner shall also be responsible for performing all required monitoring, BMP inspection, and maintenance and repair activities.</p>	Approval of SWPPP; Notes on construction plans	Prior to grading activities	City of Richmond Water Resources Recovery Department		

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<p>MM HYD-2: Prior to issuance of the first certificate of occupancy, the City of Richmond shall verify that operational stormwater quality control measures that comply with the requirements of the current Municipal Regional Permit have been implemented. Responsibilities include but are not limited to designing BMPs into project features and operations to reduce potential impacts to surface water quality and to manage changes in the timing and quantity of runoff (i.e., hydromodification) associated with operation of the project. These features shall be included in the design-level drainage plan and final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation and hydromodification of runoff from all portions of completed developments.</p> <p>The proposed project shall incorporate site design and BMPs described in the current version of the local C.3 Stormwater Technical Guidance manual. Low Impact Development features, including minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source, shall be used at each development covered by the Municipal Regional Permit. Funding for long-term maintenance of all BMPs shall be specified. The applicant shall establish a self-perpetuating Operation and Maintenance of Stormwater Treatment Systems Plan (Municipal Regional Permit provision C.3.h). This plan shall specify a regular inspection schedule of stormwater treatment facilities in accordance with the requirements of the Municipal Regional Permit.</p>	Site inspection	Prior to issuance of the first certificate of occupancy	City of Richmond Water Resources Recovery Department		

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12. Noise					
<p>MM NOI-1: During project construction, the following noise abatement measures shall be implemented:</p> <ul style="list-style-type: none"> • All construction equipment powered by internal combustion engines shall be properly muffled and maintained. • Quiet construction equipment, particularly air compressors, are to be selected whenever possible. • All stationery noise-generating construction equipment such as tree grinders and air compressors are to be located as far as is practical from existing residences. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • Unnecessary idling of internal combustion engines is prohibited. • The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. • Use of pile drivers, sources of impulsive sound and jack hammers shall be prohibited on Sundays and holidays, except for emergencies or as approved in advance by the Building Official. • The construction contractor shall limit noise producing construction activity to weekday hours between 7:00 a.m. and 7:00 p.m., and weekend and holiday hours between 9:00 a.m. and 8:00 p.m. 	Notes on construction plans; Site inspection	During construction	City of Richmond Planning Department		