

Mitigation Monitoring and Reporting Program for the 731 West Cutting Boulevard Warehouse Project Initial Study/Mitigated Negative Declaration City of Richmond, Contra Costa County, California

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Report Date: January 28, 2022

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PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation.

The Draft Initial Study and Mitigated Negative Declaration (Draft IS/MND) prepared for the proposed 731 West Cutting Boulevard Warehouse Project (proposed project) concluded that project implementation could result in potentially significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. This MMRP documents how and when the mitigation measures adopted by the lead agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the Draft IS/MND.

This document does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

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Table 1: 731 West Cutting Boulevard Warehouse Project Mitigation Monitoring and Reporting Program

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
2.3 Air Quality					
<p>MM AIR-1: Implement BAAQMD Best Management Practices During Construction</p> <p>The following Best Management Practices (BMPs), as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be included in the design of the proposed project and implemented during construction:</p> <ul style="list-style-type: none"> • All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard. • All visible mud or dirt tracked 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 vehicle speeds on unpaved roads shall be limited to 15 miles per hour. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • 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 (ACTM) Title 13, Section 2485 of California Code of Regulations. Clear signage regarding idling restrictions shall be provided for construction workers at all access points. 	Notes on construction plans; Site inspections	During construction	City of Richmond Building Department; Water Resource Recovery Department		

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<ul style="list-style-type: none"> 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. The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The City and the construction contractor shall take corrective action within 48 hours. The BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations. 					
2.4 Biological Resources					
<p>MM BIO-1: Nesting Birds</p> <p>If any tree removal is necessary, then it shall occur outside the nesting season between September 1 through January 31, if feasible. If trees cannot be removed outside the nesting season, then pre-construction surveys shall be conducted no more than 7 days prior to tree removal to verify the absence of active nests if the removal of any trees is scheduled between February 1 and August 31.</p> <p>If an active nest is located during pre-construction surveys, construction activities shall be restricted as necessary to avoid disturbance and nest abandonment. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment) or alteration of the construction schedule.</p> <p>If the active nest belongs to State or federally listed species, then United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) (as appropriate) shall be notified regarding the status of the nest.</p> <p>A qualified Biologist shall determine an appropriately sized buffer around the active nest depending on the species. The</p>	Submittal of documentation; Notes on construction plans	Prior to ground disturbance that occurs during the nesting season (February 1 through August 31)	City of Richmond Planning Department, Building Division; USFWS and/or CDFW (as appropriate)		

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project applicant shall implement the buffer using environmentally sensitive area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently.					
<p>MM BIO-2: Roosting Bats A qualified Biologist shall conduct surveys for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no less than 7 days and no more than 14 days prior to beginning ground disturbance and/or construction. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection for suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.).</p> <p>Visual surveys will include trees within 500 feet of project construction activities, where accessible. Not more than two weeks prior to building demolition, the project applicant shall ensure that a qualified Biologist (i.e., one familiar with the identification of bats and signs of bats) survey building proposed for demolition for the presence of roosting bats or evidence of bats. If no roosting bats or evidence of bats are found in the structure, demolition may proceed. If the Biologist determines or presumes bats are present, the Biologist shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization. Building demolition shall only commence after the Biologist verifies seven to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from May 1 through October 1. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young).</p>	Submittal of qualified Biologist’s pre-construction survey results; Notes on construction plans	No less than 7 days and no more than 14 days prior to vegetation removal or initial ground disturbance	City of Richmond Planning Department, Building Division		

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2.5 Cultural Resources and Tribal Cultural Resources					
<p>MM CUL-1: An Archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for archaeology should conduct a pedestrian survey following removal of asphalt and building demolition at the site, and prior to trenching and grading. This may be followed by regular, periodic or “spot-check” archaeological monitoring as determined by the Archaeologist. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an Archaeologist who meets the Secretary of Interior’s Professional Qualification Standards for archaeology has evaluated the find. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified Archaeologist 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 (NWIC), and the California Office of Historic Preservation (OHP), as required.</p>	<p>Inclusion in construction contracts, Notes on construction plans; Site inspection; qualified Archaeologist’s/Tribal Monitor’s on-site inspection if determined necessary; Submittal of documentation</p>	<p>During the initial phase of ground clearance</p>	<p>City of Richmond Community Development Department, Planning Division</p>		
<p>MM CUL-2: 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</p>	<p>Notes on construction plans; Site inspection and monitoring as</p>	<p>During construction (In the event that</p>	<p>City of Richmond Community Development</p>		

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<p>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 whether the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the 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 recommendations of the most likely descendant or on the project area in a location not subject to further subsurface disturbance: <ul style="list-style-type: none"> • The NAHC is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 48 hours after being notified by the commission. • The descendant identified fails to make a recommendation; or • The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner. 	<p>determined necessary; Submittal of documentation to the NAHC</p>	<p>human remains are discovered)</p>	<p>Department; Contra Costa County Coroner and NAHC in event of discovery</p>		

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2.7 Geology and Soils					
MM GEO-1: Prior to issuance of building permits for any structure on the project site, the applicant shall prepare and submit building plans to the City of Richmond for review and approval that demonstrate compliance with the latest adopted edition of the California Building Standards Code and with all recommendations included in the design-level Geotechnical Report. These standards include seismic design requirements and soil engineering requirements to address ground shaking, landsliding, expansive soils, settlement, and liquefaction potential.	Submission of design-level geotechnical report, approval of final grading and building plans by City-approved Geotechnical Engineer or certified Engineering Geologist	Prior to issuance of building permits	City of Richmond Building Division		
2.9 Hazards and Hazardous Materials					
MM HAZ-1: A Site Management Plan (SMP) shall be prepared by a qualified environmental professional prior to any earthwork on the site. The SMP would outline precautionary steps to be taken during demolition, construction, grading or other intrusive activities at the site, including excavation, trenching and backfilling, and utility repair, to ensure worker safety and minimize potential exposure to contaminated soils. The SMP shall also include specific groundwater management actions for dewatering or excavations below the water table.	Submission of Site Management Plan	Prior to issuance of grading permits	City of Richmond Community Development Department, Building Division		
MM HAZ-2: A vapor intrusion mitigation system shall be installed beneath any future buildings constructed on the project site to prevent soil vapor from entering the proposed building and avoid exposure to the VOCs in the soil vapor beneath the project site.	Installation of vapor intrusion mitigation system	Plan approval process, prior to issuing any building permits	City of Richmond Community Development Department, Building Division		
2.10 Hydrology and Water Quality					
MM HYD-1: Prior to issuance of demolition permits for the proposed project, the City of Richmond shall verify that the applicant has prepared a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the requirements of the Statewide Construction General Permit. The SWPPP shall be	Approval of SWPPP; Notes on construction plans	Prior to grading activities	City of Richmond Water Resources Recovery Department		

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<p>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 (RWQCB) permit, all non-stormwater discharges (e.g., chemicals) are identified and either eliminated, controlled, or treated; (3) site Best Management Plans (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. The SWPPP shall be prepared by a qualified SWPPP developer. 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 (CASQA) Stormwater Best Management Handbook–Construction or the California Department of Transportation (Caltrans) Stormwater Quality Handbook Construction Site BMP Manual.</p>					
<p>MM HYD-2: The applicant shall post a prominently visible notice at primary entrances to the proposed warehouse and office stating that the site is within a potential Tsunami Inundation area and advising that if strong seismic shaking is experienced at the site for 20 seconds or more, everyone on the property should evacuate the site immediately and move inland, to higher ground, if feasible. Additionally, all employees of the proposed project shall register with the Contra Costa County Community Warning System (CWS) for emergency alerts via cell phone (voice and text) and/or email. Registration with may be accomplished online at: https://cwsalerts.com/registration/.</p>	Site inspection	Prior to issuance of the first certificate of occupancy	City of Richmond Community Development Department		

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2.17 Transportation					
MM TRANS-1: At all times during project operation, the owner or operator of the proposed project shall provide a carpool matching service for its employees and provide dedicated carpool/vanpool spaces on-site in front of the building entrances to promote carpooling behavior.	Provision of program materials to City; inspection of premises	Prior to beginning operation and annually	City of Richmond Community Development Department		
MM TRANS-2: At all times during project operation, the owner or operator of the proposed project shall provide a financial incentive to encourage its employees to use transit, including providing employees with free or partially paid transit passes.	Provision of program materials to City; inspection of premises	Prior to beginning operation and annually	City of Richmond Community Development Department		
MM TRANS-3: At all times during project operation, the proposed project shall provide on-site bicycle facilities for employees, including secure bicycle storage as well as lockers and showers for employee use.	Provision of program materials to City; plan review for bicycle facilities; inspection of premises	Prior to beginning operation and annually	City of Richmond Community Development Department, Building Division		
MM TRANS-4: After operation has begun, the proposed project shall submit an annual TDM Monitoring Report to the City to verify compliance with the above mitigation measures. The project applicant shall contribute to any Contra Costa Transportation Authority (CCTA)-approved Vehicle Miles Traveled (VMT) impact fee program deemed applicable to the project.	Transportation Demand Management (TDM) Monitoring Report submitted to the City	Annually	City of Richmond Community Development Department, Building Division		
2.20 Mandatory Findings of Significance					
Implement MM BIO-1, MM BIO-2, MM CUL-1, MM CUL-2, and MM CUL-3.					