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CONTRA COSTA COUNTY
BY _____ DEPUTY

March 29, 2016

NOTICE OF COMPLETION AND AVAILABILITY

NOTICE OF PUBLIC HEARING FOR THE

DOWNTOWN MARTINEZ JAIL DEMOLITION PROJECT
State Clearinghouse Number # 2015112003
(County File: CP#15-39)

Notice is hereby given pursuant to the California Environmental Quality Act (CEQA) that a Draft Environmental Impact Report (hereafter referenced as "Draft EIR") has been prepared for the Downtown Martinez Jail Demolition Project (Project) and is available for public review.

Project Location: The Project is located at 650 Pine Street in Downtown Martinez, on Assessor's Parcel Number (APN) 373-262-001, which it shares with the Contra Costa County Finance building. The Project site is approximately 0.3 acre in size, and is bounded by Escobar Street to the north, Pine Street to the east, Main Street to the south, and the Contra Costa County Finance building to the west. The Project site is situated approximately 1 mile west of Interstate 680 (I-680) and 0.3 mile east of the Martinez train station.

Project Description: The Project would involve demolition and removal of the existing Jailhouse building, including all building elements (i.e., foundations, roof equipment, and building appurtenances). The basement of the Jailhouse building would also be demolished and filled. The existing Jailhouse building consists of the original structure, built in 1903, and an annex built in 1944. The Jailhouse building is approximately 19,008 gross square feet and 35 feet in height. There are seven parking spaces in a parking lot to the south of the building and five in a parking lot to the north of the building. The Jailhouse is currently vacant (with the exception of some obsolete storage) and has not functioned as a Jailhouse since 1986. The Jailhouse building is currently contaminated with hazardous materials including asbestos and lead-based paint.

Following demolition of the existing Jailhouse building, the Project site would be leveled to match the surrounding area and a surface parking lot would be constructed on the Project site. As described above, the existing parking lots have a total of 12 striped parking spaces. The County Public Works Department would repave the entire site, providing a total of 25 to 30 spaces. The proposed parking lot would serve some of the parking demand from the adjacent

Martinez Public Library
740 Court Street
Martinez, CA 94553
(925-646-9900

Central Pleasant Hill Library
1750 Oak Park Boulevard
Pleasant Hill, CA 94523
(925)-646-6434

This Notice of Availability and Draft EIR may be also viewed on the following County web pages: http://www.co.contra-costa.ca.us. Click on Departments, Conservation and Development, and Public Input or Departments, Public Works Department, Public Notices.

Signature: _____

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Attachment:
Figure 1 "Project Location Map"
Figure 2 "Project Site"

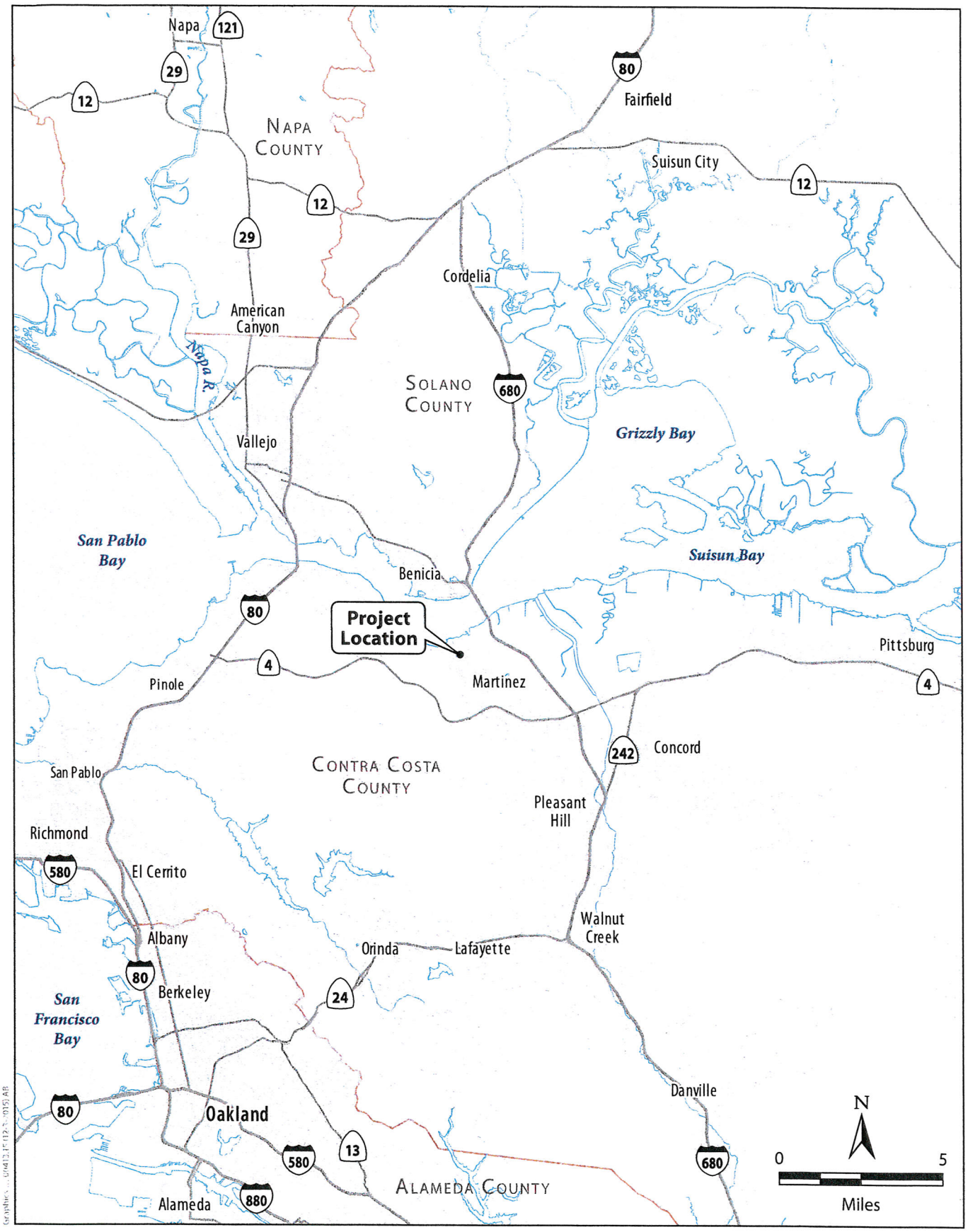

Figure 1
Project Location

Path: K:\Projects_1\ContraCostaCounty_DPW\00413_15_MartinezJailmapdoc\Fig_02_2_Project_Site_20151008_PD.mxd; User: 19402; Date: 12/17/2015

Source: Streetmap, ESRI 2015; Imagery, ESRI 2015

Figure 2
Project Site

DRAFT

ENVIRONMENTAL IMPACT REPORT FOR THE DOWNTOWN MARTINEZ JAIL DEMOLITION PROJECT

STATE CLEARINGHOUSE # 2015112003

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March 2016

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List of Acronyms and Abbreviations

°F	degrees Fahrenheit
µg/m^3	micrograms per cubic meter
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACCMs	asbestos-containing construction materials
ACMs	asbestos-containing materials
AHERA	Asbestos Hazard Emergency Response Act
APN	Assessor Parcel Number
AR4	IPCC Fourth Assessment Report
ARB	California Air Resource Board
ASCI	Asbestos Standard for the Construction Industry
ASR	Archaeological Survey Report
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
CAA	federal Clean Air Act
CAAQS	California ambient air quality standards
Cal/EPA	California Environmental Protection Agency
CalEEMod	California Emissions Estimator Model
CALFIRE	California Department of Forestry and Fire Protection
Cal-OSHA	California Division of Occupational Safety and Health
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CBC	California Building Code
CCAA	California Clean Air Act
CCCFPD	Contra Costa County Fire Protection District
CCCSD	Central Contra Costa Sanitary District
CCR	California Code of Regulations
CCT&RS	Contra Costa Transfer and Recovery Station
CCTA	Contra Costa Transportation Authority
CCWD	Contra Costa County Water District
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CH_4	methane
CHRIS	California Historical Resources Information System
CMP	congestion management program
CO	carbon monoxide

CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CPUC	California Public Utilities commission
C-R&S	Commercial, Retail and Services
CRHR	California Register of Historical Resources
CTP	Countywide Comprehensive Transportation Plan
dB	Decibel
dBA	A-Weighted Decibel
DDT	Dichlorodiphenyltrichloroethane
DHS	California Department of Health Services
DOT	U.S. Department of Transportation
DPM	diesel particulate matter
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EMT	Early Period-Middle Period Transition
EO	executive order
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
GHG	greenhouse gas
GLO	General Land Office
gsf	gross square foot
GWP	global warming potential
HABS	Historic American Building Survey
HCP	Habitat Conservation Plan
HFCs	Hydroflourocarbons
HRER	Historical Resources Evaluation Report
HUD	Department of Housing and Urban Development
I-680	Interstate 680
IPCC	Intergovernmental Panel on Climate Change
LBPs	lead-based paints
LCFS	Low Carbon Fuel Standard
L_{dn}	Day-Night Level
L_{eq}	Equivalent Sound Level
LID	Low Impact Development
L_{max}	Maximum Sound Levels
LOS	level of service
mg/m_3	milligrams per cubic meter
MLT	Middle/Late Transition
MTC	Metropolitan Transportation Commission
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards

NCCP	Natural Community Conservation Plan
NCP	National Contingency Plan
NESHAP	National Emission Standard for Hazardous Air Pollutants
NHPA	National Historic Preservation Act
NO	nitric oxide
NO_2	nitrogen dioxide
NOP	Notice of Preparation
NO_X	nitrogen oxides
NRHP	National Register of Historic Places
NSR	New Source Review
NWIC	Northwest Information Center
OSHA	Occupational Safety and Health Administration's
PCBs	polychlorinated biphenyls
PFCs	perfluorocarbons
PM	Particulate Matter
PM2.5	particulate matter less than or equal to 2.5 microns in diameter
PM10	particulate matter less than or equal to 10 microns in diameter
ppb	parts per billion
PPD	pounds/person/day
ppm	parts per million
Project	Downtown Martinez Jail Demolition Project
RCRA	Resource Conservation and Recovery Act of 1976
ROG	Reactive Organic Gases
SAR	Second Assessment Report
sf	square feet
SF_6	sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SIL	Significant Impact Level
SIP	State Implementation Plan
SIS	Secretary of Interior's Standards for the Treatment of Historic Properties
SO_2	sulfur dioxide
SR	State Route
State Water Board	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
TAC	Toxic Air Contaminates
Tanner Act	Toxic Air Contaminant Identification and Control Act
Transportation 2035 Plan	Transportation 2035 Plan for the San Francisco Bay Area
TSCA	Toxic Substances Control Act
USC	United States Code
VMT	vehicle miles traveled

Executive Summary

This Draft Environmental Impact Report (EIR) has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) to evaluate the potential impacts of the proposed *Downtown Martinez Jail Demolition Project* (Project). As required by Section 15123 of the State CEQA Guidelines, this executive summary contains the following sections.

- Project Overview
- Project Objectives
- Project Impacts and Mitigation Measures
- Project Alternatives
- Potential Areas of Controversy and Issues to be Resolved

Project Overview

The Project sponsor (Contra Costa County Public Works) proposes to demolish the Downtown Martinez Jailhouse building and to construct a surface parking lot in its place. The Jailhouse building is located on a single parcel along with the County Finance building on the block between Court, Escobar, Pine, and Main Streets. The building is approximately 19,008 gross square feet. There are two parking lots on the Project site, one with seven spaces adjacent to the south side of the Jailhouse building, and one with five spaces adjacent to the north side of the Jailhouse building. The County Public Works Department would repave the entire site, providing a total of 25 to 30 spaces. The existing driveways on the north and south sides of the Jailhouse building would be maintained. The proposed parking lot would be designed in compliance with County Ordinance No. 82-16 regarding off-street parking.

The Project site could potentially be used in the future as the site for construction and operation of new structures for County administrative functions, but no plans or designs have been prepared and no funding is available for such a future use at this time. For these reasons, analysis of impacts of construction and operation of such potential future uses and structures would be speculative and are not evaluated in this EIR. At the time such potential future uses and structures are proposed, additional evaluation under CEQA would be required.

The Jailhouse building includes the original structure, completed in 1903, and an annex, built in 1944. The Jailhouse building is on the National Register of Historic Places (National Park Service 1989). The exterior of the 1903 portion of the building is hand-chiseled granite, and the exterior of the 1994 is textured concrete in neutral earth tones (Guzzetti 2015). The Jailhouse building is contaminated with hazardous materials, including asbestos and lead-based paint. Under the proposed Project, the Jailhouse building, and sunken garage, including building footings and the surrounding granite curb, would be demolished and hazardous materials would be abated and disposed of in an appropriate facility. Following demolition, an asphalt surface parking lot would be constructed on the Project site with 25 to 30 spaces. The existing driveways on the north and south sides of the Jailhouse building would be maintained to provide access to the parking lot. All

pedestrian amenities would be maintained. The parking lot would utilize the existing two street lamp, and include landscaping features.

Project Objectives

The goal of the Project is to help form a well-planned, functional civic center in Downtown Martinez. The County's objectives for the Project are listed below.

- Reduce hazards posed by the existence of the unoccupied, contaminated building.
- Meet near-term parking needs in the area.
- Implement the *Martinez General Plan, Martinez Downtown Specific Plan* and *Contra Costa County General Plan* policies for the civic portion of Downtown Martinez.
- Promote future development of required space for County government administrative uses.
- Allow for compatible and functional structures and land uses in the civic center area.

Project Impacts and Mitigation Measures

Summary of Project Impacts

The Project impacts are summarized in Table ES-1 (presented at the end of this summary). For potentially significant impacts, mitigation measures are identified, where feasible, to reduce the impact on environmental resources to a less-than-significant level. Refer to Chapter 3, *Impact Analysis,* for a detailed discussion of Project impacts and detailed descriptions of the mitigation measures.

Significant and Unavoidable Impacts

State CEQA Guidelines Section 15126.2(b) requires an EIR to discuss unavoidable significant environmental effects of a project, including those that can be mitigated but not reduced to a level of insignificance. The impact analysis presented in Chapter 3, *Impact Analysis,* has identified that the Project would result in the following significant and unavoidable impact:

- Cause a substantial adverse change in the significance of a historical resource

Project Alternatives

State CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to a project that could feasibly attain the basic objectives of the project and reduce the degree of environmental impact. Chapter 4, *Alternatives*, provides a qualitative analysis of alternatives as compared with the Project. Three alternatives are analyzed in Chapter 4.

- **Alternative 1 – No Project Alternative**: Under this alternative, the Project site would remain in its existing condition and the Jailhouse building would not be demolished. No parking lot would be constructed.

- **Alternative 2 – Adaptive Reuse of Entire Building Alternative:** Under this alternative, the County would rehabilitate the Jailhouse building for government office use through modifications conducted in compliance with the *Secretary of Interior's Standards for the Treatment of Historic Properties*. There would be no demolition and no construction of a parking lot.
- **Alternative 3 – Partial Demolition and Adaptive Reuse of Remaining Building Alternative**: Under this alternative, the County would demolish the 13,089-gross square foot 1944 annex to the Jailhouse building and would rehabilitate the 5,919-gross-square-foot original structure built in 1903 for government office use through modifications conducted in compliance with *Secretary of Interior's Standards for the Treatment of Historic Properties*. A parking lot with approximately 15 spaces would be developed in the current location of the annex.

Potential Areas of Controversy and Issues to be Resolved

The County Public Works Department prepared a Notice of Preparation (NOP) of the intent to prepare a Draft EIR for the Project. The NOP was posted in the County Clerk's office and delivered to the State Clearinghouse for distribution on November 2, 2015. The County Public Works Department also mailed copies of the NOP to interested parties, local agencies, and other interested stakeholders. The scoping period for the EIR was initially scheduled to close on December 2, 2015. At the request of public comments, the scoping period for the EIR was extended and closed on December 16, 2015. Additionally, a public scoping meeting was conducted by the Zoning Administrator on November 16, 2015. Comments received regarding the scope of the Draft EIR pertained to the following topics: cultural resources, land use and planning, hazards and hazardous materials, utilities, alternatives, and cumulative impacts. Appendix A contains the NOP and written and oral comments on the NOP. While there is substantial interest in the historic value of the Old Jail, there is not controversy concerning its value as a historic resource. The structure is considered to be a significant historic resource.

A commenter on the NOP suggested that the Draft EIR analyze "the whole of the action," including the future construction of a new building at the Project site. Under CEQA, a "project" subject to environmental review must be the "whole of an action" (State CEQA Guidelines Section 15378(a)). This CEQA rule of analysis serves to assure that a large project is not chopped up into many smaller ones, resulting in piecemealing or segmenting of environmental review and masking the full scope of project impacts. Put another way, "a narrow view of a project could result in…overlooking its cumulative impact by separately focusing on isolated parts of the whole" (San Joaquin Raptor/ Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal. App.4th 713, 714). Courts have determined that an EIR must include analysis of the environmental effects of a future action if: 1) it is a reasonably foreseeable consequence of the initial project; and 2) the future action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. This standard involves determining whether the EIR has left out of the environmental analysis a "crucial element" or "integral part" of the project, without which the project cannot go forward (National Parks & Conservation Ass'n v. County of Riverside (1996) 42 Cal.App.4th 1505, 1519). Where an action is not a crucial element of the project, but merely contributes to the same pool of cumulative impacts, the action may be included in the EIR's analysis of cumulative impacts instead.

This EIR analyzes the whole of the project as it is known at this time. As described in the Project Description, a potential future use of the Project site would be for County administrative functions, but no plans or designs have been prepared and no funding is available for such a future use at this time. Therefore, no further details are known at this time regarding what structures might be planned and constructed at the site. State CEQA Guidelines Article 10 Section 15145 states that if a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact. In Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal. 3d 376, the court noted that where future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences. Because future development is unspecified for this Project site, it would be speculative to attempt to determine potential impacts of an unknown future use. Therefore, the unknown future use is not considered a reasonably foreseeable consequence of the initial project, nor will this future potential action change the scope or nature of the initial project or its environmental effects. For these reasons, the Draft EIR does not analyze the impacts of construction or operation of such a potential future use. At the time that such construction is planned, further environmental review under CEQA would be required.

Table ES-1. Summary of Impacts and Mitigation Measures

Impact	Level of Significance before Mitigation	Mitigation Measure	Significance after Mitigation
Air Quality and Greenhouse Gas Emissions			
Impact AQ-1: Conflict with or obstruct implementation of applicable air quality plan	Less than significant	--	--
Impact AQ-2: Violate any quality standard or substantial contribution to an existing or project air quality violation	Less than significant	Mitigation Measure AQ-1: Implement Measures to Reduce Construction-Related Dust and Equipment Exhaust Emissions	Less than significant
Impact AQ-3: Potential to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard	Less than significant	--	--
Impact AQ-4: Expose sensitive receptors to substantial pollutant concentrations	Less than significant	--	--
Impact AQ-5: Create objectionable odors affecting a substantial number of people	Less than significant	--	--
Impact GHG-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	Less than significant	Mitigation Measure GHG-1: Implement BAAQMD's Best Management Practices for GHG Emissions	Less than significant
Impact GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	Less than significant	--	--
Impact EGY-1: Result in the inefficient, wasteful, and unnecessary consumption of energy, including transportation energy use	Less than significant	--	--
Cultural Resources			
Impact CUL-1: Cause a substantial adverse change in the significance of a historical resource	Significant	Mitigation Measure CUL-1: Record the Building's History and Architecture following Historic American Building Survey Guidelines and Prepare Materials for Public Interpretation Mitigation Measure CUL-2: Plan for Reuse of Salvaged Components of the Building in Public Spaces	Significant and Unavoidable

Impact	Level of Significance before Mitigation	Mitigation Measure	Significance after Mitigation
Impact CUL-2: Cause a substantial adverse change in the significance of an archaeological resource	Significant	Mitigation Measure CUL-3: Stop Work if Cultural Resources are Encountered During Ground-disturbing Activities	Less than significant
Impact CUL-3: Cause a substantial adverse change in the significance of a paleontological resource	Significant	Mitigation Measure CUL-4: Stop Work if Paleontological or Unique Geologic Features are Encountered During Ground-disturbing Activities	Less than significant
Impact CUL-4: Disturb any human remains, including those interred outside of formal cemeteries	Significant	Mitigation Measure CUL-5: Stop Work if Human Remains are Encountered During Ground-disturbing Activities	Less than significant
Hazards and Hazardous Materials			
Impact HAZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	Less than significant	--	--
Impact HAZ-2: 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	Significant	Mitigation Measure HAZ-1: Prepare a Hazardous Materials Specification for the Abatement of Asbestos-Containing Materials (ACMs) and Lead-Based Paints (LBPs) Prior to Demolition Mitigation Measure HAZ-2: Retain a State Licensed Asbestos Abatement Contractor to Perform Hazardous Materials Abatement Prior to Demolition Mitigation Measure HAZ-3: Obtain Proper Building Permits and Follow Applicable Regulations Regarding the Handling of Hazardous Materials during Demolition Mitigation Measure HAZ-4: Ensure that Contractors and Designers Know the Exact Location of All Hazardous Materials	Less than significant
Impact HAZ-3: Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school	Less than significant	--	--

Impact	Level of Significance before Mitigation	Mitigation Measure	Significance after Mitigation
Impact HAZ-4: Be located on a site that 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	No impact	--	--
Impact HAZ-5: Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport or within the vicinity of a private airstrip, and result in a safety hazard for people residing or working in the project area	No impact	--	--
Impact HAZ-6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan	No impact	--	--
Impact HAZ-7: Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	No impact	--	--
Noise			
Impact NOI-1: Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies	Less than significant	--	--
Impact NOI-2: Expose persons to a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the project	Less than significant	--	--
Impact NOI-3: Expose persons to or generate excessive groundborne vibration or groundborne noise levels	Significant	Mitigation Measure NOI-1: Implement Vibration-Reducing Demolition Practices	Less than significant
Impact NOI-4: Expose persons to a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project	Less than significant	--	--
Impact NOI-5: Be located within an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels, and be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels	No impact	--	--

Impact		Level of Significance before Mitigation	Mitigation Measure	Significance after Mitigation
Transportation				
Impact TRA-1: Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit		Less than significant	--	--
Impact TRA-2: Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways		No impact	--	--
Impact TRA-3: Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks		No impact	--	--
Impact TRA-4: Substantially increase hazards because of a design feature or incompatible uses		Less than significant	--	--
Impact TRA-5: Result in inadequate emergency access		Less than significant	--	--
Impact TRA-6: Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities		Less than significant	--	--
Other Topics				
Aesthetics	Effect on a scenic vista and visual character	Less than significant	--	--
	Damage scenic resources along a scenic highway; new source of light and glare	No impact	--	--
Agricultural and Forest Resources		No impact	--	--

Impact		Level of Significance before Mitigation	Mitigation Measure	Significance after Mitigation
Biological Resources	Effect on special-status species	Less than significant	--	--
	Effect on sensitive natural community or federally protected wetlands	No impact	--	--
	Interfere with wildlife corridors or impede use of wildlife nursery site	Significant	Mitigation Measure BIO-1: Conduct Preconstruction Surveys and Implement Protective Measures for Townsend's Big-Eared Bat and Other Roosting Bats Mitigation Measure BIO-2: Conduct Demolition outside Nesting Season (September 1 to January 31) or Conduct Preconstruction Nesting Bird Survey for Demolition during Nesting Season (February 1 to August 31)	Less than significant
	Conflict with local policies or ordinances or an adopted habitat conservation plan	No impact	--	--
Geology and Soils	Expose people or structures to adverse effects due to rupture of earthquake fault, ground failure, or landslides; soils incapable of supporting septic tanks or wastewater disposal systems	No impact	--	--
	Expose people or structures to adverse effects due to seismic ground shaking; result in soil erosion or loss of topsoil; located on unstable soil or expansive soil	Less than significant	--	--
Hydrology and Water Quality	Violate water quality standards or waste discharge requirements; degrade water quality; deplete groundwater supplies or interfere with recharge; alter drainage pattern or create runoff water exceeding the capacity of the stormwater drainage system	Less than significant		--

Impact		Level of Significance before Mitigation	Mitigation Measure	Significance after Mitigation
	Place structures or people within 100-year flood hazard areas, expose significant loss, injury, or death, or impede redirect flows; contribute to inundation by seiche, tsunami, or mudflow	No impact	--	--
Land Use and Planning	Divide an established community; conflict with habitat conservation plan or natural community conservation plan	No impact	--	--
	Conflict with applicable land use plan, policy, or regulation	Less than significant	--	--
Mineral Resources		No impact		
Population and Housing	Induce population growth	Less than significant	--	--
	Displace housing or people	No impact	--	--
Public Services		No impact	--	--
Recreation		No impact	--	--
Utilities	Exceed wastewater treatment requirements; require new water, wastewater or stormwater treatment facilities; have sufficient water supplies or wastewater treatment capacity	No impact	--	--
	Served by landfill with sufficient capacity; comply with solid waste regulations	Less than significant	--	--

Cumulative Impacts	Contribution to Cumulative Effects	Additional Mitigation Measures	Contribution after Mitigation
Aesthetics	Not considerable	None necessary	--
Agricultural and Forest Resources	No impact	None necessary	--
Air quality and Greenhouse Gas Emissions	Not considerable	None necessary	--
Biological Resources	Not considerable	None necessary	--
Cultural Resources	Not considerable	None necessary	--
Geology and Soils	Not considerable	None necessary	--
Hazards and hazardous materials	Not considerable	None necessary	--
Hydrology and Water Quality	Not considerable	None necessary	--
Land Use and Planning	Not considerable	None necessary	--
Mineral Resources	No impact	None necessary	--
Noise	Not considerable	None necessary	--
Population and Housing	Not considerable	None necessary	--
Public Services	No impact	None necessary	--
Recreation	No impact	None necessary	--
Transportation and Traffic	Not considerable	None necessary	--
Utilities	Not considerable	None necessary	--

Chapter 1
Introduction

1.1 Proposed Project

This Draft Environmental Impact Report (EIR) has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) to evaluate the potential impacts of demolishing the Downtown Martinez Jailhouse and constructing an asphalt surface parking lot in its place (Project). The EIR is intended to identify the anticipated environmental impacts of the demolition and construction that may be undertaken by Contra Costa County (County) Public Works Department.

1.1.1 Overview

The Project sponsor (County Public Works Department) proposes to demolish the Martinez Jailhouse building and surrounding granite curb, and proposes to expand the existing parking lot on the south side of the building as an interim use of the Project site. A potential future use of the site would be for County administrative functions, but no plans or designs have been prepared and no funding is available for such a future use at this time.

1.1.2 Background

The existing Jailhouse building consists of the original structure, built in 1903, and an annex built in 1944. The Jailhouse building was closed in 1986. Since then, the building has fallen into disrepair, staying vacant with the exception of a limited amount of rarely used storage. The Jailhouse building shares a single parcel with the County Finance building. The parcel occupies the entire block between Court, Escobar, Pine, and Main streets. The parcel is owned by Contra Costa County but lies within the city limits of Martinez. The Contra Costa County zoning and general plan designation apply to the Project site, and the City of Martinez zoning and general plan designations apply to the surrounding non-County-owned land, pursuant to Government Code Sections 53090 and 53091.

Both the Finance and Jailhouse buildings were listed on the National Register of Historic Places (NRHP) in December 1989 as *Contra Costa County Courthouse Block, Finance Building*. The NRHP nomination identified the buildings as historically significant for association with events that have made a significant contribution to the broad patterns of our history, that embody the distinctive characteristics of a type, period, and method of construction, and that represent the work of master architects.

In 2006, the *Martinez Downtown Specific Plan* identified a proposed Downtown Historic Overlay District, which the Martinez City Council approved in 2010. Although the Finance and Jailhouse buildings are not listed as local landmarks, they are contributing elements to that locally designated historic district. Thus, they are historical resources for the purposes of CEQA.

1.2 CEQA Environmental Review Process

1.2.1 Intent of the EIR

The County Public Works Department has prepared this Draft EIR in compliance with CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Title 14, Chapter 3, Section 15000 et seq.). As required by CEQA, the Draft EIR is an informational document to aid in public review and official decision making. The EIR addresses the Project, disclosing information describing the environmental setting; potential direct, indirect, cumulative, and growth-inducing impacts of the Project; mitigation measures that could be implemented to reduce or avoid those impacts; alternatives to the Project; and impacts that would remain significant and unavoidable even after mitigation. The Contra Costa County Department of Conservation and Development is the CEQA Lead Agency for the Project.

1.2.2 Notice of Preparation

The County Public Works Department prepared a Notice of Preparation (NOP) of the intent to prepare a Draft EIR for the Project. The NOP was posted in the County Clerk's office and delivered to the State Clearinghouse for distribution on November 2, 2015. The County Public Works Department also mailed copies of the NOP to interested parties, local agencies, and other interested stakeholders. The scoping period for the EIR was initially scheduled to close on December 2, 2015. At the request of public comments, the scoping period for the EIR was extended and closed on December 16, 2015.

1.2.3 Scoping

A public scoping meeting was conducted at a Public Hearing held by the Zoning Administrator on November 16, 2015. There were two public speakers at the meeting. Impacts on historic cultural resources and hazards and hazardous materials were the primary environmental issues raised during the meeting. A commenter also requested analysis of an offsite alternative. This is discussed in Chapter 4, Alternatives.

This EIR addresses comments on the NOP to the extent that they influenced the scope of the environmental analysis. Nine comment letters were received, including three from public agencies and six from members of the public or businesses. Comments received regarding the scope of the Draft EIR pertained to the following topics: cultural resources, land use and planning, hazards and hazardous materials, utilities, alternatives, and cumulative impacts. Appendix A contains the NOP and written and oral comments on the NOP.

A commenter suggested that the Draft EIR analyze "the whole of the action," including the future construction of a new building at the Project site. Under CEQA, a "project" subject to environmental review must be the "whole of an action" (State CEQA Guidelines Section 15378(a)). This CEQA rule of analysis serves to assure that a large project is not chopped up into many smaller ones, resulting in piecemealing or segmenting of environmental review and masking the full scope of project impacts. Put another way, "a narrow view of a project could result in…overlooking its cumulative impact by separately focusing on isolated parts of the whole" (San Joaquin Raptor/ Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal. App.4th 713, 714). Courts have determined that an EIR must include analysis of the environmental effects of a future action if: 1) it is a reasonably foreseeable consequence of the initial project; and 2) the future action will be significant in that it

will likely change the scope or nature of the initial project or its environmental effects. This standard involves determining whether the EIR has left out of the environmental analysis a "crucial element" or "integral part" of the project, without which the project cannot go forward (National Parks & Conservation Ass'n v. County of Riverside (1996) 42 Cal.App.4th 1505, 1519). Where an action is not a crucial element of the project, but merely contributes to the same pool of cumulative impacts, the action may be included in the EIR's analysis of cumulative impacts instead.

This EIR analyzes the whole of the project as it is known at this time. As described in the Project Description, a potential future use of the Project site would be for County administrative functions, but no plans or designs have been prepared and no funding is available for such a future use at this time. Therefore, no further details are known at this time regarding what structures might be planned and constructed at the site. State CEQA Guidelines Article 10 Section 15145 states that if a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact. In Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal. 3d 376, the court noted that where future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences. Because future development is unspecified for this Project site, it would be speculative to attempt to determine potential impacts of an unknown future use. Therefore, the unknown future use is not considered a reasonably foreseeable consequence of the initial project, nor will this future potential action change the scope or nature of the initial project analyzed or its environmental effects. For these reasons, the Draft EIR does not analyze the impacts of construction or operation of such a potential future use. At the time that such construction is planned, further environmental review under CEQA would be required.

Commenters also recommended this EIR analyze several Project alternatives. Commenters requested analysis of a No Project alternative. A No Project Analysis is analyzed in Chapter 4, Alternatives, as Alternative 1. Several commenters requested analysis of adaptive reuse of the Jailhouse building, including the preservation of the Jailhouse building as an historical museum or selling the building to a private developer. An adaptive reuse alternative is analyzed in Chapter 4 as Alternative 2. Several commenters requested analysis of demolition of only the 1944 annex. Partial demolition is analyzed in Chapter 4 as Alternative 3. Finally, a commenter requested analysis of relocating the Jailhouse building. Relocation is discussed in Chapter 4.

1.2.4 Public Comment on the Draft EIR

CEQA does not require formal hearings at any stage of the environmental review process (State CEQA Guidelines Section 15202[a]). However, CEQA does encourage "wide public involvement, formal and informal, in order to receive and evaluate public reactions to environmental issues" (State CEQA Guidelines Section 15201). This Draft EIR was made available for public comment beginning March 29, 2016, and the 45-day public comment period will end on May 12, 2016. A public hearing to receive additional comments will be conducted on April 18, 2016 in the Zoning Administrator Room, located at the Department of Conservation and Development, 30 Muir Road, Martinez, California. Written comments may be submitted at any time during the public comment period. All comments on the Draft EIR will be presented in the Final EIR and a response will be provided to each comment received.

1.2.4.1 Making Effective Comments

Readers are invited to review and comment on the adequacy and completeness of this Draft EIR in describing the potential impacts of the proposed Project, their level of severity, the mitigation measures being proposed to reduce or avoid impacts, and the Project alternatives being considered. The most effective comments are those that focus on the adequacy and completeness of the environmental analysis and that are supported by factual evidence. Comments that focus on whether the Project should be approved or denied are not comments on the adequacy of the Draft EIR. All comments submitted during the comment period deadline will be responded to and included within the Final EIR.

1.2.4.2 Submitting Comments

Written comments may be submitted by mail or email to the following addresses by May 12, 2016 at 5:00 p.m.

Contra Costa County Public Works Department
Attention: Hillary Heard
255 Glacier Drive
Martinez, CA 94553
email: hillary.heard@pw.cccounty.us

1.3 EIR Organization

This Draft EIR and supporting information are presented in the chapters and appendices listed below.

Chapter 1, *Introduction*, provides an introduction and overview describing the focus of the Draft EIR and the environmental review process.

Chapter 2, *Project Description*, describes the Project and provides details on location, objectives, and required approvals.

Chapter 3, *Impact Analysis*, describes the environmental and regulatory setting, provides analysis of the environmental impacts of the Project, and identifies mitigation measures for any significant impacts. For the Project, the County Public Works Department concluded that for all but five of the environmental topic areas in Appendix G of the CEQA Guidelines, the Project would not result in any significant environmental impacts. Accordingly, five topic areas (air quality and greenhouse gas emissions, cultural resources, hazards and hazardous materials, noise, and transportation and traffic) are addressed in complete, detailed sections. All other environmental topic areas, for which no significant environmental impacts were identified, are addressed in summary fashion within a single section of Chapter 3. The summary discussions in Chapter 3 are similar to the level of detail that would appear in an Initial Study.

Chapter 4, *Alternatives*, provides an evaluation of Project alternatives.

Chapter 5, *Other CEQA Considerations*, provides a discussion of significant and unavoidable impacts, significant irreversible environmental effects, growth-inducing impacts, and cumulative impacts.

Chapter 6, *References*, lists the published sources of information and individuals consulted for preparation of this Draft EIR.

Chapter 7, *List of Preparers*, identifies the individuals who prepared this document.

Appendix A, *NOP and Scoping Comments*.

Appendix B, *Air Quality Modeling Results and Greenhouse Gas Emissions Calculations Results*

Appendix C, *Archaeological Survey Report*.

Appendix D, *Historic Resources Evaluation Report*.

Appendix E, *Draft Mitigation Monitoring and Reporting Program (MMRP),* lists all mitigation measures and denotes the appropriate timing, implementing parties, monitoring parties, and monitoring actions.

Chapter 2
Project Description

2.1 Project Setting

2.1.1 Location

The Project site is located at 650 Pine Street in Downtown Martinez, California (Figure 2-1 and Figure 2-2). The existing Martinez Jailhouse building (Jailhouse building) faces Pine Street and shares a rectangular block with the Contra Costa County Finance building located at 625 Court Street (Assessor Parcel Number 373-262-001). The Project site encompasses approximately 0.3 acre (14,881 square feet) of County-owned property (Figure 2-2). The Project site is bounded by Escobar Street to the north, Pine Street to the east, Main Street to the south, and the Contra Costa County Finance building to the west. The Project site is situated approximately 1 mile west of Interstate 680 (I-680) and 0.3 mile east of the Martinez train station. The parcel is owned by Contra Costa County but lies within the city limits of Martinez. The *Contra Costa County General Plan* designation applies to the Project site, and the City of Martinez zoning and general plan designations apply to the surrounding non-County-owned land uses. Because the Project site is County-owned property, activities on the Project site are not required to comply with City of Martinez zoning ordinances or regulations pursuant to Government Code sections 53090 and 53091.

2.1.2 Existing Conditions

The Project site is currently developed with the three-story Jailhouse building, which is vacant with the exception of a limited amount of obsolete storage (Figure 2-3). There are two parking lots on the Project site, one with seven spaces adjacent to the south side of the Jailhouse building, and one with five spaces adjacent to the north side of the Jailhouse building. A granite curb separates the existing parking lot south of the Jailhouse building from the sidewalk. There is also a sunken garage that provides basement access on the north end of the west side of the building. The entire northern side of the Project site is a driveway providing access to the north parking lot and sunken garage. A driveway from Main Street on the southwest corner of the Project site provides access to the south parking lot.

The existing Jailhouse building consists of the original structure, built in 1903, and an annex built in 1944. The Jailhouse building is on the National Register of Historic Places (National Park Service 1989). The exterior of the 1903 portion of the building is hand-chiseled granite; the exterior of the 1944 annex is textured concrete in neutral earth tones (Guzzetti 2015). The Jailhouse building is currently contaminated with hazardous materials, including lead-based paint and asbestos.

Existing onsite vegetation consists of landscaping shrubs on the east side of the Jailhouse building. The Project site is generally flat, with a sunken garage.

The following is a summary of the main components of the Project site.

- The Jailhouse building (the combination of the 1903 and the 1944 portions) is approximately 19,008 gross square feet and 35 feet in height.

- The 2,640-square-foot south parking lot has seven striped parking spaces. Six spaces are 45-degree angled spaces, and one is a 90-degree space facing Pine Street.
- The 1,008-square-foot north parking lot has five striped 90-degree parking spaces facing south, toward the Jailhouse building.
- The 471-square-foot sunken garage providing basement access was constructed as part of the 1944 annex. The garage floor slab, roof slab, and interior walls are made of concrete. The exterior is made of stone. The garage is approximately 8 feet, 6 inches high and has a connecting driveway from Escobar Street.

2.1.3 Existing and Surrounding Land Uses

The Project site is on County-owned property but within the limits of the City of Martinez. The *Contra Costa County General Plan* designation applies to the Project site, and the City of Martinez zoning and general plan designations apply to the surrounding non-County-owned land uses. The *Contra Costa County General Plan* designates the site as Public/Semi-Public (County of Contra Costa 2005). The surrounding land uses are predominantly County government buildings to the west, east, and south, and parking lots to the north. The Contra Costa County Administration building and Contra Costa County Sheriff's Office are to the east, directly across Pine Street from the Jailhouse building. To the south are various Contra Costa County courthouses. There are parking lots to the north of the Project site, across Escobar Street. To the west, sharing the same parcel as the Jailhouse building, is the Contra Costa County Finance building. Martinez Waterfront Park is approximately 0.1 mile to the north, on the far side of the Union Pacific Railroad train tracks. Farther west is the downtown core, a commercial district with restaurants, retail, and offices.

2.2 Project Objectives

The goal of the Project is to help form a well-planned, functional civic center in Downtown Martinez. The County's objectives for the Project are listed below.

- Reduce hazards posed by the existence of the unoccupied, contaminated building.
- Meet near-term parking needs in the area.
- Implement policies in the *Martinez General Plan*, the *Martinez Downtown Specific Plan*, and the *Contra Costa County General Plan* for the civic portion of downtown Martinez.
- Facilitate future development of required space for County government administrative uses.
- Allow for compatible and functional structures and land uses in the civic center area.

2.3 Project Overview

The Project sponsor (Contra Costa County Public Works) proposes to demolish the Jailhouse building, including the sunken garage and the surrounding granite curb, and proposes to construct a parking lot in its place as a near-term use. In total, the Project would provide 25 to 30 parking spaces for existing County employees. A potential future use of the Project site is County administrative functions, but no plans or designs have been prepared and no funding is available for

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Figure 2-1
Project Location

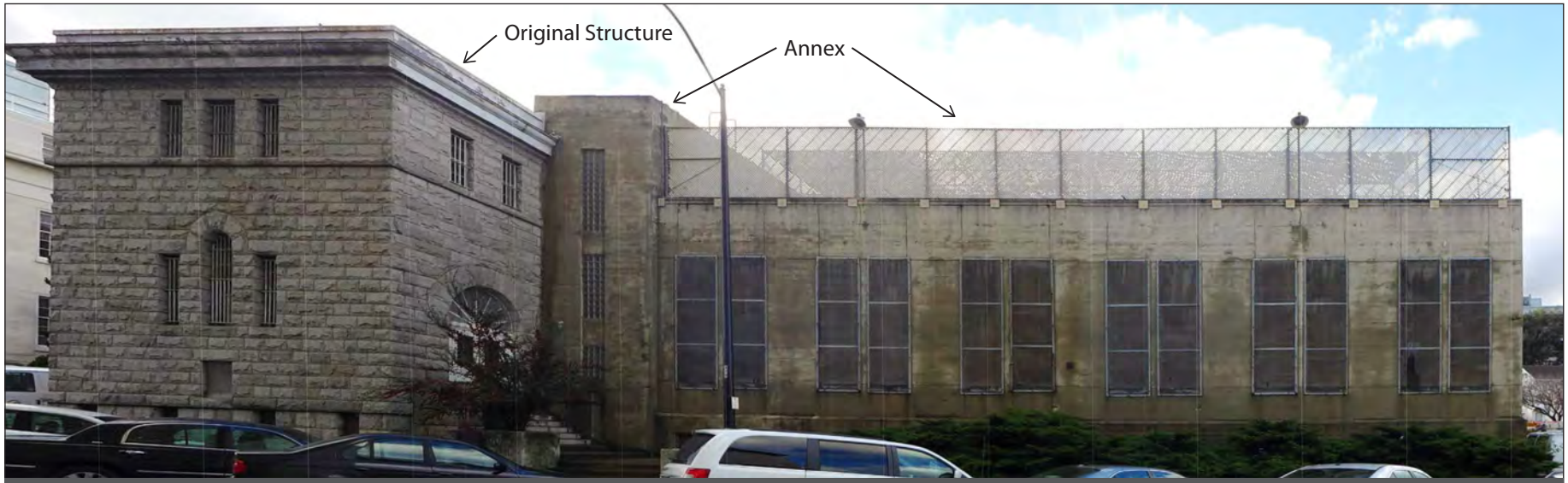
Source: Streetmap, ESRI 2015; Imagery, ESRI 2015

Path: K:\Projects_1\ContraCostaCounty_DPW\00413_15_MartinezJail\mapdoc\Fig_02_2_Project_Site_20151008_PD.mxd; User: 19402; Date: 12/17/2015

Figure 2-2
Project Site

1. View of the Project site from Main Street.

2. View of the Project site from Escobar Street.



3. View of the Project site from Pine Street.

Source: Carey & Co, Inc., 2015.

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Figure 2-3
Existing Conditions

such a future use at this time. For these reasons, the Draft EIR does not analyze the impacts of this potential future use.

2.3.1 Project Design and Characteristics

As described below, the Project would involve the demolition of the existing Jailhouse building and the construction of a new surface parking lot on the site.

2.3.1.1 Abatement and Demolition of the Jailhouse Building

The County Public Works Department proposes abatement, demolition and removal of the existing Jailhouse building, including all building elements (i.e., foundations, roof equipment, and building appurtenances). The basement of the Jailhouse building and the sunken garage would also be demolished and filled. Approximately 1,600 cubic yards of fill would be imported to the Project site. Additionally, the Project would include the demolition and removal of all other site features, including building footings, granite bollards, granite curb, concrete curb, metal railings, walls, paving, and limited portions of sidewalks within the Project site. All existing planters and landscaping would be removed as well. All existing utilities not scheduled to remain would be abandoned or removed prior to demolition. The Jailhouse building is currently contaminated with hazardous materials, including asbestos and lead-based paint. Hazardous materials would be disposed of in an appropriate facility. All demolition work associated with the Project would conform with the 2013 California Building Code and all applicable local (including the Contra Costa Building Code), state, and federal regulations.

2.3.1.2 Parking Lot

Following demolition of the existing Jailhouse building, the Project site would be leveled to match the surrounding area and a surface parking lot would be constructed on the Project site. As described above, the existing parking lots have a total of 12 striped parking spaces. The County Public Works Department would repave the entire site, providing a total of 25 to 30 spaces. The existing driveways on the north and south sides of the Jailhouse building would be maintained. The proposed parking lot would be designed in compliance with County Ordinance No. 82-16 regarding off-street parking.

The existing sidewalks on the north, east, and south sides of the Project site would be maintained in their current form. The parking lot would use the existing street lighting, consisting of two street lamps, and would not require the addition of any light fixtures. The proposed parking lot would serve some of the parking demand from the adjacent County buildings and would be restricted to County employees only.

The Project would involve bioretention landscaping features such as vegetated bioswales and drought-tolerant plants that meet the Provision C.3 requirements of the County's National Pollutant Discharge Elimination System permit. Bioretention systems are low impact development (LID) features that use landscaped areas to slow, treat, and retain stormwater runoff, mimicking the natural, pre-development hydrology of a site. Bioretention systems look like regular landscaped areas, but are designed (engineered) to manage stormwater runoff created by urbanization.

2.3.2 Abatement, Demolition and Construction

A description of the construction schedule, equipment, staffing, and demolition methods is provided below.

2.3.2.1 Abatement, Demolition and Construction Schedule

Abatement and demolition is anticipated to begin in fall 2016 and continue for approximately 4 months. Construction of the parking lot is anticipated to begin following demolition and continue for approximately 1 month. Demolition, excavation, and construction activities would occur between 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. and 5:00 p.m. on Saturdays, Sundays, and holidays. High noise-producing construction activities would be restricted to 8:30 a.m. to 4:30 p.m.

2.3.2.2 Abatement, Demolition and Construction Equipment and Staffing

Specific construction equipment and personnel are not yet known. However, based on the size and duration of construction, the types of equipment included in Table 2-1 would be needed during construction.

Table 2-1. Summary of Equipment Types

Phase	Equipment Type
Abatement and demolition	Diesel crane Demolition excavator Loader Bobcat Backhoe End dump
Site preparation, grubbing, excavation	Grader Backhoe End dump
Site grading	Grader Compactor Backhoe End dump
Paving	Paver Striper Backhoe End dump Roller Tractor loader
Source: Contra Costa County Department of Public Works 2016.	

The number of construction staff onsite is expected to range from 5 to 10 people per day.

2.3.2.3 Demolition Methods

Before performing demolition activities at the Project site, the County Public Works Department would perform a comprehensive building materials survey for asbestos-containing materials,[1] lead-based paint, electrical equipment containing polychlorinated biphenyls (PCBs), and fluorescent tubes containing mercury vapors and lights. If any of these materials are found, construction worker health and safety regulations and materials removal and disposal would be implemented in accordance with applicable federal and state standards, including the California Division of Occupational Safety and Health and the Bay Area Air Quality Management District (BAAQMD) regulations. The Project contractor would comply with all local, state, and federal requirements regarding hazardous materials. Hazardous materials would be disposed of in an approved facility.

The Project would include the abatement, demolition and removal of the Jailhouse building and all other features on the Project site. The Project contractor would remove exposed piping, valves, meters, equipment, supports, and foundations of disconnected and abandoned utilities, and would prepare for building demolition by disconnecting and capping utilities outside of the demolition zone. The demolition and construction methods for the Project would be similar to other projects set in a busy urban setting and would not include explosives or use of a wrecking ball. The equipment to be used during abatement, demolition and construction is listed in Table 2-1.

The Project contractor would submit a Demolition Plan, a Debris Recovery Plan, a Waste Management and Recycling Plan, and a Debris Recovery Report to comply with local and state ordinances related to solid waste. Demolition would be performed in a manner that maximizes salvage and recycling of materials. A minimum of 50 percent, by weight, of the solid waste generated would be diverted from landfill disposal through re-use and recycling as required by the California Green Building Standard Code 2013. Materials to be recycled or re-used would be stored onsite in non-combustible containers. All demolition materials, waste, and debris that are not designated to be salvaged would become the Project contractor's property and would be removed and disposed of in compliance with all local, state, and federal regulations.

2.3.2.4 Protection for Offsite Features

The adjacent Finance building would remain operational during the Project's abatement, demolition and construction activities. Disruption of utility services at the Finance building would be restricted to hours during which the building is unoccupied. The Project contractor would protect against damage to the building and site elements of the Finance building, including underground utilities, site work, landscaping, and structures. The Project contractor would also provide barricades and covered walkways to all entrances and exits impacted by Project abatement, demolition and construction. The Project contractor would provide new natural gas line and meter service to the adjacent Finance building and would coordinate installation with the utility provider and the building owner (the County). The Project contractor would also coordinate with the utility provider and the County to determine the location of a trench for new data/telecom utility lines.

[1] An asbestos survey for the existing Jailhouse building was conducted in November 2014 by Bureau Veritas. Samples were taken from different features within the building (e.g., a white/gray window, orange and brown ceramic tile, and gray grout). The results of the analysis indicate that asbestos (i.e., chrysotile or amosite) was detected in some of the 195 samples.

2.4 Required Permits and Approvals

Implementation of the Project would require the following approvals.

- Authority to Construct/Permit to Operate from BAAQMD.
- County review and approval, including possible permits from the Contra Costa Environmental Health Division, Central Contra Costa Sanitary District, and demolition and grading permits from the Department of Conservation and Development Building Inspection Division.
- Encroachment permit from the City of Martinez.

Chapter 3
Impact Analysis

This chapter describes the environmental and regulatory setting, significance criteria and methodology used in the impact analysis, and the potential direct and indirect impacts. Where applicable, feasible mitigation measures are identified and a discussion of whether significant environmental effects of the Project would remain after application of policies, programs, and feasible mitigation measures is included in the section. The Project would not result in any significant environmental impacts for all but five of the environmental topic areas in Appendix G of the CEQA Guidelines. Accordingly, five topic areas, which are listed below, are addressed in complete, detailed sections. All other environmental topic areas (for which no significant environmental impacts were identified) are addressed in summary fashion within Section 3.6, *Other Topics*. The summary discussions in Chapter 3 are similar to the level of detail that would appear in an Initial Study.

This chapter is organized into the following sections.

- 3.1, *Air Quality and Greenhouse Gas Emissions*.
- 3.2, *Cultural Resources*.
- 3.3, *Hazards and Hazardous Materials*.
- 3.4, *Noise*.
- 3.5, *Transportation and Traffic.*
- 3.6, *Other Topics.*

3.1 Air Quality and Greenhouse Gas Emissions

This section describes the regulatory and environmental setting for air quality and greenhouse gases (GHGs) in the Project area. It also analyzes environmental impacts associated with air quality, GHG, and climate change that could result from implementation of the Project and provides mitigation measures for significant impacts, where appropriate and feasible.

3.1.1 Regulatory Setting

Air quality regulation in the United States is governed by the federal Clean Air Act (CAA). At the federal level, the CAA is administered by the U.S. Environmental Protection Agency (EPA). The EPA is currently developing regulations under the CAA to address GHG and climate change. In addition to being subject to requirements of the CAA, air quality in California is also governed by more stringent regulations under the California Clean Air Act (CCAA). In California, the CCAA is administered by California Air Resources Board (ARB) and by air districts at regional and local levels. The CAA and CCAA set overall air quality standards that are achieved by various rules and regulations at the regional and local level.

This section describes relevant federal, state, and local regulations applicable to the Project.

3.1.1.1 Federal Regulations

Clean Air Act

The CAA was first enacted in 1963 and has been amended numerous times in subsequent years (1965, 1967, 1970, 1977, and 1990). The CAA establishes federal air quality standards, known as National Ambient Air Quality Standards (NAAQS), for six criteria pollutants and specifies future dates for achieving compliance. The CAA also mandates that the state submit and implement a State Implementation Plan (SIP) for local areas not meeting those standards. The plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA identify specific emission-reduction goals for areas not meeting the NAAQS. These amendments require both a demonstration of reasonable further progress toward attainment and incorporation of additional sanctions for failure to attain or meet interim milestones. Table 3.1-1 shows the NAAQS currently in effect for each criteria pollutant, as well as the California ambient air quality standards (CAAQS) (discussed below).

Table 3.1-1. Federal and State Ambient Air Quality Standards

Criteria Pollutant	Average Time	California Standards	National Standards[a]	
			Primary	Secondary
Ozone	1-hour	0.09 ppm	None[b]	None[b]
	8–hour	0.070 ppm	0.070 ppm	0.070 ppm
Particulate Matter (PM10)	24-hour	50 μg/m³	150 μg/m³	150 μg/m³
	Annual mean	20 μg/m³	None	None
Fine Particulate Matter (PM2.5)	24-hour	None	35 μg/m³	35 μg/m³
	Annual mean	12 μg/m³	12.0 μg/m³	15 μg/m³
Carbon Monoxide	8-hour	9.0 ppm	9 ppm	None
	1-hour	20 ppm	35 ppm	None
Nitrogen Dioxide	Annual mean	0.030 ppm	0.053 ppm	0.053 ppm
	1-hour	0.18 ppm	0.100 ppm	None
Sulfur Dioxide	Annual mean	None	0.030 ppm[c]	None
	24-hour	0.04 ppm	0.014 ppm[c]	None
	3-hour	None	None	0.5 ppm
	1-hour	0.25 ppm	0.075 ppm	None
Lead	30-day Average	1.5 μg/m³	None	None
	Calendar quarter	None	1.5 μg/m³	1.5 μg/m³
	3-month average	None	0.15 μg/m³	0.15 μg/m³
Sulfates	24-hour	25 μg/m³	None	None
Visibility Reducing Particles	8-hour	-[d]	None	None
Hydrogen Sulfide	1-hour	0.03 ppm	None	None
Vinyl Chloride	24-hour	0.01 ppm	None	None

ppm= parts per million

μg/m³ = micrograms per cubic meter

[a] National standards are divided into primary and secondary standards. Primary standards are intended to protect public health, whereas secondary standards are intended to protect public welfare and the environment.

[b] The federal 1-hour standard of 12 parts per hundred million was in effect from 1979 through June 15, 2005. The revoked standard is referenced because it was employed for such a long period and is a benchmark for State Implementation Plans.

[c] The annual and 24-hour National Ambient Air Quality Standards for Sulfur Dioxide only apply for 1 year after designation of the new 1-hour standard to those areas that were previously in nonattainment for 24-hour and annual National Ambient Air Quality Standards.

[d] California Ambient Air Quality Standards for visibility-reducing particles is defined by an extinction coefficient of 0.23 per kilometer – visibility of 10 miles or more due to particles when relative humidity is less than 70%.

Source: California Air Resources Board 2013.

Nonroad Diesel Rule

EPA has established a series of increasingly strict emission standards for new offroad diesel equipment, onroad diesel trucks, and locomotives. All construction equipment used for the Project, including heavy-duty trucks and offroad construction equipment, is required to comply with the emission standards that were applicable to the model year of manufacture. The standards are enforced at the manufacturer level. No action would be required of the Project contractors to comply with these regulations.

Greenhouse Gas Regulation

Although there is currently no federal overarching law specifically related to climate change or the reduction of GHGs, EPA is developing regulations under the CAA that may be adopted pursuant to EPA's authority under the CAA in the next 2 years. Foremost among recent developments have been the settlement agreements between EPA, several states, and nongovernmental organizations to address GHG emissions from electric generating units and refineries; the U.S. Supreme Court's decision in *Massachusetts v. EPA;* and EPA's "Endangerment Finding," "Cause or Contribute Finding," and Mandatory Reporting Rule. Although periodically debated in Congress, federal legislation concerning GHG emissions limitations is not in effect. In *Coalition for Responsible Regulation, Inc., et al. v. EPA*, the United States Court of Appeals upheld EPA's authority to regulate GHG emissions under the CAA.

3.1.1.2 State Regulations

California Clean Air Act

In 1988, the state legislature adopted the CCAA, which established a statewide air pollution control program. The CCAA requires all air districts in the state to endeavor to meet the CAAQS by the earliest practical date. Unlike the CAA, the CCAA does not set precise attainment deadlines. Instead, the CCAA establishes increasingly stringent requirements for areas that will require more time to achieve the standards. CAAQS are generally more stringent than the NAAQS and incorporate additional standards for sulfates, hydrogen sulfide, visibility-reducing particles, and vinyl chloride. The CAAQS and NAAQS are shown in Table 3.1-1.

ARB and local air districts bear responsibility for achieving California's air quality standards, which are to be achieved through district-level air quality management plans incorporated into the SIP. In California, EPA has delegated authority to prepare SIPs to ARB, which, in turn, has delegated that authority to individual air districts. ARB traditionally has established state air quality standards, maintaining oversight authority in air quality planning, developing programs for reducing emissions from motor vehicles, developing air emission inventories, collecting air quality and meteorological data, and approving SIPs.

The CCAA substantially adds to the authority and responsibilities of air districts. The CCAA designates air districts as lead air quality planning agencies, requires air districts to prepare air quality plans, and grants air districts authority to implement transportation control measures. The CCAA also emphasizes the control of "indirect and area-wide sources" of air pollutant emissions. The CCAA gives local air pollution control districts explicit authority to regulate indirect sources of air pollution and to establish traffic control measures.

State Tailpipe Emission Standards

ARB has established a series of increasingly strict emission standards for new offroad diesel equipment, onroad diesel trucks, and harbor craft. New construction equipment used for the Project, including heavy duty trucks and offroad construction equipment would be required to comply with the standards.

Toxic Air Contaminant Regulations

California regulates toxic air contaminants (TACs) primarily through the Toxic Air Contaminant Identification and Control Act (Tanner Act) and the Air Toxics "Hot Spots" Information and Assessment Act of 1987 ("Hot Spots" Act). In the early 1980s, ARB established a statewide comprehensive air toxics program to reduce exposure to air toxics. The Tanner Act created California's program to reduce exposure to air toxics. The "Hot Spots" Act supplements the Tanner Act by requiring a statewide air toxics inventory, notification of people exposed to a significant health risk, and facility plans to reduce these risks.

In August 1998, ARB identified particulate emissions from diesel-fueled engines (i.e., diesel particulate matter [DPM]) as TACs. In September 2000, ARB approved a comprehensive *Diesel Risk Reduction Plan* to reduce emissions from both new and existing diesel-fueled engines and vehicles. The goal of the plan is to reduce DPM (respirable particulate matter) emissions and the associated health risk by 75% by 2010 and by 85% by 2020. The plan identifies 14 measures that ARB will implement over the next several years. Because the ARB measures would be enacted before any phase of construction, the Project would be required to comply with applicable diesel control measures.

Greenhouse Gas Regulation

California has adopted statewide legislation addressing various aspects of climate change and GHG emissions mitigation. Much of this legislation establishes a broad framework for the state's long-term GHG reduction and climate change adaptation program. The Governor of California has also issued several executive orders (EOs) related to the state's evolving climate change policy. Of particular importance to local governments is the direction provided by the Assembly Bill (AB) 32 Scoping Plan, which recommends that local governments reduce their GHG emissions by a level consistent with state goals (i.e., 15% below current levels).

In the absence of federal regulations, control of GHGs is generally regulated at the state level and is typically approached by setting emission reduction targets for existing sources of GHGs, setting policies to promote renewable energy and increase energy efficiency, and developing statewide action plans. Summaries of key policies, legal cases, regulations, and legislation at the state levels that are relevant to the Project are provided below.

Assembly Bill 1493—Pavley Rules (2002, Amendments 2009, 2012 rulemaking)

Known as *Pavley I*, AB 1493 standards are the nation's first GHG standards for automobiles. AB 1493 requires ARB to adopt vehicle standards that will lower GHG emissions from new light-duty autos to the maximum extent feasible beginning in 2009. Additional strengthening of the Pavley standards (referred to previously as *Pavley II*, now referred to as the *Advanced Clean Cars* measure) has been proposed for vehicle model years 2017–2025. Together, the two standards are expected to increase average fuel economy to roughly 54.5 miles per gallon by 2025.

Assembly Bill 32—California Global Warming Solutions Act (2006)

AB 32 codified the state's GHG emissions target by requiring that the state's global warming emissions be reduced to 1990 levels by 2020. Since being adopted, ARB, the California Energy Commission (CEC), the California Public Utilities commission (CPUC), and the Building Standards Commission have been developing regulations that will help meet the goals of AB 32. The Scoping Plan for AB 32 identifies specific measures to reduce GHG emissions to 1990 levels by 2020, and requires ARB and other state agencies to develop and enforce regulations and other initiatives for reducing GHGs. Specifically, the Scoping Plan articulates a key role for local governments, recommending they establish GHG reduction goals for both their municipal operations and the community consistent with those of the state.

Executive Order S-01-07—Low Carbon Fuel Standard (2007)

EO S-01-07 essentially mandates: (1) that a statewide goal be established to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020; and (2) that a Low Carbon Fuel Standard (LCFS) for transportation fuels be established in California. ARB approved the LCFS on April 23, 2009, and the regulation became effective on January 12, 2010 (California Air Resources Board 2011). The U.S. District Court for the Eastern District of California ruled in December 2011 that the LCFS violates the Commerce Clause of the U.S. Constitution. ARB appealed this ruling in 2012 and on September 18, 2013, the Ninth U.S. Circuit Court of Appeals upheld the LCFS, ruling that the program does not violate the Commerce Clause and remanding the case to the Eastern District.

State CEQA Guidelines (2010)

The State CEQA Guidelines require lead agencies to describe, calculate, or estimate the amount of GHG emissions that would result from a project. Moreover, the State CEQA Guidelines emphasize the necessity to determine potential climate change effects of a project and propose mitigation as necessary. The State CEQA Guidelines confirm the discretion of lead agencies to determine appropriate significance thresholds, but require the preparation of an EIR if "there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with adopted regulations or requirements" (Section 15064.4).

State CEQA Guidelines Section 15126.4 includes considerations for lead agencies related to feasible mitigation measures to reduce GHG emissions, which may include measures in an existing plan or mitigation program for the reduction of emissions that are required as part of the lead agency's decision; implementation of project features, project design, or other measures that are incorporated into the Project to substantially reduce energy consumption or GHG emissions; and offsite measures, including offsets that are not otherwise required.

3.1.1.3 Regional Regulations

At the regional level, responsibilities of air quality districts include overseeing stationary-source emissions, approving permits, maintaining emissions inventories, maintaining air quality monitoring stations, overseeing agricultural burning permits, and reviewing air quality–related sections of environmental documents required by CEQA. The air quality districts are also responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws and for ensuring that NAAQS and CAAQS are met.

Bay Area Air Quality Management District

The air quality study area falls under the jurisdiction of Bay Area Air Quality Management District (BAAQMD). BAAQMD adopted advisory emission thresholds to assist CEQA lead agencies in determining the level of significance of a project's emissions. The thresholds are outlined in BAAQMD's 2011 *California Environmental Quality Act Air Quality Guidelines* (CEQA Guidelines). BAAQMD has also adopted air quality plans to improve air quality, protect public health, and protect the climate. The *Bay Area 2001 Ozone Attainment Plan* was adopted to reduce ozone and achieve the NAAQS ozone standard. BAAQMD also adopted a redesignation plan for carbon monoxide (CO) in 1994. The redesignation plan includes strategies to ensure the continuing attainment of the NAAQS for CO in the San Francisco Bay Area Air Basin (SFBAAB).

The Project may be subject to the following district rules. This list of rules may not be all encompassing because additional BAAQMD rules may apply to the Project as specific components are identified.

- Regulation 2, Rule 5 (New Source Review of Toxic Air Contaminates [TAC]). This regulation outlines guidance for evaluating TAC emissions and their potential health threats.
- Regulation 6, Rule 1 (Particulate Matter [PM]). This regulation restricts emissions of PM darker than No. 1 on the Ringlemann Chart to less than 3 minutes in any 1 hour.
- Regulation 8, Rule 15 (Emulsified and Liquid Asphalts). This regulation limits emissions of reactive organic compounds (ROG) caused by paving materials.
- Regulation 9, Rule 8 (Stationary Internal Combustion Engines). This regulation limits emissions of nitrogen oxides (NO_X) and CO from stationary internal combustion engines of more than 50 horsepower.

3.1.1.4 Local Regulations

Contra Costa County

The following goals and policies from the *Contra Costa County General Plan 2020* related to air quality and greenhouse gas emissions are applicable to the Project.

Goal 8-AB. To continue to support Federal, State and regional efforts to reduce air pollution in order to protect human and environmental health.

Policy 8-100. Vehicular emissions shall be reduced throughout the County.

Policy 8-103. When there is a finding that a proposed project might significantly affect air quality, appropriate mitigation measures shall be imposed.

Policy 8-104. Proposed projects shall be reviewed for their potential to generate hazardous air pollutants.

Policy 8-105. Land uses which are sensitive to air pollution shall be separated from sources of air pollution.

3.1.2 Environmental Setting

Ambient air quality is affected by climatological conditions, topography, and the types and amounts of pollutants emitted. The area potentially affected by the Project is within the SFBAAB. The following discussion describes relevant characteristics of the SFBAAB, describes key pollutants of concern, summarizes existing ambient pollutant concentrations, and identifies sensitive receptors.

Unlike other air resource that are primarily concerned with localized project impacts, the global nature of climate change requires a broader analysis approach. This is because of the unique chemical properties of GHGs that enable them to become well-mixed within the atmosphere and to be transported over long distances. While this section focuses on GHG emissions generated at the Project site as a result of construction and operation, the analysis considers potential regional and global GHG impacts. In this way, it is both an individual and cumulative impact analysis.

3.1.2.1 Climate and Meteorology

The SFBAAB contains all of Napa, Contra Costa, Alameda, Santa Clara, San Mateo, San Francisco, and Marin Counties, as well as portions of Sonoma and Solano Counties (CCR Section 60101). Climate within the SFBAAB is characterized by moderately wet winters and dry summers. Winter rains, which occur in the months of December through March, account for about 75% of the average annual rainfall.

Climate is affected by marine air flow and the basin's proximity to the San Francisco Bay. Bay breezes push air onshore during the daytime and draw air offshore at night. During the summer months, the bay helps to cool the warm onshore flows, while it warms the air during the winter months. This mediating effect keeps temperatures relatively consistent throughout the year. In the westernmost portion of the SFBAAB, which encompasses the study area, the bay wind patterns can concentrate and carry air pollutants from other cities to the region, adding to the mix of pollutants that are emitted locally (Bay Area Air Quality Management District 2010).

Climate Change

The phenomenon known as the *greenhouse effect* keeps the atmosphere near the Earth's surface warm enough for the successful habitation of humans and other life forms. Present in the Earth's lower atmosphere, GHGs play a critical role in maintaining the Earth's temperature; GHGs trap some of the long-wave infrared radiation emitted from the Earth's surface that would otherwise escape to space. According to AB 32, California's Global Warming Solutions Act, GHGs encompass the following gases: CO_2, CH_4, N_2O, PFCs, SF_6, and HFCs. State CEQA Guidelines (Section 15364.5) also identify these six gases as GHGs.

Visible sunlight passes through the atmosphere without being absorbed. Some of the sunlight striking the Earth is absorbed and converted to heat, which warms the surface. The surface emits infrared radiation to the atmosphere, where some of it is absorbed by GHGs and re-emitted toward the surface; some of the heat is not trapped by GHGs and escapes into space. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and amplifying the warming of the Earth (Center for Climate and Energy Solutions 2011).

Increases in fossil fuel combustion and deforestation have exponentially increased concentrations of GHGs in the atmosphere since the Industrial Revolution. Rising atmospheric concentrations of GHGs in excess of natural levels enhance the greenhouse effect, which contributes to global warming of the Earth's lower atmosphere induces large-scale changes in ocean circulation patterns, precipitation patterns, global ice cover, biological distributions, and other changes to the Earth system that are collectively referred to as *climate change*.

The Intergovernmental Panel on Climate Change (IPCC) has been established by the World Meteorological Organization and United Nations Environment Programme to assess scientific, technical, and socioeconomic information relevant to the understanding of climate change, its potential impacts, and options for adaptation and mitigation. The IPCC estimates that the average global temperature rise between the years 2000 and 2100 could range from 1.1° Celsius, with no increase in GHG emissions above year 2000 levels, to 6.4° Celsius, with substantial increase in GHG emissions (Intergovernmental Panel on Climate Change 2007a:97–115). Large increases in global temperatures could have substantial adverse effects on the natural and human environments on the planet and in California.

3.1.2.2 Pollutants of Concern

Criteria Pollutants

As discussed above, the federal and state governments have established NAAQS and CAAQS, respectively, for six criteria pollutants: ozone, lead, CO, nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and PM, which consists of PM less than or equal to 10 microns in diameter (PM10) and PM less than or equal to 2.5 microns in diameter (PM2.5). Ozone and NO_2 are considered regional pollutants because they (or their precursors) affect air quality on a regional scale. Pollutants such as CO, SO_2, and lead are considered local pollutants that tend to accumulate in the air locally.

The primary pollutants of concern in the Project vicinity are ozone (including NO_X and ROG), CO, and PM. Principal characteristics of these pollutants are discussed below.

Ozone, or smog, is a photochemical oxidant that is formed when ROG and NO_X (both byproducts of the internal combustion engine) react with sunlight. Ozone poses a health threat to those who already suffer from respiratory diseases as well as to healthy people. Additionally, ozone has been tied to crop damage, typically in the form of stunted growth and premature death. Ozone can also act as a corrosive, resulting in property damage such as the degradation of rubber products.

Reactive Organic Gases (ROG) are compounds made up primarily of hydrogen and carbon atoms. Internal combustion associated with motor vehicle usage is the major source of hydrocarbons. Other sources of ROG are emissions associated with the use of paints and solvents, the application of asphalt paving, and the use of household consumer products such as aerosols. Adverse effects on human health are not caused directly by ROG but rather by reactions of ROG that form secondary pollutants such as ozone.

Nitrogen Oxides serve as integral participants in the process of photochemical smog production. The two major forms of NO_X are nitric oxide (NO) and NO_2. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO_2 is a reddish-brown irritating gas formed by the combination of NO and oxygen. NO_X acts as an acute respiratory irritant and increases susceptibility to respiratory pathogens.

Carbon Monoxide is a colorless, odorless, toxic gas produced by incomplete combustion of carbon substances, such as gasoline or diesel fuel. The primary adverse health effect associated with CO is interference with normal oxygen transfer to the blood, which may result in tissue oxygen deprivation.

Particulate Matter (PM) consists of finely divided solids or liquids such as soot, dust, aerosols, fumes, and mists. Two forms of fine particulates are now recognized—inhalable coarse particles, or PM10, and inhalable fine particles, or PM2.5. Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. However, wind on arid landscapes also contributes substantially to local particulate loading. Both PM10 and PM2.5 may adversely affect the human respiratory system, especially in people who are naturally sensitive or susceptible to breathing problems.

Toxic Air Contaminants (TACs)

Although NAAQS and CAAQS have been established for criteria pollutants, no ambient standards exist for TACs. Many pollutants are identified as TACs because of their potential to increase the risk of developing cancer or because of their acute or chronic health risks. For TACs that are known or suspected carcinogens, ARB has consistently found that there are no levels or thresholds below which exposure is risk-free. Individual TACs vary greatly in the risks they present. At a given level of exposure, one TAC may pose a hazard that is many times greater than another. TACs are identified and their toxicity is studied by the California Office of Environmental Health Hazard Assessment.

Air toxics are generated by a number of sources, including: stationary sources; such as dry cleaners, gas stations, auto body shops, and combustion sources, mobile sources; such as diesel trucks, ships, and trains; and area sources; such as farms, landfills, and construction sites. Adverse health effects of TACs can be carcinogenic (cancer-causing), short-term (acute) noncarcinogenic, and long-term (chronic) noncarcinogenic. Direct exposure to these pollutants has been shown to cause cancer, birth defects, damage to the brain and nervous system, and respiratory disorders.

Greenhouse Gases (GHGs)

The principal anthropogenic (human-made) GHGs contributing to global warming are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds, including sulfur hexafluoride (SF_6), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs). Water vapor, the most abundant GHG, is not included in this list because its natural concentrations and fluctuations far outweigh its anthropogenic sources.

The primary GHGs of concern associated with the Project are CO_2, CH_4, and N_2O. Principal characteristics of these pollutants are discussed below.

Carbon Dioxide enters the atmosphere through fossil fuels (oil, natural gas, and coal) combustion, solid waste decomposition, plant and animal respiration, and chemical reactions (e.g., manufacture of cement). CO_2 is also removed from the atmosphere (or *sequestered*) when it is absorbed by plants as part of the biological carbon cycle.

Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and from the decay of organic waste in municipal solid waste landfills.

Nitrous Oxide is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.

To simplify reporting and analysis, methods have been set forth to describe emissions of GHGs in terms of a single gas. The most commonly accepted method to compare GHG emissions is the global warming potential (GWP) methodology defined in the IPCC Fourth Assessment Report (AR4) reference documents (Intergovernmental Panel on Climate Change 2007). Note that ARB has transitioned from the GWP values within the Second Assessment Report (SAR) (Intergovernmental Panel on Climate Change 1996) to the more recent AR4 GWPs (Intergovernmental Panel on Climate Change 2007), and the ARB's updated Scoping Plan Update (California Air Resources Board 2014) now incorporates the AR4 GWPs. Therefore, GWP methods from the AR4 are used herein. The IPCC defines the GWP of various GHG emissions on a normalized scale that recasts all GHG emissions in terms of CO_2 equivalent (CO_2e), which compares the gas in question to that of the same mass of CO_2 (CO_2 has a global warming potential of 1 by definition).

Table 3.1-2 lists the global warming potential of several GHGs, their lifetimes, and abundances in the atmosphere.

Table 3.1-2. Lifetimes and Global Warming Potentials of Several Greenhouse Gases

Greenhouse Gases	Global Warming Potential (100 years)	Lifetime (years)	Current Atmospheric Abundance
CO_2	1	50–200	401 ppm
CH_4	28	9–15	1,893 ppb
N_2O	298	121	326 ppb
SF_6	22,800	3,200	7.8 ppt
HFC-23	14,800	222	18 ppt
HFC-134a	1,430	13.4	75 ppt
HFC-152a	124	1.5	3.9 ppt

Sources: Myhre et al. 2013; Blasing 2014; National Oceanic and Atmospheric Administration 2015.
CO_2 = carbon dioxide
CH_4 = methane
N_2O = nitrous oxide
SF_6 = sulfur hexafluoride
HFC = hydrofluorocarbon
ppm = parts per million by volume.
ppb = parts per billion by volume.
ppt = parts per trillion by volume.

Existing Air Quality Conditions

The existing air quality conditions in the Project vicinity can be characterized by monitoring data collected in the region. Table 3.1-3 summarizes data for criteria air pollutant levels from the Vallejo-Tuolumne Street monitoring station, which is the closest station to the Project site, for the last 3 years for which complete data are available (2012–2014). Air quality concentrations are expressed in terms of parts per million (ppm) or micrograms per cubic meter ($\mu g/m^3$). As shown in Table 3.1-3, the monitoring station detected only occasional violations of the PM NAAQS and CAAQS. No violations of the ozone, CO, or NO_2 NAAQS and CAAQS were reported during the monitoring period.

Table 3.1-3. Ambient Air Quality Monitoring Data from the Vallejo-Tuolumne Street Monitoring Station (2012–2014)

Pollutant	2012	2013	2014
Ozone (O^3)			
Maximum 1-hour concentration (ppm)	0.85	0.082	0.077
Maximum 8-hour concentration (ppm)	0.062	0.068	0.068
Number of days standard exceeded[a]			
CAAQS 1-hour (>0.09 ppm)	0	0	0
CAAQS 8-hour (>0.070 ppm)	0	0	0
NAAQS 8-hour (>0.070 ppm)	0	0	0
Carbon Monoxide (CO)			
Maximum 8-hour concentration (ppm)	2.2	2.3	2.1
Maximum 1-hour concentration (ppm)	2.8	2.8	2.5
Number of days standard exceeded[a]			
NAAQS 8-hour (>9 ppm)	0	0	0
CAAQS 8-hour (>9.0 ppm)	0	0	0
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO_2)			
State maximum 1-hour concentration (ppm)	0.0524	0.0494	0.0501
State second-highest 1-hour concentration (ppm)	0.0487	0.0482	0.0476
Annual average concentration (ppm)	0.0091	0.0098	0.0079
Number of days standard exceeded[a]			
NAAQS 1-hour (>0.1 ppm)	0	0	0
CAAQS 1-hour (0.18 ppm)	0	0	0
Particulate Matter (PM10)[c]			
Not measured at Vallejo-Tuolumne station			
Particulate Matter (PM2.5)			
National[b] maximum 24-hour concentration (μg/m³)	36.8	42.6	39.6
National[b] second-highest 24-hour concentration (μg/m³)	30.4	44.2	35.7
National annual average concentration (μg/m³)	8.9	9.9	9.9
State annual average concentration (μg/m³)[d]	-[e]	11.3	10.0
Number of days standard exceeded[a]			
NAAQS 24-hour (>35 μg/m³)	1	6	1.1
NAAQS annual (>12 μg/m³)	0	0	0
CAAQS annual (>12 μg/m³)	0	0	0
Sulfur Dioxide (SO^2)			
State[c] maximum 24-hour concentration (ppm)	0.0025	0.0025	0.0024
National[b] maximum 3-hour concentration (ppm)	0.0069	0.0058	0.0062
National[b] maximum 1-hour concentration (ppm)	0.0142	0.0081	0.0108
State[c] maximum 1-hour concentration (ppm)	0.0239	0.0081	0.0142
Number of days standard exceeded[a]			
CAAQS 24-hour (>0.04 ppm)	0	0	0
NAAQS 3-hour (0.5 ppm)	0	0	0
NAAQS 1-hour (0.075 ppm)	0	0	0
CAAQS 1-hour (0.25 ppm)	0	0	0

Source: California Air Resources Board 2015a; United States Environmental Protection Agency 2015a.

ppm = parts per million.
NAAQS = National Ambient Air Quality Standards.
CAAQS = California Ambient Air Quality Standards.
μg/m³ = micrograms per cubic meter.
mg/m³ = milligrams per cubic meter.
> = greater than.
- = data not available.

[a] An exceedance is not necessarily a violation. For some standards multiple exceedances may occur before the regulatory criteria for a violation are met.
[b] National statistics are based on standard conditions data. In addition, national statistics are based on samplers using federal reference or equivalent methods.
[c] State statistics are based on local conditions data, except in the South Coast Air Basin, for which statistics are based on standard conditions data. In addition, State statistics are based on California approved samplers.
[d] State criteria for ensuring that data are sufficiently complete for calculating valid annual averages are more stringent than the national criteria.
[e] Insufficient data available to determine the value.

Attainment Status

Local monitoring data (Table 3.1-3) are used to designate areas as nonattainment, maintenance, attainment, or unclassified for the NAAQS and CAAQS. The four designations are further defined as shown below.

- Nonattainment—assigned to areas where monitored pollutant concentrations consistently violate the standard in question.
- Maintenance—assigned to areas where monitored pollutant concentrations exceeded the standard in question in the past but are no longer in violation of that standard.
- Attainment—assigned to areas where pollutant concentrations meet the standard in question over a designated period of time.
- Unclassified—assigned to areas were data are insufficient to determine whether a pollutant is violating the standard in question.

Table 3.1-4 summarizes the attainment status of Contra Costa County.

Table 3.1-4. Federal and State Attainment Status of Contra Costa County

Pollutant	Federal	State
CO	Maintenance – Moderate (P)	Attainment
Nitrogen Dioxide	Attainment	Attainment
Ozone (8 hr)	Nonattainment – Marginal	Nonattainment
PM10	Attainment	Nonattainment
PM2.5	Nonattainment – Moderate	Nonattainment
Sulfur Dioxide	Attainment	Attainment

Sources: U.S. Environmental Protection Agency 2015a; California Air Resources Board 2015b.
(P) Designation applies to the portion of the County in which the Project is located.

Greenhouse Gas Emissions Inventories

A GHG inventory is a quantification of all GHG emissions and sinks within a selected physical and/or economic boundary. GHG inventories can be performed on a large scale (i.e., for global and national entities) or on a small scale (i.e., for a particular building or person). Although many processes are difficult to evaluate, several agencies have developed tools to quantify emissions from certain sources.

Table 3.1-5 outlines the most recent global, national, statewide, and local GHG inventories to help contextualize the magnitude of potential project-related emissions.

Table 3.1-5. Global, National, State, and Local GHG Emissions Inventories

Emissions Inventory	CO_2e (metric tons)
2010 IPCC Global GHG Emissions Inventory	52,000,000,000
2013 EPA National GHG Emissions Inventory	6,673,000,000
2013 ARB State GHG Emissions Inventory	459,300,000
2007 SFBAAB GHG Emissions Inventory	95,800,000
2013 Contra Costa County Emissions Inventory[1]	1,392,450
2005 City of Martinez GHG Emissions Inventory	321,000

Sources:
Intergovernmental Panel on Climate Change 2015; U.S. Environmental Protection Agency 2015; California Air Resources Board 2015; Bay Area Air Quality Management District 2008; Contra Costa County Climate Action Plan 2015; City of Martinez Climate Action Plan 2009.

[1] Inventory of sectors subject to regulatory and enforcement authority by Contra Costa County. Includes unincorporated portions of the County. Excludes stationary sources regulated by BAAQMD or ARB. If the excluded sectors were included, the County total for 2013 would be 18,292,510 MT CO_2e.

CO_2e = carbon dioxide equivalent

3.1.2.3 Sensitive Receptors

The NAAQS and CAAQS apply at publicly accessible areas, regardless of whether those areas are populated. For the purposes of air quality analysis, sensitive land uses are defined as locations where human populations, especially children, seniors, and sick persons, are located and where there is reasonable expectation of continuous human exposure according to the averaging period for the air quality standards (i.e., 24-hour, 8-hour, and 1-hour). Typical sensitive receptors include residences, hospitals, and schools.

The Project site is located in Downtown Martinez, near many sensitive land uses. Governmental buildings border the Project site to the east, south, and west, and a parking lot borders the site to the north. The Martinez Waterfront Park is about 0.1 mile to the north of the Project site. The nearest residence is approximately 200 feet from the Project site. Martinez Middle School is approximately 0.3 mile away. The nearest hospital, Alhambra Convalescent Hospital, is approximately 0.75 mile from the Project site.

3.1.3 Impact Analysis

This section describes the environmental impacts of the Project in the context of air quality and GHGs. It describes the methods used to evaluate the impacts and the thresholds used to determine whether an impact would be significant. Measures to mitigate significant impacts are provided, where appropriate.

3.1.3.1 Methods

Air quality impacts associated with construction and operation of the Project were assessed and quantified using standard and accepted software tools, techniques, and emission factors. A summary of the methodology is provided below.

Although the significance thresholds drafted by the BAAQMD are not sanctioned for purposes of BAAQMD project review, the method by which BAAQMD derived these significance thresholds nonetheless provides substantial evidence for the efficacy of applying their threshold to projects

within the Bay Area. In brief, the thresholds were developed by the BAAQMD for their CEQA guidelines. The thresholds for criteria pollutants were based on the emission levels for which a project's individual emissions would be cumulatively considerable and are considered both project-level and cumulative thresholds. The thresholds for GHGs were derived from the AB 32 Scoping Plan's assignment of emissions reductions to local actions, pro-rated for the Bay Area's share of that emissions reduction. The thresholds developed by the BAAQMD for their CEQA guidelines and applied here by the County are therefore based on sound reasoning and are consistent with the reduction targets of the ARB's AB 32 Scoping Plan. Therefore, the County chooses to apply them to this Project. The thresholds are applied for purposes of determining the significance of the Project's contribution to greenhouse gas emissions.

Construction

Air Quality

Construction of the Project would generate emissions of ROG, NO_X, CO, PM10, and PM2.5 that could result in short-term impacts on ambient air quality in the study area. Emissions would originate from mobile and stationary construction equipment exhaust, employee vehicle exhaust, dust from demolition and land clearing, and dust from vehicles on roads. Based on data provided by the Project sponsor, it is expected that construction would require four phases occurring over an 18-week period in 2016: abatement and demolition; site preparation, grubbing, and excavation; site grading; and paving (see Appendix B for a summary of assumptions used in the analysis and air emission modeling results). It was also anticipated the four construction phases would occur sequentially with no overlap.

Criteria pollutant emissions from heavy-duty equipment, on-road vehicles, and land disturbance were estimated using methodology and assumptions consistent with the California Emissions Estimator Model (CalEEMod), version 2013.2.2. Model defaults for emission factors and project-specific estimates for equipment usage and vehicle trips provided by the Project sponsor were used in the analysis (see Appendix B for detailed information).

Greenhouse Gases

Construction of the Project would generate short-term emissions of CO_2, CH_4, and N_2O. Emissions would originate from mobile and stationary construction equipment exhaust, worker vehicle exhaust, and haul truck vehicle exhaust. Mass emissions generated by these sources were estimated using emission factors and modeling methodologies found within the CalEEMod (version 2013.2.2) emissions inventory model, and construction information provided by the Project sponsor.

Operation

Air Quality

Operation of the Project would generate emissions of ROG, NO_X, CO, PM10, and PM2.5. There are currently two parking lots on the Project site, one with seven spaces adjacent to the south side of the Jailhouse building, and one with five spaces adjacent to the north side of the Jailhouse building (12 total parking spaces). Under the Project, the County Public Works Department would construct a parking lot that provides a total of 25 to 30 parking spaces on the site. The new parking lot would serve some of the existing demand for County employees of the adjacent County buildings and is not anticipated to generate any additional traffic to the Project vicinity. The Project does not include any

other land uses that could generate new vehicle trips. As a result, the Project would result in no net increase in emissions and no long-term impacts on air quality. Consequently, this analysis only evaluates the effects of the Project's construction-related activities related to air quality.

Greenhouse Gases

As stated above, the new parking lot would serve some of the existing demand for the adjacent County buildings and so is not anticipated to generate any additional traffic to the Project vicinity. The Project does not include any other land uses that could generate new vehicle trips. As a result, the Project would result in no net increase in emissions and no long-term impacts on GHGs. Consequently, similar to the methodology for air quality, this analysis only evaluates the effects of the Project's construction-related activities related to GHGs.

3.1.3.2 Thresholds of Significance

Air Quality

The State CEQA Guidelines Appendix G (14 CCR Section 15000 et seq.) identifies the following significance criteria to be considered for determining whether a project could have significant impacts on existing air quality.

1. Conflict with or obstruct implementation of the applicable air quality plan.
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
3. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors).
4. Expose sensitive receptors to substantial pollutant concentrations.
5. Create objectionable odors affecting a substantial number of people.

According to the State CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be used to make significance determinations for potential impacts on environmental resources. As discussed above, BAAQMD is responsible for ensuring that state and federal ambient air quality standards are not violated within the SFBAAB. Analysis requirements for construction- and operation-related pollutant emissions are contained in the BAAQMD's (2011) CEQA Guidelines; these thresholds are presented in Table 3.1-6.

Table 3.1-6. BAAQMD Criteria Pollutant Significance Thresholds

Pollutant	Construction	Operations
ROG	54 pounds/day	54 pounds/day or 10 tons/year
NO_X	54 pounds/day	54 pounds/day or 10 tons/year
CO	--	Violation of CAAQS
PM10 (exhaust)	82 pounds/day	82 pounds/day or 15 tons/year
PM2.5 (exhaust)	54 pounds/day	54 pounds/day or 10 tons/year
PM10 /PM2.5 (dust)	Best management practices required	--

Source: Bay Area Air Quality Management District 2010.
CO = carbon monoxide
NO_X = nitrogen oxides
PM10 = particulate matter
PM2.5 = fine particulate matter
ROG = reactive organic compounds

In March 2012, an Alameda County Superior Court ruled that BAAQMD needed to comply with CEQA prior to BAAQMD adopting its 2010 CEQA Guidelines. The Superior Court decision was reversed on appeal by the Court of Appeal, holding that, in general, the adoption of local CEQA guidelines by the BAAQMD is not subject to CEQA review. The decision by the Court of Appeal reinforces State CEQA Guidelines Section 15064.7, which establishes the required procedure for enacting generally applicable thresholds of significance, and does not require a CEQA review as part of the process. The Court of Appeal's decision was subsequently appealed to the California Supreme Court, which granted limited review to the issue of whether CEQA requires "an analysis of how existing environmental conditions will impact future residents or users (receptors) of a proposed project." This challenge relates to the applicability of TAC standards based on the effect of existing pollutant sources on new development. In light of the litigation regarding the 2010 CEQA Guidelines, BAAQMD is no longer recommending their use. In December 2015, the Supreme Court ruled in favor of the plaintiff, finding that "CEQA generally does not require an analysis of how existing environmental conditions will impact a project's future users or residents." The Supreme Court identified several exceptions in which CEQA does apply to impacts of the environment on the Project. All of which are statutory provisions in CEQA that specifically require consideration of impacts of the environment, such as consideration of projects near airports, school construction projects, and statutory exemptions for housing and transit priority projects.

Subsequent to the Supreme Court's ruling, the BAAQMD has not formally issued any guidance on use of their 2010 CEQA Guidelines. While the BAAQMD is no longer recommending its significance thresholds for use by local agencies at this time, the BAAQMD's proposed thresholds are supported on substantial evidence and are well-grounded on air quality regulations, scientific evidence, and scientific reasoning concerning air quality and GHG emissions. Use of these thresholds is appropriate to determine significance in the environmental review of this Project and allows a rigorous standardized approach of determining whether the Project would cause a significant air quality impact. BAAQMD's Justification Report, found in Appendix D of the BAAQMD's May 2011 CEQA Guidelines, explains the agency's reasoning and provides substantial evidence for developing and adopting their thresholds (Bay Area Air Quality Management District 2010). Below is a summary of the basis upon which the BAAQMD's thresholds were developed.

The significance thresholds, as shown in Table 3.1-6, for criteria pollutants (ROG, NO_X, PM10, and PM2.5) are based on the stationary source emission limits of the federal CAA and the BAAQMD Regulation 2, Rule 2. The federal New Source Review (NSR) program, created by the federal CAA, set the emissions limits to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of NAAQS. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an NAAQS, BAAQMD Regulation 2 Rule 2 requires any new source that emits criteria air pollutants above specified emissions limits to offset those emissions. Although the emission limits are adopted in the regulation to control stationary source emissions, when addressing public health impacts of regional criteria pollutants, the amount of emissions is the key determining factor, regardless of source. Thus, the emission limits are appropriate for the evaluation of land use development and construction activities as well as for stationary sources. Those projects that result in emissions below the thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in criteria pollutant emissions. The federal NSR emission limits and BAAQMD's offset limits are identified in the regulation on an annual basis (in tons per year). For construction activities, the limits are converted to average daily emissions (in pounds per day), as shown in Table 3.1-6, because of the short-term intermittent nature of construction activities and, if emissions would not exceed the average daily emission limits, the Project would also not exceed the annual levels.

Similar to the criteria pollutant thresholds, the health risk impact thresholds are developed based on the cancer and non-cancer risk limits for new and modified sources adopted in BAAQMD Regulation 2, Rule 5 and the EPA Significant Impact Level (SIL) for PM2.5 emissions. The EPA SIL is a measure of whether a source may cause or contribute to a violation of NAAQS. Health risks due to toxic emissions from construction, though temporary, can still result in substantial public health impacts due to increased cancer and non-cancer risks. Applying quantitative thresholds allows a rigorous standardized method of determining when a construction project will cause a significant increase in cancer and non-cancer risks. The cumulative health risk thresholds are based on EPA guidance for conducting air toxics analyses and making risk management decisions at the facility and community-scale level, and are also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD's recent regional modeling analysis and the non-cancer Air Toxics Hot Spots mandatory risk reduction levels.

The odor threshold is consistent with BAAQMD Regulation 7 for Odorous Substances and reflects the most stringent standards derived from the Air District rule.

With respect to potential health effects from project-generated emissions, the analysis focuses on those pollutants with the greatest potential to result in a significant, material impact on human health, which are DPM and locally concentrated CO (i.e., CO hot-spots). As noted above, the traffic volumes associated with construction of the Project would be low and would be well below levels that could lead to a significant or material impact on human health.

Greenhouse Gases and Climate Change

The State CEQA Guidelines Appendix G identifies the following significance criteria to be considered for determining whether a project could have significant impacts GHGs.

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

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

Climate change is a global problem and GHGs are global pollutants, unlike criteria air pollutants (such as ozone precursors), which are primarily pollutants of regional and local concern. Given their long atmospheric lifetimes (see Table 3.1-2), GHGs emitted by many sources worldwide accumulate in the atmosphere. No single emitter of GHGs is large enough to trigger global climate change on its own. Rather, climate change is the result of the individual contributions of countless past, present, and future sources. Thus, GHG impacts are inherently cumulative.

BAAQMD has not established a quantitative threshold for the evaluation of construction-related GHG emissions. The significance of construction GHG emissions is, therefore, evaluated by determining whether or not the project has incorporated all feasible reduction measures. Operational emissions are evaluated against BAAQMD's land use development threshold of 1,110 metric tons CO_2e. Accordingly, operational GHG emissions are considered significant if they exceed 1,100 metric tons CO_2e per year. As noted above, there are currently two parking lots on the Project site, one with seven spaces adjacent to the south side of the Jailhouse building, and one with five spaces adjacent to the north side of the Jailhouse building (12 total parking spaces). Under the Project, the County Public Works Department would construct a parking lot that provides a total of 25 to 30 parking spaces on the site. The new parking lot would serve some of the existing demand for the adjacent County buildings and so is not anticipated to generate any additional traffic to the Project vicinity. Therefore, there would be no "new" trips or VMT associated with the Project and no associated new emissions. The Project does not include any other land uses that could generate new vehicle trips. As a result, the Project would result in no net increase in GHG emissions and no long-term impacts on climate.

3.1.3.3 Impacts and Mitigation Measures

Impact AQ-1: Conflict with or obstruct implementation of the applicable air quality plan (less than significant)

A project is inconsistent with air quality plans if it would result in population or employment growth that exceeds estimates used to develop applicable air quality plans. Projects that propose development that is consistent with the growth anticipated by the relevant land use plans would be consistent with the current BAAQMD air quality plans. Likewise, projects that propose development that is less dense than anticipated in a general plan or other governing land use document would be consistent with the air quality plans because emissions would be less than estimated for the region.

As noted above, the new parking lot would serve some of the existing demand for the adjacent County buildings and is not anticipated to generate any "new" trips or VMT associated with the project. The Project does not include any other land uses that could generate new vehicle trips. Although emissions would be generated during demolition and construction (discussed under Impact AQ-2), emissions are expected neither to exceed BAAQMD significance thresholds nor to impede attainment or maintenance of the NAAQS or CAAQS with implementation of mitigation. Accordingly, the Project would not conflict with or obstruct implementation of any applicable land use plan or policy. Therefore, the impact would be **less than significant**.

Impact AQ-2: Violate any air quality standard or substantial contribution to an existing or projected air quality violation (less than significant with mitigation)

Construction

Construction of the Project has the potential to create air quality impacts through the use of heavy-duty construction equipment, construction worker vehicle trips, and truck hauling trips. In addition, fugitive dust emissions would result from demolition and land clearing, and from vehicles traveling on roads. Criteria pollutant emissions generated by these sources were quantified consistent with CalEEMod (version 2013.2.2). Please refer to Appendix B for model outputs.

Estimated construction emissions are summarized in Table 3.1-7.

Table 3.1-7. Unmitigated Maximum Daily Construction Emissions (pounds/day)

				PM10			PM2.5		
Year	**ROG**	**NO_X**	**CO**	**Dust**	**Exhaust**	**Total**	**Dust**	**Exhaust**	**Total**
2016	2.9	50.8	16.4	1.1	1.4	2.5	0.3	1.3	1.6
Threshold	*54*	*54*	–	*82*	*BMPs*	–	*54*	*BMPs*	–

BMPs = best management practices
CO = carbon monoxide
NO_X = nitrogen oxides
PM10 = particulate matter
PM2.5 = fine particulate matter
ROG = reactive organic compounds

As shown in Table 3.1-7, construction of the Project would not generate emissions that would exceed BAAQMD's numeric thresholds. Therefore, this impact would be **less than significant**. BAAQMD's CEQA Guidelines recommend implementation of Basic Construction Mitigation Measures, which are best management practices (BMPs), for all projects whether or not construction-related emissions exceed applicable thresholds. BAAQMD considers dust impacts to be less than significant with the application of BMPs. Accordingly, implementation of Mitigation Measure AQ-1 is recommended for the Project.

Estimated construction emissions with implementation of Mitigation Measure AQ-1 are summarized in Table 3.1-8. With implementation of Mitigation Measure AQ-1, criteria pollutant emissions would not exceed BAAQMD thresholds and this impact would be **less than significant with mitigation**.

Table 3.1-8. Mitigated Maximum Daily Construction Emissions (pounds/day)

				PM10			PM2.5		
Year	**ROG**	**NO_X**	**CO**	**Dust[a]**	**Exhaust**	**Total**	**Dust[a]**	**Exhaust**	**Total**
2016	2.9	50.8	16.4	0.5	1.4	1.9	0.1	1.3	1.4
Threshold	*54*	*54*	–	*82*	*BMPs*	–	*54*	*BMPs*	–

[a] Assumes a 53% reduction in fugitive dust with implementation of Mitigation Measure AQ-1.
BMPs = best management practices
CO = carbon monoxide
NO_X = nitrogen oxides
PM10 = particulate matter
PM2.5 = fine particulate matter
ROG = reactive organic compounds

Mitigation Measure AQ-1: Implement Measures to Reduce Construction-Related Dust and Equipment Exhaust Emissions

The County will require all construction contractors to implement the Basic Construction Mitigation Measures recommended by BAAQMD to reduce fugitive dust and equipment exhaust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by BAAQMD or contractor as appropriate.

- All 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 offsite 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 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 in 13 CCR Section 2485). 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.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Impact AQ-3: Potential to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (less than significant)

BAAQMD has identified project-level thresholds to evaluate criteria pollutant impacts (see Table 3.1-6). In developing these thresholds, BAAQMD considered levels at which project emissions would be cumulatively considerable. As noted in the BAAQMD CEQA Guidelines (2011),

> In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is unnecessary.

The criteria pollutant thresholds presented in Table 3.1-6, therefore, represent the maximum emissions a project may generate before contributing to a cumulative impact on regional air quality. Exceedances of the project-level thresholds, as identified in Section 3.1.3.2, *Thresholds of Significanc*e, would be cumulatively considerable. As discussed in Impact AQ-2, construction of the

Project would result in a less-than-significant air quality impact with implementation of Mitigation Measure AQ-1. All construction emissions would be short-term and would cease once construction is complete. The impact would be **less than significant**.

Impact AQ-4: Expose sensitive receptors to substantial pollutant concentrations (less than significant)

The analysis of health risks during project construction considers exposure to DPM and CO hot-spots.

Exposure to Ambient Diesel Particulate Matter

Diesel-fueled engines, which generate DPM, would be used during construction of the Project. BAAQMD considers ultra-fine particle (PM2.5) emissions to be the DPM of greatest health concern. Cancer health risks associated with exposure to diesel exhaust are typically associated with chronic exposure, in which a 70-year exposure period is assumed. As indicated above, the nearest residence is approximately 200 feet from the Project site. Construction of the entire Project would occur over an 18-week period. This is well below the 70-year exposure period that is typically associated with increased cancer health risks. As indicated in Table 3.1-7, construction activities would generate only minor amounts of DPM, as PM10 exhaust emissions are estimated at 1.4 pounds per day. Consequently, construction activities are not anticipated to result in an elevated cancer risk for exposed persons or exceed BAAQMD significance thresholds. Construction-related DPM emissions impacts would be **less than significant**.

Exposure to Potential Project-Generated Carbon Monoxide Hot-Spots

Elevated CO concentrations are typically found in areas with significant traffic congestion. CO is a public health concern because it combines readily with hemoglobin and reduces the amount of oxygen transported in the bloodstream. BAAQMD requires an analysis of localized CO concentrations associated with traffic congestion to ensure concentrations remain below CAAQS and NAAQS.

The potential for Project traffic to result in CO hot-spots was evaluated based on estimated construction traffic volumes (see Appendix B) and the BAAQMD's (2011) CO screening criteria listed below. These criteria were used to determine whether the Project would result in a significant CO impact.

- Increase traffic volumes at intersections affected by project traffic to more than 44,000 vehicles per hour.
- Increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).
- Increase traffic to a level that is inconsistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.

Project construction traffic volumes would be well below the levels given in the first two criteria. With respect to the third screening criterion, the volumes also would be too small to contribute to congestion, and consequently would not be inconsistent with any congestion management program. Therefore, construction of the Project would not result in a significant CO impact as the Project

would not conflict with BAAQMD's screening criteria and would not cause or contribute to an existing or future violation of the NAAQS or CAAQS. This impact would be **less than significant**.

Impact AQ-5: Create objectionable odors affecting a substantial number of people (less than significant)

Although offensive odors rarely cause any physical harm, they can be very unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and air districts. Any project with the potential to frequently expose the public to objectionable odors would have a significant impact. According to ARB's (2005) *Air Quality and Land Use Handbook*, land uses associated with odor complaints typically include sewage treatment plants, landfills, recycling facilities, refining, and manufacturing.

The Project may cause temporary odors resulting from diesel exhaust during construction. Although these emissions may be noticeable from time to time, they would be intermittent and localized and are not likely to adversely affect adjacent receptors. This impact would be **less than significant**.

Impact GHG-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (less than significant with mitigation)

Construction

Project construction would generate emissions of GHGs (CO_2, CH_4, and N_2O) from mobile and stationary construction equipment exhaust and employee and haul truck vehicle exhaust. BAAQMD and the County have not established significance thresholds for GHG emissions from construction activities. Table 3.1-9 provides the estimated construction GHG emissions for informational purposes only. The BAAQMD Basic Construction Mitigation Measures are primarily directed at dust emissions, and BAAQMD has not quantified potential reductions in GHG emissions due to use of Basic Construction Mitigation Measures. Accordingly, Table 3.1-9 does not include any potential effect of Mitigation Measure AQ-1 on GHG emissions.

Table 3.1-9. Construction GHG Emissions (metric tons/year)

Year	CO_2	CH_4	N_2O	Other	CO_2e [a]
All phases, 2016	289	0.04	0.01	0.72	293
Threshold	–	–	–	–	–

[a] CO_2e is calculated using the Global Warming Potentials given in Table 3.1-2.
CO_2 = carbon dioxide
CH_4 = methane
N_2O = nitrous oxide
CO_2e = carbon dioxide equivalent

As shown in Table 3.1-9, the Project would generate approximately 293 metric tons of CO_2e during the construction period. This is equivalent to adding 3 typical passenger vehicles per year to the road during the construction period (U.S. Environmental Protection Agency 2014). The construction emissions are primarily the result of diesel powered construction equipment and heavy-duty haul trucks. Because construction emissions would cease once construction is complete, they are considered short-term.

BAAQMD's *CEQA Guidelines* do not identify a GHG emission threshold for construction-related emissions. While BAAQMD's 1,100 metric ton CO_2e operational threshold is not established as a

construction threshold, construction-related emissions associated with the Project would be less than this operational threshold. Because construction emissions are temporary, as opposed to annual, comparing construction emissions to BAAQMD's operational threshold represents a conservative assessment of potential impacts. Moreover, as described in Mitigation Measure GHG-1, the Project incorporates feasible BMPs, including using alternative-fueled (e.g. biodiesel, electric) construction vehicles/equipment in at least 15 percent of the fleet, using at least 10 percent local building materials, and meeting a goal of recycling 50 percent of construction waste. These BMPs would further reduce construction-related emissions shown in Table 3.1-9. Accordingly, the Project is not expected to generate a significant amount of construction-related GHG emissions. With implementation of Mitigation Measure GHG-1, this impact would be **less than significant with mitigation**.

Mitigation Measure GHG-1: Implement BAAQMD's best management practices for GHG emissions

Require all construction contractors to implement the following BAAQMD-recommended best management practices (BMPs) to reduce GHG emissions, as applicable.

- Use alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment in at least 15 percent of the fleet.
- Use at least 10 percent local building materials.
- Recycle at least 50 percent of construction waste or demolition materials.

Impact GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (less than significant)

The state has adopted AB 32, which codifies the state's GHG emissions reduction targets for the future. Contra Costa County published a draft Community Climate Action Plan (CAP) in December 2015. The CAP covers emissions generated by County operations and County-owned facilities, such as the Jailhouse building, and is, therefore, the most applicable local plan adopted for the purpose of reducing GHG emissions. Consistency with AB 32 and the CAP are discussed below.

ARB adopted the AB 32 Scoping Plan as a framework for achieving AB 32. The Scoping Plan outlines a series of technologically feasible and cost-effective measures to reduce statewide GHG emissions. Some reductions will need to come in the form of changes pertaining to vehicle emissions and mileage standards. Some will come from changes pertaining to sources of electricity and increased energy efficiency at existing facilities. The remainder will need to come from plans, policies, or regulations that will require new facilities to have lower carbon intensities than they have under business as usual conditions. The CAP estimates current (2013) and future (2020 and 2035) GHG emissions generated by County activities. The CAP specifies aggressive 2020 and 2035 emission reduction goals and identifies a list of mitigation measures recommended to achieve these goals.

As discussed above, construction emissions would cease once construction is complete, they are considered short-term. In addition, with implementation of Mitigation Measure GHG-1, the Project incorporates feasible BMPs, including using alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment in at least 15 percent of the fleet, using at least 10 percent local building materials, and meeting a goal of recycling 50 percent of construction waste. Furthermore, the new parking lot would serve some of the existing demand from existing County employees of the adjacent County buildings and so is not anticipated to generate any additional traffic to the Project vicinity. The Project does not include any other land uses that could generate new vehicle trips. As a

result, the Project would result in no net increase in emissions and no long-term impacts on GHGs. Accordingly, implementation of the Project would not conflict with AB 32 or the CAP. The impact would be **less than significant**.

Impact EGY-1: Result in the inefficient, wasteful, and unnecessary consumption of energy, including transportation energy use (less than significant)

As described under Impact GHG-2, the Project would be consistent with AB 32 and the County's MCAP. Therefore, the Project would be consistent with state and local energy policies and would not result in a wasteful, inefficient, and unnecessary usage of energy. This impact would be **less than significant**.

3.2 Cultural Resources

This section describes the regulatory and environmental setting for cultural resources. It also describes impacts on cultural resources that would result from implementation of the Project and mitigation for significant impacts, where feasible and appropriate.

3.2.1 Regulatory Setting

This section describes relevant federal and state regulations applicable to the Project.

3.2.1.1 Federal

National Historic Preservation Act

Federal regulations for cultural resources are primarily governed by Section 106 of the National Historic Preservation Act (NHPA) of 1966, which applies to actions taken by federal agencies. The goal of the Section 106 review process is to offer a measure of protection to sites that are determined eligible for listing in the National Register of Historic Places (NRHP). The criteria for determining NRHP eligibility are found in 36 Code of Federal Regulations (CFR) Part 60. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and affords the federal Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The council's implementing regulations, "Protection of Historic Properties," are found in 36 CFR Part 800. The NRHP criteria (contained in 36 CFR 60.4) are used to evaluate resources when complying with NHPA Section 106. Those criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

a. are associated with events that have made a significant contribution to the broad patterns of our history;

b. are associated with the lives of persons significant in our past;

c. embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or

d. have yielded or may be likely to yield, information important to history or prehistory.

3.2.1.2 State

California Public Resources Code

Under CEQA, public agencies must consider the effects of their actions on both historical resources and unique archaeological resources. Pursuant to Public Resources Code (PRC) Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."

Historical resource is a term with a defined statutory meaning (refer to PRC Section 21084.1 and State CEQA Guidelines Section 15064.5 [a] and [b]). The term embraces any resource listed in or

determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR criteria and guidelines are modeled after NRHP. The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest. As in the NRHP, significant historical resources over 50 years of age can be listed on the CRHR when they meet the eligibility criteria. However, properties under 50 years of age that are of exceptional significance or are contributors to a historic district can also be included on the CRHR. The primary difference between the NRHP and the CRHR is in the interpretation of historic integrity and the special considerations and criteria considerations of the two registries. CRHR eligibility considerations follow guidance in PRC Section 5024(b) and application of National Register Bulletin No. 15 guidance, as instructed by the California Office of Historic Preservation for interpreting CRHR criteria.

Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be historical resources for the purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC Section 5024.1; California Code of Regulations (CCR), Title 14, Section 4850). Unless a resource listed in a survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR.

In addition to assessing whether historical resources potentially affected by a proposed project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the CRHR criteria prior to making a finding as to a proposed project's impacts on historical resources (PRC Section 21084.1; State CEQA Guidelines Section 15064.5 (a)(3)). In general, a *historical resource*, under this approach, is defined as any object, building, structure, site, area, place, record, or manuscript that:

a. is historically or archeologically significant; or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural annals of California; and

b. meets any of the following criteria:

   Criterion 1: Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

   Criterion 2: Is associated with the lives of persons important in our past;

   Criterion 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

   Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history.

As noted above, CEQA also requires lead agencies to consider whether projects will impact unique archaeological resources. Although CEQA does not define a unique paleontological resource or site, PRC Section 21083.2 (g) states that *unique archaeological resource* means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria.

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC Section 21083.2 (g)).

With only slight modification, this definition is equally applicable to recognizing a *unique paleontological resource* or site. Additional guidance is provided in the State CEQA Guidelines Section 15064.5 (a)(3)(D), which indicates "generally, a resource shall be considered historically significant if it has yielded, or may be likely to yield, information important in prehistory or history."

Under PRC Section 21083.2, options on how to treat such resources include activities that preserve the resources in place in an undisturbed state. Other acceptable methods of mitigation under PRC Section 21083.2 include excavation and curation or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a unique archaeological resource).

Section 7050.5 (b) of the California Health and Safety Code specifies protocol when human remains are discovered. The code states:

> In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27492 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code.

State CEQA Guidelines Section 15064.5(e) requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the NAHC must be contacted within 24 hours. At that time, the lead agency is required to consult with the appropriate Native Americans as identified by the NAHC and direct the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Assembly Bill 52

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California Native American tribes as part of CEQA and equates significant impacts on "tribal cultural resources" with significant environmental impacts (new PRC Section 21084.2).

Effective July 1, 2015, AB 52 amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether or not a proposed project may have a significant impact on a Tribal Cultural Resource, and that this consideration be made separately from cultural and paleontological resources.

PRC Section 21073 defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004." This includes both federally and non-federally recognized tribes.

PRC Section 21074(a) provides the following definition of Tribal Cultural Resources for the purpose of CEQA.

1) Sites, features, places, cultural landscapes [geographically defined in terms of the size and scope], sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

   A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

   B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria A and B also meet the definition of a Historical Resource under CEQA, a Tribal Cultural Resource may also require additional consideration as a Historical Resource. Tribal Cultural Resources may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their tribal cultural resources and heritage, AB 52 requires that CEQA lead agencies carry out consultation with tribes at the commencement of the CEQA process to identify Tribal Cultural Resources. Furthermore, because a significant effect on a Tribal Cultural Resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Consultation is concluded when either the lead agency and tribes agree to appropriate mitigation measures to mitigate or avoid a significant effect, or when a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2[b]), whereby the lead agency uses its best judgement in requiring mitigation measures that avoid or minimize impact to the greatest extent feasible

3.2.1.3 Local

City of Martinez Downtown Historic Overlay District

Under the City of Martinez Code of Ordinances (Zoning Code), Chapter 22. 27, the purpose of the Downtown Historic Overlay District is to "promote the preservation and rehabilitation of historic commercial, civic and mixed-use buildings in the Downtown Core and Civic Districts, and to provide for new infill construction consistent with the historic character of the district, consistent with the City of Martinez Downtown Specific Plan." In addition, the Historic Overlay District has three specific purposes.

A. To establish mandatory provisions for the preservation of buildings individually listed on the National and/or State Register of Historic Places (referred to below as listed buildings), or buildings which become so listed in the future;

B. To establish advisory design review guidelines for the rehabilitation of structures and new infill construction in the historic overlay district with particular focus on the 1982 City Historic Resource Inventory; and

C. To provide a voluntary option to owners of qualified properties—the more flexible provisions of the State Historical Building Code. The presence of a local historic district also creates the possibility for the City to establish a Mills Act program, which could provide property tax relief for owners who restore and maintain historic properties.

Although the Jailhouse building is a contributing feature to the Downtown Martinez Historic District, as a County-owned building, it is not subject to the City of Martinez Code of Ordinances.

3.2.1.4 Other

The Society of Vertebrate Paleontology, in response to a recognized need for standard guidance, published a set of standard guidelines for protecting paleontological resources from project impacts (Society of Vertebrate Paleontology Conformable Impact Mitigation Guidelines 1995) that are now widely followed. The guidelines provide some standardization in evaluating a project area's paleontological sensitivity. The guidelines also provide a working definition for *significance* as applied to paleontological resources. According to the Society of Vertebrate Paleontology, significant paleontological resources are those that fulfill one or more of the following criteria (Society of Vertebrate Paleontology Conformable Impact Mitigation Guidelines Committee 1995).

- Provides important information, shedding light on evolutionary trends and/or helping to relate living organisms to extinct organisms.
- Provides important information regarding the development of biological communities.
- Demonstrates unusual circumstances in the history of life.
- Represents a rare taxon or a rare or unique occurrence (i.e., is in short supply and in danger of being destroyed or depleted).
- Has a special and particular quality, such as being the oldest of its type or the best available of its type.
- Provides important information used to correlate strata for which it may be difficult to obtain other types of age dates.

Significant paleontological resources may include vertebrate fossils and their associated taphonomic and environmental indicators, invertebrate fossils, and plant fossils.

3.2.2 Environmental Setting

This section provides a discussion of the existing conditions, as well as relevant pre-historical and historical conditions, related to cultural resources on the Project site and in the Project vicinity.

3.2.2.1 Existing Conditions

The Project site is located at 650 Pine Street in Downtown Martinez (see Figure 2-1 and Figure 2-2). The Project site is in Contra Costa County, which is located in west-central California. The parcel is

owned by Contra Costa County but lies within the city limits of Martinez. The county lies southeast of San Pablo Bay, south of Suisun Bay, and the north-central part of the county borders the confluence of the Sacramento and San Joaquin Rivers.

The northern portion of the county consists of the Diablo Range and its foothills. Martinez is located on level floodplains and rolling terraces. The rest of the county consists of strongly sloping to very steep uplands used for range. The dominant landmark of the county is Mount Diablo, with a height of 3,849 feet (Welch 1973).

Numerous buried sites and site components have been identified in Contra Costa County. However, the majority of these sites are located southeast of Martinez, in the interior valleys of the Diablo Range, in the Walnut Creek-San Ramon Valley, and in the Kellogg Creek/Los Vaqueros Reservoir area (Meyer and Rosenthal 2007).

The Jailhouse building shares a single parcel with the Contra Costa County Finance building (the former Contra Costa County Courthouse). The parcel occupies the entire block between Court, Escobar, Pine, and Main Streets. The Project site is included within the boundaries of the *Martinez Downtown Specific Plan* area and Historic Overlay District. "The Historic Overlay District includes several historic civic buildings that are individually listed on the National Register of Historic Places," including the Jailhouse building as part of the Contra Costa County Courthouse Block. "In addition to these civic landmarks, the District has a high proportion of commercial buildings that still exhibit most of their historic character." In the context of the historic urban landscape, "what is most significant about these structures is the way they collectively create a streetscape that is remarkably unchanged from the boom year of Downtown Martinez's industrial expansion in the 1910s and 1920s" (Calthorpe Associates 2006: 6-1, 6-2).

3.2.2.2 Soils and Geology

Contra Costa County consists of four general physiographic regions: the highland of the Coast Range, the intermountain valleys, the San Francisco Bay depression, and the Sacramento–San Joaquin Delta. Martinez lies at the foot of the intermountain valley, near a drainage into the Suisun Bay. Most of the land surface in this general vicinity lies at, just above, or below sea level (Welch 1973).

The Project site is located entirely in soils that consist of BaA, Botella Clay Loam (Holocene). This soil is part of alluvial fans and flood plains, usually located at the toeslope (US Soils Web 2015). The presence of Holocene alluvial fan deposits suggests that the Project site may be sensitive for buried prehistoric resources. (Witter et al. 2006).

3.2.2.3 Paleontological Context

Paleontologically, Martinez and the surrounding, areas are quite active. UCMP locality V-71131, a vertebrate fossil site that is Pleistocene (Rancholabrean) in age (approximately 1.6 million years ago), occurs directly in Downtown Martinez (City of Martinez 2005). Downtown Martinez is located on Intertidal deposits that are not paleontologically significant. However, many of the rock formations that surround Martinez (e.g., Great Valley Sequence, Chico Formation, Martinez Formation, Domengine Sandstone and Markley Sandstone, and Monterey Group and San Pablo Group) contain or may contain fossils.

3.2.2.4 Prehistoric Context

The Archaeological Survey Report (ASR) in Appendix C evaluates the potential for the Project to affect archaeological resources that could be considered historic for the purposes of CEQA. The following information is based on the ASR. Milliken et al. (2007) present a series of culture changes in the San Francisco Bay Area. The period of occupation during the 11,500 to 8000 cal B.C. time frame, when Clovis big-game hunters, then initial Holocene gatherers, presumably lived in the area, lacks evidence, presumably because it has been washed away by stream action, buried under more recent alluvium, or submerged on the continental shelf (Rosenthal and Meyer 2004:1). There is evidence, however, for an in-place forager economic pattern beginning around 8000 cal B.C., followed by a series of five cycles of change that began at approximately 3500 cal B.C.

During the Early Holocene (Lower Archaic, cal 8000 and 3500 B.C.), the Bay Area appears to have been occupied by a widespread but sparse population of hunter-gatherers. The millingslab and handstone, as well as a variety of large, wide-stemmed and leaf-shaped projectile points, all emerged during this period (Milliken et al. 2007:114).

The Early Period (Middle Archaic), 3500-500 cal BP, saw several technological and social developments that characterize this period in the Bay Area. Rectangular *Haliotis* and *Olivella* shell beads, the markers of the Early Period bead horizon, continued in use until at least 2,800 years ago (Ingram 1998; Wallace and Lathrop 1975:19). The mortar and pestle were first documented in the Bay Area shortly after 4000 B.C., and by 1500 cal B.C. (Wiberg 1996:373).

During the Lower Middle Period (Initial Upper Archaic), 500 cal BP to cal AD 430, rectangular shell beads disappeared from the Bay Area, Central Valley, and portions of Southern California and a whole new suite of decorative and presumed religious objects appeared during the Early Period-Middle Period Transition (Elsasser 1978).

Around 430 A.D., during the Upper Middle Period (Late Upper Archaic), cal AD 430 to 1050, the *Olivella* saucer bead trade network collapsed, and more than half of known bead horizon M1 sites were abandoned, while the remaining sites saw a large increase in sea otter bones. Additionally, the Meganos extended burial mortuary pattern began to spread in the interior East Bay (Bennyhoff 1994a, 1994c).

During the Initial Late Period (Lower Emergent), cal AD 1050 to 1550, the appearance of a new level of sedentism, status ascription, and ceremonial integration in lowland central California (Fredrickson 1973). Through the Middle/Late Transition Period, burial objects became much more elaborate, and initial markers of the Augustine Pattern appeared in the form of multiperforated and bar-scored *Haliotis* ornaments, fully shaped show mortars, and new *Olivella* bead types (Bennyhoff 1994c). The Stockton serrated series, the first arrow-sized projectile point in the Bay Area, also appeared after A.D. 1250. The Stockton serrated series was a unique central California type (Bennyhoff 1994b: 54; Hylkema 2002; Justice 2002: 352).

Changes in artifact types and mortuary objects characterized the Terminal Late Period, cal A.D. 1500–1650. The signature *Olivella* sequin and cup beads of the central California L1 Bead Horizon abruptly disappeared, and clamshell disk beads, markers of the L2 Bead Horizon, spread across the North Bay (Milliken and Bennyhoff 1993:392). The earliest date for clam disks south of the Carquinez Strait, obtained from a charcoal lens at CCO-309, is cal A.D. 1670 (Fredrickson 1968). Indications are that another upward cycle of regional integration was commencing when it was interrupted by Spanish settlement in the Bay Area beginning in 1776 (Milliken et al. 2007:118).

3.2.2.5 Ethnography

The Project site is situated in territory once occupied by Costanoan (also commonly referred to as Ohlone) language groups. Eight Ohlone languages were spoken in the area from the southern edge of the Carquinez Strait to portions of the Big Sur and Salinas Rivers south of Monterey Bay and approximately 50 miles inland from the coast. The Project site is near the approximate ethnolinguistic boundary of the *Karkin* language. *Karkin* was only spoken in a single, slightly isolated tribelet located on the very northern boundary of the Ohlone ethnographic boundary. This language is thought to have only been spoken by approximately 90 individuals (Levy 1978:485).

Ohlone territories were composed of one or more land-holding groups that anthropologists refer to as "tribelets." The tribelet consisted of a principal village occupied year-round, with a series of smaller hamlets and resource gathering and processing locations occupied intermittently or seasonally (Kroeber 1955: 303–314).

Seven Spanish missions were founded in Ohlone territory between 1776 and 1797. While living within the mission system, the Ohlone commingled with other groups, including the Yokuts, Miwok, and Patwin. Mission life was devastating to the Ohlone population (Milliken 1995). When the first mission was established in Ohlone territory in 1776, the Ohlone population was estimated at 10,000. By 1832, the Ohlones numbered less than 2,000 as a result of introduced disease, harsh living conditions, and reduced birth rates (Cook 1943a, 1943b in Levy 1978:486).

Ohlone recognition and assertion began to move to the forefront during the early twentieth century, enforced by legal suits brought against the United States government by Indians of California (1928-1964) for reparation due them for the loss of traditional lands. The Ohlone participated in the formation of political advocacy groups, which brought focus upon the community and reevaluation of rights due its members (Bean 1994:xxiv). In recent years, the Ohlone have become increasingly organized as a political unit and have developed an active interest in preserving their ancestral heritage. Many Ohlones are active in maintaining their traditions and advocating for Native American issues.

3.2.2.6 Historic Context

The Historical Resources Evaluation Report (HRER) in Appendix D identifies and evaluates the historical significance of the Jailhouse building to recommend whether the property is an historical resource for purposes of CEQA. The following information regarding the existing Jailhouse building, which consists of the original structure, completed in 1903, and the annex built in 1944, is based on the HRER.

Contra Costa County was one of the original counties in the state of California, and Martinez has always served as the seat of county government. During the late 19th and early 20th century, the city was well-served by rail and water transportation, which helped its agricultural and industrial economies flourish. However, Martinez was not centrally located, and by 1900 it was being challenged by rival cities with growing populations and more central locations within the county.

The County's original courthouse was condemned following the earthquake of 1898, and the crumbling brick jail was the scene of several escapes. Construction of the Contra Costa County Courthouse Block, including the Jailhouse building, curbing, and Courthouse building, began in 1901 and was completed in 1903 (McDevitt 2001: 146). A dedication ceremony for the project was conducted on May 29, 1903 (Contra Costa County Gazette: 1). The 19th century structures were

replaced by the existing district – Courthouse building, Jailhouse building, and granite curbing – recognized by the Contra Costa County Courthouse Block NRHP listing. The original portion of the Jailhouse building was designed by the architecture firm William Mooser & Sons of San Francisco, while Haven and Toepke of Sacramento designed the Courthouse.[1] The original portion of the Jailhouse building and the Courthouse building were constructed by the Pacific Construction Company.[2] The 1903 portion of the Jailhouse is approximately square in plan, while the 1944 addition is rectangular and oriented perpendicularly to the 1903 section.

The 1944 annex, which is not recognized as a contributing resource in the 1989 NRHP listing, was built during World War II to expand the jail's capacity by an additional 132 inmates (The Sheriff's Review 1965), reflecting the county's population growth. Although the 1944 annex was not considered a contributing element when the NRHP listing was written in 1989, it has become eligible for consideration now that is more than 50 years old. The 1944 annex is rectangular and oriented perpendicularly to the 1903 portion of the building. The 1944 annex is poured, board-formed, concrete and steel.

The Jailhouse building held prisoners until all were removed from both the 1903 portion of the building and 1944 annex when a new correctional facility was completed in 1981 (National Register of Historic Places 1989: 4, 8). The Jailhouse building was closed in 1986, and over the past 30 years, the building has fallen into disrepair, laying vacant with the exception of a limited amount of obsolete storage. The Jailhouse has been owned by Contra Costa County throughout the extent of its history. The Courthouse building became the Contra Costa County Finance building in 1966 and the county courts were moved to a new courthouse directly across Main Street to the southeast.

Like the Finance building, the Jailhouse building was built in the Classical Revival or Neoclassical Style (1895-1950), a favored style for governmental and particularly judicial system buildings. Both buildings are clad in rusticated light gray granite, which entails squared off stones with a rough outer surface. Symmetrically placed windows and doors, relieved granite blocks forming the top of the basement windows and the sills of the second story windows, a classically proportioned entablature, and two projecting stone belt courses express the uncluttered architectural style of formalism. Formalism, primarily used for institutional and civic buildings in the United States, is marked by many Classic elements, including symmetry, columns, entablatures, and granite materials. Facing Pine Street, the east side of the building is centered by a Palladian window, composed of a large, arched central window section flanked by two narrower, shorter sections with square tops. On the north side of the building, adjacent to the 1944 annex, the Jailhouse entrance features an arched entrance that includes recessed double doors with upper half lights that appear to have been installed later than 1902. The semicircular area above the doors that is created by the arch's voussoirs is filled with a panel which is painted to appear as a fanlight window. Further inspection is required to discover if the original window remains in situ. The stairs leading to the entrance are made of massive stones, including top rail stones of finished granite. Coping below the metal parapet features a pressed tin leaf and dart design. The south exterior wall also features a downspout placed just off-center, adjacent to the center windows. The upper section appears to be original but in poor condition. The lower section appears to have been replaced with a pipe that is

[1] Although the current National Register of Historic Places Listing identifies the jailhouse architect as William S. Mosser, the designer was architect William Mooser, Jr. of William Mooser & Sons.

[2] In "*The Court Houses of Contra Costa County*," Collier writes: "When the Pacific Construction Company was nearly finished with the Court House, they were awarded the contract for the jail, to be built at a cost of $35,383. By April 6, 1903, the building was ready for the placement of the cells" (Collier 1967: 12).

not a compatible style. Extant granite curbing is characterized by long rectangular spans of rough textured granite (approximately 9-foot sections), punctuated by square block posts with low profile pyramidal top (ranging in size from 1.5 feet to 2 feet). The Jailhouse's and curbing's physical relationship with the Courthouse building through adjacent siting on the parcel is essential to the integrity of each element, as well as to the significance of the three components collectively as a block.

The historical function of the building as a jailhouse is made explicit by many unusually narrow windows and by exterior bars on all building openings except the front entrance. The large blocks of granite and their rough finish also reflect thick walls and permanence, attributes of a secure jail. The Jailhouse building is closely associated with the 40-year career of Sheriff R. R. Veale, whose extensive records of the County Seat's early history have been preserved.

3.2.3 Impact Analysis

3.2.3.1 Methods

Records Search

A cultural resources records search was conducted at the California Historical Resources Information System (CHRIS) Northwest Information Center (NWIC), Sonoma State University, Rohnert Park, on December 4, 2015 (File No. 15-0820). The records search encompassed the Project site and a 0.25-mile radius around the Project site.

The records search included reviews of the NWIC databases of archaeological sites and reports; the NRHP and the Directory of Archaeological Determinations of Eligibility for California; the California Register, California Historical Landmarks, and Points of Historical Interest; the California Inventory of Historic Resources; and the Historic Property Date Files for Contra Costa County. The NWIC records search also included review of the General Land Office Plat Maps for Township 2 North, Range 2 West; 1864 map of the Rancho las Juntas and 1865 map of Pinole Rancho.

The records search did not identify any cultural resources within the Project site. Five previously recorded cultural resources were within 0.25 mile of the Project site, all of which are built resources, are described below. These resources are described below.

P-07-000521: The Martinez Railroad Station — a single-story, long rectangular plan railroad station built in the Craftsman style. Circa 1877. This building was found not eligible for the NRHP or CRHR.

P-07-000522: 330 Ferry Street — a concrete tilt-up warehouse with a double hipped-roof. Circa 1975. This building was found not eligible for the NRHP or CRHR.

P-07-000523: 350 Ferry Street — a single-story industrial building. Circa 1955. This building was found not eligible for the NRHP or CRHR.

P-07-002750: Sharkey Building/630 Court Street — a two-story, flat-roofed commercial brick/Italianate Renaissance Revival building. Circa 1926. This building was found eligible for the CRHR.

P-07-003083: Contra Costa County Administration Building — a multi-level scored concrete, tile and glass government building. Circa 1957. This building was found not eligible for the NRHP.

The NWIC records search did not identify any studies conducted within the Project site. However, 22 studies were recorded within a 0.25-mile of the Project site. These studies include a variety of regional overview, site-specific, and historic and archaeological surveys throughout Contra Costa County.

A three-step process was followed to identify historic built resources and update existing evaluations: 1) undertake background research of previously recorded resources and completed reports within and adjacent to the study area, 2) develop approach and historic context for evaluation, and 3) conduct onsite fieldwork to inspect and record resources. Bibliographic references, were compiled through a records search at the Contra Costa County Historical Society on December 15, 2015, through data requests to Contra Costa County Public Works Department, and research of available online materials.

Field Survey

The Project site is located in highly urbanized Downtown Martinez. The Project site was inspected for indicators of human activity, such as; dark midden soils, dietary shell and bone, stone or bone artifacts, and historic artifacts. The area was also examined for any larger, earthen features such as mounds or depressions. The area has been completely developed. The majority of the Project site is paved. Any visible ground surface has been disturbed and/or covered in fill and gravel. All visible ground surfaces appear to have been graded, landscaped, or developed.

The vicinity of the Project site includes a mixture of administrative and residential uses. The Jailhouse building is located on the west edge of Downtown Martinez, with a residential area to the west and administrative and commercial buildings to the east. The vicinity of the Project site has been completely urbanized and there are very few open space areas.

No original ground surfaces were visible or evident during the field survey, and no archaeological resources were observed during the field survey.

In order to evaluate cultural resources at the Project site, a site survey was conducted on December 22, 2015. Photographic documentation was compiled during this site survey. The interior of the Jailhouse building was not surveyed. The exterior of the Jailhouse building, including curbing and surrounding parking lots, were surveyed.

Summary of Native American Consultation

AB 52 applies to the Project. To date, no Native American tribes have contacted Contra Costa County Public Works Department for consultation regarding the Project, but letters to the five tribes in the area are being issued regarding the consultation for dthis project.

3.2.3.2 Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would be considered to have a significant effect if it would result in any of the conditions listed below.

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

3.2.3.3 Impacts and Mitigation Measures

Impact CUL-1: Cause a substantial adverse change in the significance of a historical resource (significant and unavoidable)

The demolition of the Jailhouse building, which is eligible for listing on the CRHR, would result in a significant and unavoidable impact on the historic resource, on the limited historic resources within the Martinez Historic Overlay District, and on the NRHP-listed Contra Costa County Courthouse Block (NRIS Reference #89002113, listed 1989), which includes the Jailhouse and former County Courthouse (i.e., current Finance building). Demolition of an historical resource as defined in PRC Sections 5020.1(j) or 5024.1 prevents the resource from conveying its historical significance and justification for inclusion in the NRHP and eligibility for CRHR. This impact would be significant. Implementation of Mitigation Measures CUL-1 and CUL-2 would serve to reduce the impact to some extent but not to a less than significant impact. Therefore, this impact would be **significant and unavoidable**.

Mitigation Measure CUL-1: Record the Building's History and Architecture following Historic American Building Survey Guidelines and Prepare Materials for Public Interpretation

The County will record the Jailhouse building following National Park Service Guidelines for Historic American Building Survey (HABS) documentation. This will include large-format black and white or digitized photography, captions, and thorough written documentation of the historic context and description of the building for submission to local historical repositories including the Contra Costa County Library in Martinez. Public interpretation based on information from the HABS documentation will be used to convey the historical significance of the building in formats that may include street-side sign panel(s) and exhibits in nearby County or historical society venues.

Mitigation Measure CUL-2: Plan for Reuse of Salvaged Components of the Building in Public Spaces

To the extent feasible, the County will plan to reuse materials from the building in public parks and facilities in the Martinez area. A Salvage Plan will be prepared to identify building components that would be appropriate for use in public spaces, including public park(s). Building components for consideration will include the granite cladding, granite curbs, and possibly interior architecture, as appropriate.

Impact CUL-2: Cause a substantial adverse change in the significance of an archaeological resource (less than significant with mitigation)

No cultural resources were identified either through the NWIC records search or during the field survey, and all ground-disturbing construction activities would be in previously disturbed contexts. However, the potential always exists for previously undiscovered resources to be encountered during demolition and construction. Buried deposits may be eligible for listing in the CRHR. This

impact would be significant. With implementation of Mitigation Measure CUL-3, this impact would be a **less-than-significant with mitigation**.

Mitigation Measure CUL-3: Stop Work if Cultural Resources are Encountered During Ground-disturbing Activities

The County will ensure the construction specifications include a stop work order if prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities. All work within 100 feet of the find will be stopped until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or tool making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.

Impact CUL-3: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (less than significant with mitigation)

Demolition and grading could unearth and damage previously unknown paleontological resources, sites, or unique geologic features. This impact would be potentially significant. With implementation of Mitigation Measure CUL-4, this impact would be **less-than-significant with mitigation**.

Mitigation Measure CUL-4: Stop Work if Paleontological or Unique Geologic Features are Encountered During Ground-disturbing Activities

The County will ensure the construction specifications include a stop work order if substantial fossil remains are discovered during Project demolition or construction. All work will stop until a registered professional geologist or qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. The County or the appropriate agency will be responsible for ensuring that recommendations regarding treatment and reporting are implemented.

Impact CUL-4: Disturb any human remains, including those interred outside of formal cemeteries (less than significant with mitigation)

Although no cultural resources were identified either through the background records search or during the Project site survey, the potential always exists for previously undiscovered human remains to be encountered during Project demolition or construction. Buried deposits may be eligible for listing in the CRHR. This impact would be significant. With implementation of Mitigation Measure CUL-5, this impact would be **less-than-significant with mitigation**.

Mitigation Measure CUL-5: Stop Work if Human Remains are Encountered During Ground-Disturbing Activities

The County will ensure the construction specifications include a stop work order if human remains are discovered during construction or demolition. There will be no further excavation

or disturbance of the site within a 50-foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Contra Costa County Coroner will be notified and will make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he will notify the Native American Heritage Commission, which will attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the land owner will re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

3.3 Hazards and Hazardous Materials

This section describes the regulatory and environmental setting for hazards and hazardous materials. It also describes impacts related to hazards and hazardous materials that would result from implementation of the Project, and mitigation for significant impacts, where feasible and appropriate.

A *hazardous material* is any substance that, because of its quantity, concentration, or physical or chemical properties, may pose a hazard to human health and the environment. Under Title 22 of the California Code of Regulations (CCR), the term *hazardous substance* refers to both hazardous materials and hazardous wastes. Both of these are classified according to four properties: 1) toxicity, 2) ignitability, 3) corrosiveness, and 4) reactivity (CCR Title 22, Chapter 11, and Article 3). A hazardous material is defined in CCR, Title 22 as:

> [a] substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (CCR, Title 22, Section 66260.10).

Hazardous materials in various forms can cause death, serious injury, long-lasting health effects, and damage to buildings, homes, and other property. Hazards to human health and the environment can occur during production, storage, transportation, use, or disposal of hazardous materials.

3.3.1 Regulatory Setting

This section describes relevant federal, state, and local regulations applicable to the Project.

3.3.1.1 Federal

Federal Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a U.S. Environmental Protection Agency (EPA)-administered program to regulate the generation, transport, treatment, storage, and disposal of hazardous waste. The RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the cradle to grave system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/ Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980. This law (42 United States Code [U.S.C.] 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, provides for liability of persons responsible for releases of hazardous waste at these sites, and establishes a trust

fund to provide for cleanup when no responsible party can be identified. CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulations [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Acton October 17, 1986.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration's (OSHA) mission is to ensure the safety and health of workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. The OSHA staff establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. OSHA standards are listed in 29 CFR 1910.

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) came into law on October 11, 1976. TSCA authorized EPA to secure information on all new and existing chemical substances, as well as to control any of the substances that were determined to cause unreasonable risk to public health or the environment. The current polychlorinated biphenyls (PCB) regulations, CFR at 40 CFR 761, were published pursuant to the TCSA, and include the following list of CFR Sections that are applicable to the Project.

- Section 761.60 Disposal requirements.
- Section 761.61 PCB remediation waste cleanup and disposal options.
- Section 761.77 Coordination with the EPA Regional Administrator.
- Section 761.79 Decontamination standards and procedures.
- Section 761.97 Export requirements for disposal.
- Section 761.125 Requirements for PCB spill cleanup.
- Section 761.130 Sampling requirements.
- Section 761.180 Records and monitoring.

Department of Transportation Hazardous Materials Regulations (49 CFR 100–185)

U.S. Department of Transportation (DOT) Hazardous Materials regulations cover all aspects of hazardous materials packaging, handling, and transportation. Parts 107 (Hazard Materials Program), 130 (Oil Spill Prevention and Response), 172 (Emergency Response), 173 (Packaging Requirements), 174 (Rail Transportation), 176 (Vessel Transportation), 177 (Highway Transportation), 178 (Packaging Specifications), and 180 (Packaging Maintenance) would all apply to the Project and surrounding uses.

Enforcement of these DOT regulations is shared by each of the following agencies under delegations from the Secretary of the DOT.

- Research and Special Programs Administration is responsible for container manufacturers, reconditioners, and retesters and shares authority over shippers of hazardous materials.
- Federal Highway Administration enforces all regulations pertaining to motor carriers.
- Federal Railroad Administration enforces all regulations pertaining to rail carriers.
- Federal Aviation Administration enforces all regulations pertaining to air carriers.
- Coast Guard enforces all regulations pertaining to shipments by water.

Asbestos Regulations and Requirements

Regulatory oversight for the management, removal, and disposal of asbestos-containing materials (ACMs) is provided by federal, state, and local agencies. The federal OSHA and the California Division of Occupational Safety and Health (Cal-OSHA) regulate asbestos as a worker health and safety issue through the Asbestos Standard for the Construction Industry (ASCI). EPA regulations concerning the identification, handling, management, and abatement of ACMs, as found in the Asbestos Hazard Emergency Response Act [AHERA] and National Emission Standard for Hazardous Air Pollutants (NESHAP), are implemented locally by Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2. The transportation and disposal of asbestos-containing wastes are overseen by the California Department of Toxic Substances Control (DTSC). OSHA, EPA, DTSC, and BAAQMD define ACMs as materials containing more than 1 percent asbestos. These regulations are described below.

For renovation/demolition projects, before a renovation/demolition permit is issued, AB 2791 requires that notification be sent to the respective air management district (BAAQMD for the proposed Project) for any renovation/demolition project, even when no ACMs are present, and any demolition project where the amount of friable (easily crumbled) ACM is equal to or greater than 160 square feet or 260 linear feet.

Asbestos Standard for the Construction Industry

The ASCI (29 CFR 1926.1101; 8 CCR 1529), administered by OSHA and Cal-OSHA, regulates asbestos exposure in the work place, including persons working in a building containing ACMs and abatement workers/contractors. The ASCI contains the following provisions for abatement workers and contractors.

- Specifies how workers and the public are to be protected during the removal.
- Provides medical surveillance requirements for workers.
- Provides detailed requirements for how asbestos is to be removed.
- Defines training requirements for abatement personnel.

Building materials containing at least 1 percent asbestos are considered ACMs and should be managed accordingly. However, Cal-OSHA defines asbestos-containing construction materials (ACCMs) as any building material that contains more than 0.1 percent asbestos by weight. In addition, building materials presumed or known to contain at least trace amounts (less than 1 percent) of asbestos should be considered ACCMs and should be managed according to Cal-OSHA regulations (8 CCR 1529).

Asbestos Hazard Emergency Response Act

The AHERA (40 CFR 763), as implemented by EPA, primarily pertains to the assessment and management of ACMs in K–12 nonprofit schools. However, many of the procedures, training requirements, and certifications defined by AHERA have become the industry standard for all other facilities. The asbestos survey prepared for the existing Jailhouse building satisfies the applicable requirements of the AHERA (see Section 3.3.2.2, *Asbestos*).

National Emission Standard for Hazardous Air Pollutants

The NESHAP (40 CFR 61) is an asbestos standard that protects the general public from asbestos exposure from demolition or demolition activities. The NESHAP requires surveys for suspect materials, notification of intent to renovate or demolish, removal of regulated ACMs before demolition or demolition activities, and proper management of asbestos-containing wastes. The NESHAP contains three definitions of regulated ACM.

- Any friable ACM.
- A Category I nonfriable ACM (e.g., floor tiles and asphalt roofing products) that has become friable or will be subject to sanding, grinding, cutting, or abrading during demolition or demolition activities.
- A Category II nonfriable ACM (all other nonfriable ACMs) that has a high probability of becoming friable during demolition or demolition activities.

The NESHAP requires that demolition activities be conducted with no visible emissions using wet methods. It should be noted that although the NESHAP regulates demolition activities, it does not protect individual workers conducting asbestos abatement or provide instructions for how asbestos abatement projects should be conducted.

Lead-Based Paint Regulations and Requirements

The Department of Housing and Urban Development (HUD), the California Department of Health Services (DHS), and EPA define lead-based paints (LBPs) as paints containing greater than 0.5 percent lead by weight, or 5,000 ppm or 1.0 milligrams per centimeter squared total lead. OSHA and Cal-OSHA regulations (Lead Construction Standard) do not provide a definition for LBPs, but refer to the EPA, HUD, and DHS definition. Cal-OSHA is primarily concerned with worker protection and, therefore, regulates any amount of lead contained within painted building components. Cal-OSHA also provides a Permissible Exposure Limit for worker exposure to airborne lead particulates of 50 µg/m3 for an 8-hour time-weighted average. The OSHA Lead Construction Standard also lists an Action Level of 30 µg/m3 for an 8-hour time-weighted average. Therefore, demolition or demolition activities that include materials with lead in any concentration could, under certain circumstances, trigger OSHA and Cal-OSHA regulations.

The concentrations of airborne lead generated by disturbing the LBPs at the site would vary based on several factors, including the type of activity including “trigger tasks” and the severity of disturbance to the building materials. Determination of airborne lead concentrations would require air monitoring by a trained lead professional during building material disturbance. The results of the LBP survey should be provided to contractors and subcontractors performing work at the site that may disturb painted components.

Polychlorinated Biphenyl Regulations and Requirements

In the past, oil containing PCBs was used in electrical equipment, such as transformers and light ballasts, as a dielectric insulating fluid for heat dissipation. Manufacture of PCBs was banned in 1976; therefore, equipment manufactured after this time should not contain PCBs. EPA requires that insulating oils containing PCBs at concentrations greater than 50 milligrams per liter be disposed of properly by a California-licensed hazardous waste hauler. It is also common for fluorescent light tubes and electrical thermostats to contain mercury vapor or fluid. If PCBs and mercury are known or presumed to be present within light ballasts, associated fluorescent tubes, and thermostats, these features should be disposed of properly by a California-licensed hazardous waste hauler.

3.3.1.2 State

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) was created in 1991. It unified California's environmental authority in a single cabinet-level agency and brought the California Air Resource Board (ARB), State Water Resources Control Board (State Water Board), Regional Water Quality Control Boards (Regional Water Boards), the California Department of Resources Recycling and Recovery (CalRecycle), DTSC, the Office of Environmental Health Hazard Assessment, and the Department of Pesticide Regulation, under one agency. These agencies were placed within the CalEPA umbrella for the protection of human health and the environment to ensure the coordinated deployment of state resources. Their mission is to restore, protect, and enhance the environment and ensure public health, environmental quality, and economic vitality.

Department of Toxic Substance Control

DTSC, a department of CalEPA, is the primary agency in California for regulating hazardous waste, cleaning up existing contamination, and finding ways to reduce the amount of hazardous waste produced in California. DTSC regulates hazardous waste primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5–10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

U.S.C. Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, DHS lists of contaminated drinking water wells, sites listed by the State Water Board as having underground storage tank leaks or a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites with a known migration of hazardous waste or material.

Hazardous Waste Control Act

DTSC is responsible for the enforcement of the Hazardous Waste Control Act (California Health and Safety Code Section 25100 et seq.), which creates the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA cradle-to-grave waste management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or, in some cases, more stringent than federal requirements.

Hazardous Materials Release Response Plans and Inventory Act of 1985

The Hazardous Materials Release Response Plans and Inventory Act, also known as the Business Plan Act, requires businesses that use hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Hazardous materials are defined as unsafe raw or unused materials that are part of a process or manufacturing step. They are not considered hazardous waste. Health concerns pertaining to the release of hazardous materials, however, are similar to those pertaining to hazardous waste.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) (California Health and Safety Code, Chapter 6.11, Sections 25404–25404.9) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the environmental and emergency response programs and provides authority to the Certified Unified Program Agency.

The hazardous materials programs in the Unified Program are: Hazardous Materials Business Plan Program, California Accidental Release Prevention Program, Underground Storage Tank Program, Aboveground Storage Tank Program, Hazardous Waste Generator Program, and Hazardous Waste Tiered-Permitting Program.

California Code of Regulations, Title 8—Industrial Relations

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. Cal-OSHA and the federal OSHA are the agencies responsible for assuring worker safety in the workplace. Cal-OSHA assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices. These standards would be applicable to both construction and operation of the Project.

California Labor Code (Division 5; Parts 1 and 7.5)

The California Labor Code is a collection of regulations that includes the regulation of the workplace to assure appropriate training on the use and handling of hazardous materials and the operation of equipment and machines that use, store, transport, or dispose of hazardous materials. Division 5, Part 1, Chapter 2.5 ensures employees who are in charge of the handling of hazardous materials are appropriately trained on, and informed of, the materials they are handling. Division 5, Part 7 ensures employees who work with volatile flammable liquids are outfitted in appropriate safety gear and clothing.

California Department of Forestry and Fire Protection Fire Hazard Safety Zones

In accordance with Public Resources Code Sections 4201–4204 and Government Code Section 51175–51189, the California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant wildland fire hazards based on fuels, weather, topography, and other factors. These fire hazard severity zones represent relative risks associated with wildland fires.

State regulations as specified in Public Resources Code Sections 4290–4291 and Title 14 require that specific vegetation management requirements be adhered to within very high severity hazard risk zones in order to reduce property damage and loss of life within these areas.

3.3.1.3 Local

Association of Bay Area Governments Local Hazard Mitigation Plan

The Association of Bay Area Governments (ABAG) tracks evolving hazards and develops strategies to minimize risk exposure in Bay Area communities. The goal of the ABAG Local Hazard Mitigation Plan is to "maintain and enhance a disaster-resistant region by reducing the potential for loss of life, property damage, and environmental degradation from natural disaster, while accelerating economic recovery from those disasters" (Association of Bay Area Governments 2010).

Contra Costa County Airport Land Use Compatibility Plan

The Contra Costa County Airport Land Use Commission adopted the Airport Land Use Compatibility Plan to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses. The nearest public airport to the Project site is Buchanan Field Airport, which is located 4.5 miles southeast of the Project site. The Project site is not located in the Airport Influence Area or within the Airport Land Use Compatibility Plan area (Shutt Moen Associates 2000).

Contra Costa County

The following goals from the Contra Costa County Hazard Mitigation Plan Update related to hazards and hazardous materials are applicable to the proposed Project.

Goal 1. Save (or protect) lives and reduce injury.

Goal 2. Increase resilience of infrastructure and critical facilities.

Goal 3. Avoid (minimize, or reduce) damage to property.

Goal 4. Encourage the development and implementation of long-term, cost-effective and environmentally sound mitigation projects.

Goal 5. Build and support capacity to enable local government and the public to prepare for, respond to and recover from the impact of natural hazards.

3.3.2 Environmental Setting

3.3.2.1 Historical and Current Land Uses

The existing Jailhouse building consists of the original structure, built in 1903, and an annex built in 1944. The Jailhouse building is currently vacant with the exception of a limited amount of obsolete storage. The Jailhouse building is owned by County of Contra Costa but lies within the city limits of Martinez.

3.3.2.2 Asbestos

An asbestos survey prepared for the existing Jailhouse building consisted of analyzing 195 samples to identify asbestos using polarized light microscopy (Bureau Veritas 2014). Samples were taken from different features within the building (e.g., a white/gray window, orange and brown ceramic

tile, and gray grout). The results of the analysis indicate that asbestos (i.e., chrysotile or amosite) was detected in some of the samples.

3.3.2.3 Lead-Based Paint

Because of the building's age, the Jailhouse building is assumed to contain LBP.

3.3.2.4 Polychlorinated Biphenyls

The Jailhouse building is assumed to contain PCBs because transformers and light ballasts, which used oil containing PCBs in the past, may be located within the building.

3.3.2.5 Hazardous Materials

According to the EnviroStor database of DTSC, which tracks hazardous waste cleanup sites and hazardous waste facilities, the Project site is not located on a hazardous waste storage site, hazardous waste site, or clean-up site (California Department of Toxic Substances Control 2015). According to EnviroMapper (U.S. Environmental Protection Agency 2015), which lists generators appearing on hazardous waste manifests, and includes onsite and offsite hazardous waste disposal activities or other releases, as reported through the EPA's Toxic Release Inventory, the Project site is not a generator of toxic waste. According to Geotracker (State Water Resources Control Board 2015), which includes a list of sites that are contaminated as a result of a leaking underground storage tank, there are five contaminated sites within 1,000 feet of the Project site. All of these cases are closed (State Water Resources Control Board 2015).

3.3.2.6 Wildland Fire

The CAL FIRE Fire Hazard Severity Zone Map designates the Project site as being in a "Non-Very High Fire Hazard Severity Zone" (California Department of Forestry and Fire Protection 2009).

3.3.3 Impact Analysis

3.3.3.1 Methods

The following project-level analysis evaluates the Project's direct and indirect impacts related to hazards and hazardous materials using the thresholds of significance provided below.

3.3.3.2 Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would be considered to have a significant effect if it would result in any of the conditions listed below.

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- 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.
- Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

- Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area.
- Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

3.3.3.3 Impacts and Mitigation Measures

Impact HAZ-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (less than significant)

The Project would involve demolition of the Jailhouse building and construction of a surface parking lot. During demolition and construction, the Project would involve the use, transportation, storage, and disposal of gasoline, oil, diesel fuel, solvents, paints, and other hazardous materials required for demolition and construction. Any transportation of hazardous materials would comply with all California Department of Transportation, CalEPA, DTSC, California Highway Patrol, and California State Fire Marshal regulations. In addition, handling and disposal of hazardous materials would be in accordance with all other federal, state, and local laws and regulations. Typical construction erosion control best management practices (BMPs) would be implemented and may include the following provisions.

- Perform clearing and earth moving activities only during dry weather.
- Limit construction access routes and stabilize designated access points.
- No cleaning, fueling, or maintaining vehicles onsite, except in a designated area where washwater is contained and treated.
- Properly store, handle, and dispose of construction materials and wastes to prevent contact with stormwater.
- Contractor will train and provide instruction to all employees and subcontractors on construction BMPs.
- Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, washwater or sediments, rinse water from architectural copper, and non-stormwater discharges to storm drains and watercourses.

Compliance with federal, state, and local laws and regulation and implementation of BMPs would ensure hazardous materials used during Project demolition and construction would not create any hazards to the public or environment through the routine transport, use, or disposal of hazardous materials, and this impact would be **less than significant**.

During operation, vehicles at the surface parking lot could spill fuel or oil. Any fuel or oil spills would be disposed of in accordance with applicable regulations. Consequently, following demolition, the potential to transport, use, or dispose of hazardous materials would be minimal, and this impact would be **less than significant**.

Impact HAZ-2: 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 (less than significant with mitigation)

The Jailhouse building is currently contaminated with hazardous materials, including ACMs and LBP. During demolition of the Jailhouse building, workers and the public could be exposed to hazardous building materials if they were not abated prior to demolition. Before performing demolition activities at the Project site, the County Public Works Department would perform a comprehensive building materials survey for ACMs, LBP, electrical equipment containing PCBs, and fluorescent tubes containing mercury vapors and lights and identify the applicable construction worker health and safety regulations and materials removal. All disposal would be implemented in accordance with applicable federal and state standards, including the Cal-OSHA and BAAQMD regulations. The Project contractor would be required by the County to comply with all local, state, and federal requirements regarding hazardous materials. Hazardous materials would be disposed of in an approved facility. Nonetheless, construction workers could be exposed to hazardous materials. This impact would be significant. With implementation of Mitigation Measures HAZ-1, HAZ-2, HAZ-3, and HAZ-4, this would be a **less-than-significant impact with mitigation**.

Mitigation Measure HAZ-1: Prepare a Hazardous Materials Specification for the Abatement of Asbestos-Containing Materials (ACMs) and Lead-Based Paints (LBPs) Prior to Demolition

A California-certified asbestos consultant and a California Department of Health Services-certified lead project designer shall prepare a hazardous materials specification for the abatement of the ACMs and LBPs. This specification should be the basis for selecting qualified contractors to perform the proposed asbestos and lead abatement work. The County has already identified areas of potential concern as a starting point for determining the hazardous materials that should be removed before demolition.

Mitigation Measure HAZ-2: Retain a State Licensed Asbestos Abatement Contractor to Perform Hazardous Materials Abatement Prior to Demolition

The County or its assigned contractor will retain a California-licensed asbestos abatement contractor to perform the abatement of the ACMs, ACCMs, and LBPs deemed potentially hazardous. In addition, lamps used in fluorescent lights, ballasts, and electrical thermostats will be disposed of properly. Because all materials would be disturbed during demolition, all identified hazardous materials will need to be abated before demolition.

Mitigation Measure HAZ-3: Obtain Proper Building Permits and Follow Applicable Regulations Regarding the Handling of Hazardous Materials during Demolition

The County or its assigned contractor will obtain a demolition permit from the County before proper removal and disposal of hazardous materials identified within the structure. Contractors performing work that disturbs LBPs in the building shall implement appropriate work practices in accordance with applicable Cal-OSHA worker exposure regulations.

Mitigation Measure HAZ-4: Ensure that Contractors and Designers Know the Exact Location of All Hazardous Materials

Contractors shall be informed of the exact locations of all potentially hazardous materials in the building so that workers can properly handle, manage, and remove these materials according to the appropriate federal, state, and local requirements. The County and/or assigned contractor shall provide notification to contractors and subcontractors of the building to the presence, locations, and quantities of ACMs, ACCMs, and LBPs at the site within 15 days of receiving this information.

Impact HAZ-3: Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (less than significant)

Saint Catherine of Siena School, a private pre-kindergarten through 8th grade school, is located approximately 0.3 mile south of the Project site. The nearest public school is Martinez Junior High School, which is located 0.5 mile south of the Project site. During operation, there is the potential for fuel or oil spills from vehicles at the surface parking lot. Any fuel or oil spills would be disposed of in accordance with applicable regulations. Overall, the Project would not use or emit hazardous or acutely hazardous materials, substances, or waste near a school, and this impact would be **less than significant**.

Impact HAZ-4: Be located on a site that 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 (no impact)

The Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (also known as Cortese List). According to DTSC's EnviroStor, the Project site is not located on a hazardous waste storage site, hazardous waste site, or clean-up site (California Department of Toxic Substances Control 2015). According to EnviroMapper (U.S. Environmental Protection Agency 2015), the Project site is not a generator of toxic waste. Therefore, the Project site would pose no hazard to the public or the environment. There would be **no impact**.

Impact HAZ-5: Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport or within the vicinity of a private airstrip, and result in a safety hazard for people residing or working in the project area (no impact)

The nearest public airport is the Buchanan Field Airport, which is located 4.5 miles southeast of the Project site. The Project site is not located in the Buchanan Field Airport's Airport Influence Area or within its Airport Land Use Compatibility Plan area (Shutt Moen Associates 2000), and is not within 2 miles of a public airport or a private airstrip. Therefore, the Project would not interfere with air traffic or create a safety hazard for people on the ground or for air traffic. There would be **no impact**.

Impact HAZ-6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (no impact)

The Project would not alter access around the Project site in any way that would impair implementation of, or physically interfere with, an adopted emergency response plan or emergency

evacuation plan. The Contra Costa County Fire Protection District (CCCFPD) provides fire protection to the Project site and surrounding area. The City provides police protection to the Project site and surrounding area. Emergency response from the CCCFPD and the City for fire and police protection, respectively, would remain the same as under existing conditions because the response time and distance would remain the same. The Project site is located in Downtown Martinez, and so would be covered by the City of Martinez Emergency Response Plan and the established prearranged emergency response procedures, identified evacuation routes, and executed mutual aid agreements for emergency assistance**.** The Project would not include any characteristics (e.g., permanent road closures) that would physically impair or otherwise interfere with implementation of the City of Martinez Emergency Response Plan or any adopted emergency response plan or emergency evacuation plan for the Project vicinity. There would be **no impact**.

Impact HAZ-7: Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands (no impact)

The Project site is located in an urban area. The CAL FIRE Fire Hazard Severity Zone Map designates the Project site as being in a "Non-Very High Fire Hazard Severity Zone" (California Department of Forestry and Fire Protection 2009). The construction of a new parking lot would not place people at long-term risk from wildland fires because users would be transient and there would be no habitable structure associated with the parking lot. Therefore, implementation of the Project would not increase the risk from wildland fires to urbanized areas or residences, and standard measures would be implemented to reduce risk of fire during construction and operation of the Project. There would be **no impact.**

3.4 Noise

This section defines common noise terminology and describes the regulatory and environmental setting for noise in the vicinity of the Project site. It also describes impacts related to noise that could result from implementation of the Project.

3.4.1 Noise Terminology

The following are brief definitions of noise terminology used in this evaluation.

- **Sound.** A vibratory disturbance transmitted by pressure waves through a medium such as air and capable of being detected by a receiving mechanism, such as the human ear or a microphone.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **Decibel (dB)**. A measure of sound based on a logarithmic scale that indicates the squared ratio of actual sound pressure level to a reference sound pressure level (20 micropascals).
- **A-Weighted Decibel (dBA).** A measure of sound that is weighted to take into account the varying sensitivity of the human ear to different frequencies of sound. The dBA scale is the most widely used for environmental noise assessments. Typical A-weighted noise levels for various types of sound sources are summarized in Table 3.4-1.
- **Equivalent Sound Level (L_{eq})**. L_{eq} represents an average of the sound energy occurring over a specified period. In effect, L_{eq} is the steady-state sound level that would contain the same acoustical energy as the time-varying sound that actually occurs during the monitoring period. The 1-hour A-weighted equivalent sound level (L_{eq} 1h) is the energy average of A-weighted sound levels occurring during a 1-hour period.
- **Maximum Sound Levels (L_{max}).** The maximum (L_{max}) sound levels measured during a monitoring period.
- **Day-Night Level (L_{dn}).** The energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels occurring between 10 p.m. and 7 a.m.

Sound from multiple sources operating in the same area, such as multiple pieces of construction equipment, will result in a combined sound level that is greater than any individual source. The individual sound levels for different noise sources cannot be added directly to give the sound level for the combined noise sources. Rather, the combined noise level produced by multiple noise sources is calculated using logarithmic summation. For example, if one bulldozer produces a noise level of 80 dBA, then two bulldozers operating side by side would generate a combined noise level of 83 dBA (only 3 dBA louder than the single bulldozer).

Human sound perception, in general, is such that a change in sound level of 3 dB is just noticeable; a change of 5 dB is clearly noticeable; and a change of 10 dB is perceived as doubling or halving the sound level. A doubling of actual sound energy is required to result in a 3 dB (i.e., barely noticeable) increase in noise; in practice, for example, this means that the volume of traffic on a roadway typically needs to double to result in a noticeable increase in noise.

Table 3.4-1. Typical A-Weighted Sound Levels

Common Outdoor Activities	Sound Level (dBA)	Common Indoor Activities
	110	Rock band
Jet flyover at 1,000 feet		
	100	
Gas lawnmower at 3 feet		
	90	
Diesel truck at 50 mph at 50 feet		Food blender at 3 feet
	80	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower at 100 feet	70	Vacuum cleaner at 3 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	60	
		Large business office
Quiet urban area, daytime	50	Dishwasher in next room
Quiet urban area, nighttime	40	Theater, large conference room (background)
Quiet suburban area, nighttime		
	30	Library
Quiet rural area, nighttime		Bedroom at night, concert hall (background)
Rustling of leaves	20	
		Broadcast/recording studio
	10	
	0	

Source: California Department of Transportation 2013.

When distance is the only factor considered, sound levels from isolated point sources of noise typically decrease by about 6 dB for every doubling of distance from the noise source. When the noise source is a continuous line, such as vehicle traffic on a highway, sound levels decrease by about 3 dB for every doubling of distance. Noise levels can also be affected by several factors other than the distance from the noise source. Topographic features and structural barriers that absorb, reflect, or scatter sound waves can affect the reduction of noise levels. Atmospheric conditions (wind speed and direction, humidity levels, and temperatures) and the presence of dense vegetation can also affect the degree of sound attenuation.

3.4.2 Regulatory Setting

This section describes relevant federal, state, and local regulations applicable to the Project.

3.4.2.1 Federal and State

No federal or state noise regulations are relevant to the Project.

3.4.2.2 Local

The Project would be located on County land within the City of Martinez. Both Contra Costa County and Martinez noise standards are described below.

Contra Costa County

General Plan

The following goals and policies from the *Contra Costa County General Plan* (2005) related to noise are relevant to the Project.

Goal 11-A. To improve the overall environment in the County by reducing annoying and physically harmful levels of noise for existing and future residents and for all land uses.

Goal 11-B. To maintain appropriate noise conditions in all areas of the County.

Goal 11-C. To ensure that new developments will be constructed so as to limit the effects of exterior noise on the residents.

Policy 11-1. New projects shall be required to meet acceptable exterior noise level standards as established in the Noise and Land Use Compatibility Guidelines contained in Figure 11-6 (Figure 3.4-1 in this document). These guidelines, along with the future noise levels shown in the future noise contours maps, should be used by the county as a guide for evaluating the compatibility of "noise sensitive" projects in potentially noisy areas.

Policy 11-8. Construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods.

Noise Ordinance

Contra Costa County does not have an ordinance specifically addressing noise. Noise complaints within unincorporated areas are addressed through application of peace disturbance sections of the County Code and application of generic nuisance ordinances of the County Code.

City of Martinez

General Plan

The Noise and Air Element of the *Martinez 2035 General Plan* (2016) identifies land use compatibility standards for various land uses (Figure 3.4-2). The *Martinez 2035 General Plan* also specifies maximum permissible noise levels for new uses affected by non-transportation sources. Table 3.4-2 summarizes these maximum noise levels.

Table 3.4-2. City of Martinez Maximum Noise Levels for New Uses Affected by Non-Transportation Noise

	Outdoor Activity Area – L_{eq}		Interior - L_{eq}	
New Land Use	**Daytime**	**Night-Time**	**Day & Night**	**Notes**
All Residential	50	45	35	1, 2 ,7
Transient Lodging	55	--	40	3
Hospitals & Nursing Homes	50	45	35	4
Theaters & Auditoriums	--	--	35	
Churches, Meeting Halls, Schools, Libraries, etc.	55	--	40	
Office Buildings	55	--	45	5, 6
Commercial Buildings	55	--	45	5, 6
Playgrounds, Parks, etc.	65	--	--	6
Light Industry	65	65	50	5

Source: City of Martinez 2016.

Notes:

[1] Outdoor activity areas for single-family residential uses are defined as backyards. For large parcels or residences with no clearly defined outdoor activity area, the standard shall be applicable within a 100-foot radius of the residence.

[2] For multi-family residential uses, the exterior noise level standard shall be applied at the common outdoor recreation area, such as at pools, play areas or tennis courts. Where such areas are not provided, the standards shall be applied at individual patios and balconies of the development.

[3] Outdoor activity areas of transient lodging facilities include swimming pool and picnic areas, and are not commonly used during nighttime hours.

[4] Hospitals are often noise-generating uses. The exterior noise level standards for hospitals are applicable only at clearly identified areas designated for outdoor relaxation by either hospital staff or patients.

[5] Only the exterior spaces of these uses designated for employee or customer relaxation have any degree of sensitivity to noise.

[6] The outdoor activity areas of office, commercial and park uses are not typically utilized during nighttime hours.

[7] It may not be possible to achieve compliance with this standard at residential uses

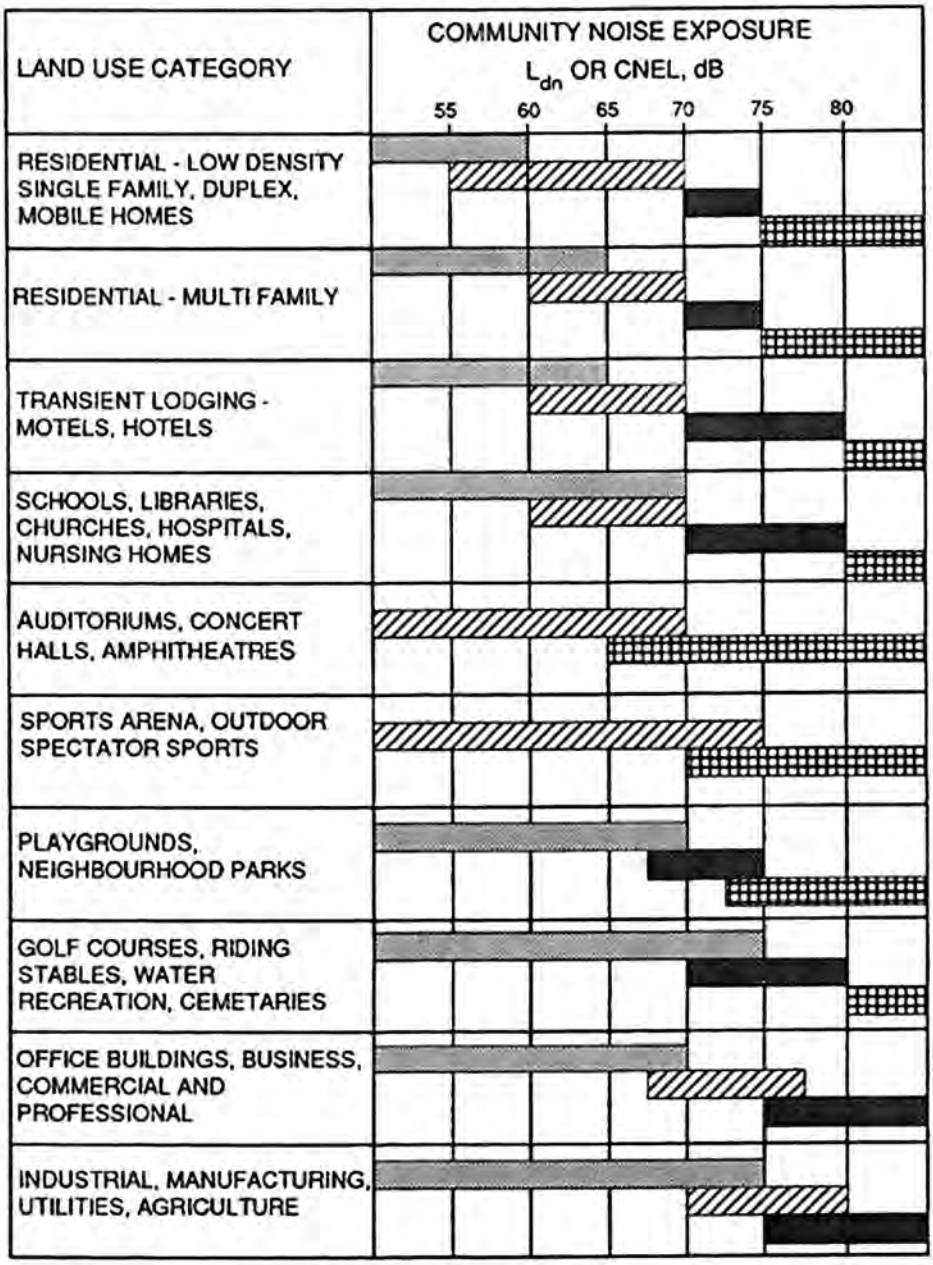
Municipal Code

Section 8.34 of the City's Municipal Code identifies acceptable noise levels.

> A day-night noise level (L_{dn}) of 45 dB is the standard for interior noise levels. An L_{dn} of 45 dBA is achieved by an allowable interior noise level of 35 dBA between 10 p.m. — 7 a.m. and 45 dBA between 7 a.m. — 10 p.m.
>
> A day-night level (L_{dn}) of 60 dB is the standard for exterior noise. An L_{dn} of 60 dBA is a maximum noise level of 50 dBA between 10 p.m. — 7 a.m. and 60 dBA between 7 a.m. — 10 p.m.

The code prohibits the following activities and use of any of the following equipment from 7:00 p.m. to 7 a.m. on weekdays, and from 5 p.m. to 9 a.m. on Saturdays, Sundays, and state, federal, or local holidays.

> A hammer or any other device or implement used to repeatedly pound or strike an object.
>
> An impact wrench, or other tool or equipment powered by compressed air.



NORMALLY ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

CONDITIONALLY ACCEPTABLE
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

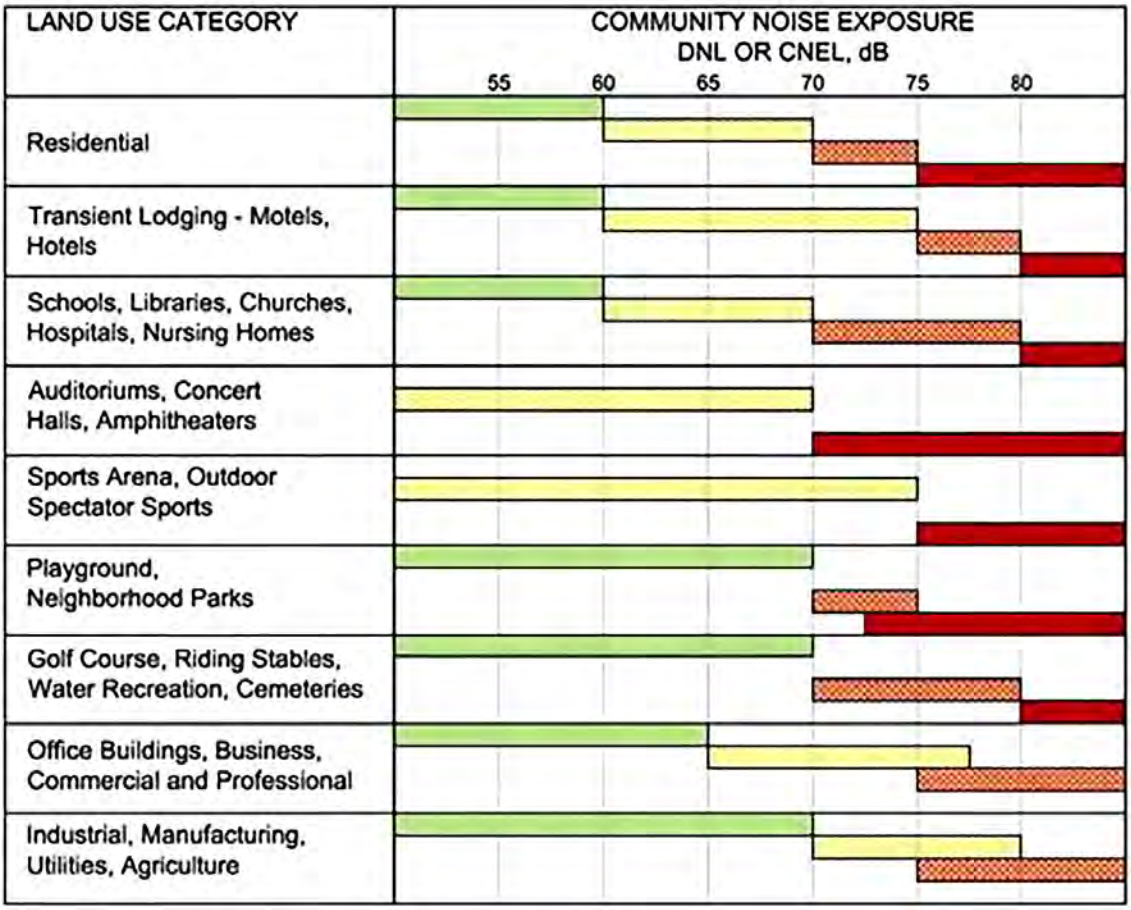
NORMALLY UNACCEPTABLE
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

CLEARLY UNACCEPTABLE
New construction or development clearly should not be undertaken.

Source: Contra Costa General Plan 2005.

Graphics ... 00413.15 (1-8-2016)

Figure 3.4-1
Contra Costa Land Use Compatibility Standards



Normally Acceptable

Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

Normally Unacceptable

New construction or development should generally be discouraged. If new construction or development does proceed a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable

New construction or development clearly should not be undertaken.

Source: City of Martinez General Plan 2016.

Graphics ... 00413.15 (1-8-2016)

Figure 3.4-2
City of Martinez Land Use Compatibility Standards

Any tool or piece of equipment powered by an internal-combustion engine such as, but not limited to, chain saw, backpack leaf blower, and lawn mower. Except as specifically included in this Chapter, motor vehicles, powered by an internal-combustion engine and subject to the State of California Vehicle Code, are excluded from this prohibition.

Any electrically or battery powered tool or piece of equipment used for cutting drilling, or shaping wood, plastic, metal or other materials or objects, such as but not limited to a saw, drill, lathe or router.

Any of the following: the operation and/or loading or unloading of heavy equipment (such as but not limited to bulldozer, road grader, back hoe), ground drilling and boring equipment, hydraulic crane and boom equipment, portable power generator or pump, pavement equipment (such as but not limited to pneumatic hammer, pavement breaker, tamper, compacting equipment), pile-driving equipment, vibrating roller, sand blaster, gunite machine, trencher, concrete truck, and hot kettle pump and the like.

Construction, demolition, excavation, erection, alteration or repair activity.

Noise related to construction activity is exempt from the numeric noise level limits in the code during the hours when construction is allowed (i.e., between the hours of 7:00 a.m. to 7:00 p.m. daily and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday, Sunday, and state, federal and local holidays).

3.4.3 Environmental Setting

The Project site is located at 650 Pine Street in Downtown Martinez (see Figure 2-1 and Figure 2-2) The area is bordered by a parking lot to the north, and county government buildings to the east, south, and west. The Union Pacific Railroad train tracks are located less than 0.1 mile north of the Project site. The nearest residence is located approximately 200 feet northeast of the Project site. The large multistory building located to the east of the Project site provides substantial visual and acoustical shielding to the nearest residences. The majority of noise in the Project vicinity comes from motor vehicle traffic, railroad operations, and the existing government facilities. Given that the Project site is surrounded by developed land, ambient noise levels in the area are expected to be in the range of 50 to 60 dBA L_{dn}, which is typical for an urban setting such as this.

3.4.4 Impact Analysis

3.4.4.1 Methods

Potential noise impacts that could result from demolition, construction and Project operation are assessed by estimating potential construction and operational noise levels and then comparing those noise levels with applicable standards. Specific prediction methods are discussed under each impact.

3.4.4.2 Thresholds of Significance

City of Martinez and Contra Costa County land use compatibility standards are generally the same. The exception is that the County identifies 70 L_{dn} as the compatibility standard for office buildings, whereas the City identifies 65 L_{dn} as the standard. Contra Costa does not have a noise ordinance whereas the City of Martinez Municipal Code specifies a standard for exterior noise of 60 L_{dn}. The code equates this to 50 dBA between 10:00 p.m. and 7:00 a.m. and 60 dBA between 7:00 a.m. and 10:00 p.m. Because potentially affected receivers are located in Martinez, the Martinez Municipal Code noise standards are applicable.

A noise impact would be considered significant if the Project would result in any of the following conditions.

- Demolition and construction noise that exceeds City of Martinez Municipal Code noise standards.
- Construction vibration that would be perceptible at nearby residential or office uses.
- Operational noise that exceeds City of Martinez land use compatibility noise standards.

3.4.4.3 Impacts and Mitigation Measures

Impact NOI-1: Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies (less than significant)

Construction

As stated in Chapter 2, *Project Description,* demolition is anticipated to begin in fall 2016 and continue for approximately 4 months. Demolition, excavation, and construction activities would occur between 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. and 5:00 p.m. on Saturdays, Sundays, and holidays. High noise-producing construction activities would be restricted to 8:30 a.m. to 4:30 p.m. Table 3.4-3 summarizes equipment that is anticipated to be used for each phase of construction.

Table 3.4-3. Project Equipment by Phase

Phase	Activity	Duration[a]	Construction Equipment
1	Abatement, demolition	10 weeks	2-Cranes 1-Caterpillar 345 excavator 1-Cat 3300 loader 2–Bobcat skid-steer loaders 2-Backhoes 3-Dump trucks (end dump)
2	Site preparation, grubbing, excavation	2-4 weeks	1-Grader 2-Backhoes 2-Dump trucks (end dump)
3	Site grading	2 weeks	1-Grader 1-Compactor 1-Backhoe 1-Dump truck (end dump)
4	Paving	2-4 weeks	1-Pavers 1-Stripers 2-Backhoes 1-Dump truck (end dump) 1-Roller 1-Tractor loader

[a] The duration of phases are noted above with no periods of overlap for each phase

Table 3.4-4 lists equipment that is expected to be used and the equipment's typical noise levels reported in the Federal Highway Administration's Roadway Construction Noise Model (Federal Highway Administration 2006). L_{max} sound levels at 50 feet are shown along with the typical acoustical use factors. The acoustical use factor is the percentage of time each piece of construction equipment is assumed to be operating at full power (i.e., its noisiest condition) during construction and is used to estimate L_{eq} values from L_{max} values. For example, the L_{eq} value for a piece of equipment that operates at full power 50 percent of the time (acoustical use factor of 50) is 3 dB less than the L_{max} value for that piece of equipment.

Table 3.4-4. Typical Construction Noise Emission Levels

Equipment	Typical L_{max} noise level (dBA) at 50 feet	Acoustical use factor (%)	L_{eq} noise level at 50 feet (dBA)
Crane	81	16	73
Dump truck	76	40	72
Excavator	81	40	77
Backhoe	78	40	74
Compactor	83	20	76
Grader	85	40	81
Paver	77	50	74
Loader	79	40	75
Roller	80	20	73
Tractor	84	40	80

Source: Federal Highway Administration 2006.
dBA= A-weighted decibel
L_{eq} = equivalent sound level
L_{max} = maximum sound levels

Table 3.4-5 summarizes predicted construction noise levels by each phase of the Project and at various distances.

Table 3.4-5. Project Noise Levels by Phase

		Cumulative Noise Level (dBA-L_{eq})					
Phase	Activity	At 50 feet (reference distance)	At 30 feet (nearest office)	At 100 feet	At 200 feet (nearest residences)	At 400 feet	At 800 feet
1	Abatement, demolition	84	84	78	72	66	60
2	Site preparation, grubbing, excavation	83	83	77	71	65	59
3	Site grading	83	83	77	71	65	59
4	Paving	83	83	77	71	65	59

dBA= A-weighted decibel
L_{eq} = equivalent sound level

Project demolition and construction activities would be limited to 7:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on Saturdays, Sundays, and holidays, which are the hours that noise from construction is exempt from municipal noise standards. Consequently, noise from demolition and construction activities is not expected to exceed applicable noise standards. Employees in the surrounding buildings could potentially be exposed to excessive construction noise. However, because employees are normally located within existing buildings which will provide substantial noise attenuation from outside noise sources, no significant construction noise effects on employees are anticipated. Because noise from demolition and construction activities is not expected to exceed applicable noise standards, this impact would be **less than significant**.

During construction, there would be increased traffic on nearby roadways that provide primary access to the Project site as a result of material delivery and worker trips. However, this increased traffic would be a very small percentage of the existing traffic volumes and is therefore expected to result in an increase in noise that is less than 3 dB (i.e., less than perceptible).

Operation

There are currently two parking lots on the Project site, one with seven spaces adjacent to the south side of the Jailhouse building, and one with five spaces adjacent to the north side of the Jailhouse building (12 total parking spaces). Under the Project, the County Public Works Department would construct a parking lot that provides a total of 25 to 30 parking spaces including the two existing parking lots on the Project site, one with seven spaces adjacent to the south side of the Jailhouse building, and one with five spaces adjacent to the north side of the Jailhouse building. Adding up to 18 parking spaces may slightly increase noise on the Project site from additional vehicles accessing the site, but because of the very slight increase in activity in the parking lot resulting from this small increase, the resulting increase in noise would be less than 3 dB (i.e. less than perceptible). Therefore, the noise impact resulting from additional parking spaces on the Project site would be **less than significant**.

Impact NOI-2: Expose persons to a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the project (less than significant)

As indicated in Table 3.4-5, construction noise could be as high as approximately 84 dBA L_{eq} at the nearest offices and 72 dBA L_{eq} the nearest residences. Although construction noise at these levels would likely be greater than existing ambient noise levels, the noise levels would not exceed the applicable municipal code noise standards because daytime construction is exempt from the numeric noise standards in the code and construction would not occur during non-exempt hours. The temporary increase in noise associated with construction would not be substantial and this impact would be **less than significant**.

Impact NOI-3: Expose persons to or generate excessive groundborne vibration or groundborne noise levels (less than significant with mitigation)

Construction

The operation of heavy construction equipment can generate localized groundborne vibration at buildings adjacent to the construction site, especially during the operation of high-impact equipment, such as pile drivers. Vibration from non-impact construction activity and truck traffic is

typically less than the threshold of residential annoyance when the activity is more than approximately 50 feet from the vibration-sensitive land uses (Federal Transit Administration 2006).

The demolition and construction methods for the Project would be similar to other projects set in a busy urban setting and would not involve explosives, a wrecking ball, or other highly dynamic equipment. Consequently, operation of demolition and construction equipment is not expected to result in perceptible groundborne vibration at adjacent buildings. There would be, however, potential for perceptible groundborne vibration to be generated when building debris falls or is dropped from one or more building stories above the ground. If this occurs on a sustained basis over several days, substantial annoyance of nearby office building occupants could result (Buehler 2015). Therefore, this impact would be significant. With implementation of Mitigation Measure NOI-1, this would be a **less-than-significant impact with mitigation** by limiting the elevation from which building debris is dropped.

Mitigation Measure NOI-1: Implement Vibration-Reducing Demolition Practices

In order to minimize groundborne vibration generated by falling building debris, the construction contractor will conduct demolition activities such that building debris does not fall more than 5 feet and is not dropped more than 5 feet.

Operation

After the Project is completed, the site would contain a parking lot with up to 30 parking spaces. There are currently 12 spaces on the lot. There is no vibration impact associated with parking lot activities. Therefore, there would be **no impact** related to groundborne vibration and noise associated with Project operation.

Impact NOI-4: Expose persons to a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project (less than significant)

After the Project is completed, the site would contain a parking lot with up to 30 parking spaces. There are currently 12 spaces on the lot. The potential increase in traffic noise associated with these additional 18 spaces would be less than 3 dB. There would, therefore, be no substantial permanent increase in noise associated with operation of the Project. This impact would be **less than significant**.

Impact NOI-5: Be located within an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels, and be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels (no impact)

The closest airport to the Project site is the Buchanan Field Airport, which is located approximately 4.5 miles southeast of the Project site. There are no private airstrips in the vicinity of the Project site. Because the Project would not expose employees, visitors, or construction workers to excessive noise levels related to aircraft overflight there would be **no impact**.

3.5 Transportation and Traffic

This section describes the regulatory and environmental setting for transportation and traffic in the vicinity of the Project site. It also describes impacts related to transportation and traffic that could result from implementation of the Project. This section is based on qualitative analysis of potential transportation and traffic impacts.

3.5.1 Regulatory Setting

This section describes relevant local regulations applicable to the Project.

3.5.1.1 Federal and State

No federal transportation regulations are relevant to the Project. The California Department of Transportation (Caltrans) is responsible for operating and maintaining the state highway system. Interstate 680 (I-680) is the state highway closest to the Project site. Because the Project would not generate any traffic on I-680, no state highway regulations are applicable to the Project.

3.5.1.2 Local

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, which includes Contra Costa County. MTC adopted the *Transportation 2035 Plan for the San Francisco Bay Area* (Transportation 2035 Plan) in 2009, focused on supporting a prosperous and globally competitive Bay Area economy, providing for a healthy and safe environment, and promoting equitable mobility opportunity for all residents. The Transportation 2035 Plan provides incentives for cities and counties to promote growth near transit in urbanized areas. The Transportation 2035 Plan also launched a Transportation Climate Action Campaign to reduce transportation-related greenhouse gas emissions.

Contra Costa Transportation Authority

The Contra Costa Transportation Authority (CCTA) adopted the most recent version of the *Countywide Comprehensive Transportation Plan* (CTP) in 2009 and released a draft update of the CTP in August 2014. The CTP is "intended to reduce the impact of new development on freeways, arterials, transit, and major trails." The Plan is intended to aid local jurisdictions in cooperative, multi-jurisdictional planning (Contra Costa Transportation Authority 2015b). The CTP designates routes of regional significance, which include I-680, Alhambra Avenue, State Route (SR) 4, and Pacheco Boulevard in the Project vicinity. The CTP identifies needed improvements for automobiles, bicyclists, and pedestrians on these routes of regional significance. The CTP also establishes appropriate level of service (LOS) for routes of regional significance.

Contra Costa County

The following goals and policies from the *Contra Costa County General Plan* (2005) related to transportation are relevant to the Project.

Goal 5-E. To permit development only in locations of the County where appropriate traffic level of service standards are ensured.

Goal 5-H. To ensure the mutual compatibility of major transportation facilities with adjacent land uses.

Policy 5-2. Appropriately planned circulation system components shall be provided to accommodate development compatible with policies identified in the Land Use Element.

Policy 5-4. Development shall be allowed only when transportation performance criteria are met and necessary facilities and/or programs are in place or committed to be developed within a specified period of time.

Policy 5-14. Physical conflicts between pedestrians, bicyclists, and vehicular traffic, bicyclists, and pedestrians shall be considered.

Policy 5-15. Adequate lighting shall be provided for pedestrian, bicyclist, and vehicular, safety, consistent with neighborhood desires.

Policy 5-16. Curbs and sidewalks shall be provided in appropriate areas.

Policy 5-17. Emergency response vehicles shall be accommodated in development project design.

3.5.2 Environmental Setting

The Project site is located at 650 Pine Street in Downtown Martinez (see Figure 2-1 and Figure 2-2). The entire northern side of the Project site is a driveway providing access to the north parking lot and a sunken garage. A driveway from Main Street on the southwest corner of the Project site provides access to the south parking lot.

Existing Roadway Network

The Project site is situated approximately 1 mile west of I-680, which provides regional access to the Project vicinity. From the Project site, access to I-680 is provided by Marina Vista Avenue. The roadway system in the area is composed of a grid network of one-way and two-way streets (City of Martinez 2005). Most streets in Downtown Martinez are two-way, while several of the major streets operate as one-way pairs. Escobar Street, Pine Street, and Main Street provide local access to the Project site.

I-680 is the main freeway that directly serves the City. I-680 is primarily a north-south eight-lane freeway and is a major link in the state highway system providing regional access to the cities between San Jose, Walnut Creek, Martinez, Benicia, and Fairfield. The I-680 interchange at Marina Vista Avenue provides regional access to the Project vicinity. According to the CCTA, the I-680 is a Route of Regional Significance, which means it is critical to regional transportation in the County and connectivity to neighboring counties (City of Martinez 2015).

East of Berrellesa Street, **Marina Vista Avenue** extends in an east-west direction from Berrellesa Street to I-680. From I-680 west, Marina Vista Avenue is a divided two-lane arterial street providing access to industrial areas before extending into Downtown Martinez. West of Miller Street, Marina Vista Avenue becomes a westbound one-way couplet (with Escobar Street) as it extends into Downtown Martinez along the waterfront as well as a main link to and from the I-680 interchange at

Marina Vista Avenue to the east. Marina Vista Avenue was designated as the extension of the Carquinez Scenic Drive with the adoption of the *Martinez General Plan* in 1973. The Carquinez Scenic Drive runs from Crockett to Downtown Martinez along the Carquinez Strait.

Escobar Street is an east-west roadway that connects residential areas west of Berrellesa Street east to Downtown and nearby principal arterials. Located one block south of Marina Vista Avenue, Escobar Street extends through Downtown as a two-lane, two-way street. East of Berrellesa Street, Escobar Street forms a partial eastbound couplet with Marina Vista Avenue. East of Court Street, Escobar Street becomes one-way and eastbound until it merges with Marina Vista Avenue south of Miller Street. Its location to the north of Main Street makes it an access road for the downtown core, a commercial district with restaurants, retail, and offices.

Pine Street is a one-lane, one way street that runs north on the east side of the Project site.

Main Street is a two-lane, two-way street that turns into a one-way street that runs west immediately south of the Project site. Main Street forms the center of the downtown.

Existing Bicycle and Pedestrian Facilities

Bicycle facilities are designated by class. Class I bikeways provide for two-way bicycle travel on bike paths that are physically separated from the travel way for motor vehicles. Class II bikeways are bike lanes on roadways and are marked by striping and signage. Class III bikeways are routes that have only signage to guide bicyclists and indicate to motorists that bicyclists may be on the roadway.

According to the *Downtown Martinez Specific Plan EIR*, bicycle facilities in Downtown Martinez include both Class II and Class III facilities (City of Martinez 2005). Marina Vista Avenue and Escobar Street have bicycle lanes east of Pine Street. The bicycle lane on Marina Vista is westbound and the lane on Escobar Street is eastbound. Within the vicinity of the Project site, Court Street is designated as a Class I bikeway/pedestrian path and Escobar Street is designated as a Class II bikeway (City of Martinez 2015).

The Project vicinity has a number of pedestrian facilities. Many roadways have sidewalks, which are supplemented with marked crosswalks. A majority of the crossing locations are at least partially marked with crosswalks. There are sidewalks on the south, north, and east sides of the Project site. There is also a pedestrian walkway leading to the rear entrance of the adjacent Finance building on the west side of the Jailhouse building.

Existing Transit Service

The Project site is situated approximately 0.3 mile east of the Martinez train station. Regularly scheduled Capitol Corridor trains provide access as far north as Auburn, including Sacramento and Davis Amtrak stations, and as far south to the San Jose Diridon station, including stations along the East Bay. Trains run every 40 to 60 minutes on weekdays and every 60 to 140 minutes on weekends (Capitol Corridor 2015). Regularly scheduled Zephyr trains provide access as far west as Emeryville and as far east as Chicago. Trains run daily (Amtrak 2014). Regularly scheduled Coast Starlight trains provide access as far north as Vancouver, British Columbia and as far south as Los Angeles. Trains run daily (Amtrak 2016).

County Connection operates bus service on several routes in the Project vicinity. A County Connection bus stop is located on the corner of Marina Vista Avenue and Court Street, one block the northwest of the Project site. Regularly scheduled bus services are provided by bus lines 316, 16, 18,

19, 28, 98x, which provide service to Bay Area Rapid Transit stations in Pleasant Hill, Concord, North Concord, and Walnut Creek. These routes generally operate on headways ranging from 30 to 150 minutes. The Western Contra Costa Transit Authority also provides service to the Project vicinity with a line connecting Martinez to West Contra Costa County (WestCAT Route 30Z). Tri-Delta Transit operates one route to East County (bus line 200) (County Connection 2010).

Existing Levels of Service

LOS is a quantitative description of operations conditions that are ranked from LOS A, or free-flow conditions with little or no delay, to LOS F, which indicates jammed conditions with excessive delay. Roadway segments in the City generally operate at acceptable conditions during the evening peak hour (City of Martinez 2015).[1] The roadway operations for the only major roadway segments in the vicinity of the Project site, Escobar Street and Marina Vista Avenue, are provided below (City of Martinez 2015):

- Marina Vista Avenue west of Shell Avenue has an LOS of C or lower and a PM peak hour volume of 812; and
- Escobar Street east of Alhambra Avenue has an LOS of C or lower, and a PM peak hour volume of 188.

3.5.3 Impact Analysis

3.5.3.1 Methods

This transportation and traffic analysis was conducted by qualitative examination of published information from various transportation agencies. This analysis does not consider potential changes in vehicle miles traveled (VMT) because, as discussed in Section 3.5.1, *Regulatory Setting*, the state has not yet adopted CEQA guidelines for analyzing changes in VMT.

Project Trip Generation & Assignment

The transportation and traffic analysis identifies the roadway network, bicycle and pedestrian facilities, transit service, existing intersection lane configurations and traffic volumes, and existing intersection LOS discussed in Section 3.5.2, *Environmental Setting*. The proposed parking lot would serve some of the parking demand for the adjacent County buildings and, thus, is not expected to generate any additional traffic to the Project vicinity.

3.5.3.2 Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would be considered to have a significant effect if it would result in any of the conditions listed below.

- Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

[1] The evening peak hour is the period during the evening that experiences the highest volume of traffic. The evening peak hour is from 4 p.m. to 6 p.m.

- Conflict with an applicable congestion management program, including LOS standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways.
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- Result in inadequate emergency access.
- Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

3.5.3.3 Impacts and Mitigation Measures

Impact TRA-1: Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit (less than significant)

Demolition and construction activities would require use of construction vehicles for abatement and demolition; site preparation, grubbing, and excavation; site grading; and paving. Demolition and construction would also generate traffic from hauling demolition debris to the recycling facility and nearest landfill. Demolition and construction traffic would also include construction worker commute traffic. Construction vehicles and workers would access the Project site via Pine and Escobar Streets. Workers would park within the designated staging area on the Project site.

Demolition and construction would temporarily increase the vehicular trips, including employee commute trips and hauling truck trips, in the Project vicinity for approximately 5 months. Table 3.5-1 shows the duration of each phase of demolition or construction, the maximum number of truck haul trips per day, and the maximum number of construction worker trips per day.

Table 3.5-1. Maximum Number of Trips during Demolition and Construction

Phase	Maximum duration (weeks)	Maximum Truck haul trips (per day)	Maximum construction worker trips (one-way)	Maximum total trips per day
Abatement, demolition	12	40	20	60
Site preparation, grubbing, excavation	4	10	12	22
Site grading	2	32	20	52
Paving	4	20	20	40
Source: Contra Costa County Public Works Department 2016.				

During demolition and construction, the most trips would occur during the abatement and demolition phase. During this phase, which would last up to 12 weeks, up to 10 workers per day would travel to the site and up to 20 daily worker commute trips would be generated, 10 in the

morning and 10 in the evening. An additional 40 truck-hauling trips would occur daily throughout the 12 weeks, resulting in a total of 60 vehicle trips per day for this phase.

The morning peak hour is from 7 a.m. to 9 a.m., and the evening peak hour is from 4 p.m. to 6 p.m. With construction starting at 7 a.m. and ending at 7 p.m., some of the construction worker commute trips would be generated prior to morning peak hour and after the evening peak hour. The temporary truck-hauling trips would also generate trips throughout the 12-hour work day. Given the existing LOS at existing intersections in the Project vicinity, the addition of up to approximately 10 worker trips (either to or from the Project site) and minimal truck trips during the peak hours would be a minor amount of additional traffic that would not lower existing LOS to an unacceptable level.

Overall, impacts during demolition and construction would be temporary in nature, and this impact would be **less than significant**.

The proposed parking lot would serve some of the parking demand from County employees in the adjacent County buildings and, thus, is not expected to generate any additional traffic to the Project vicinity. There would be **no impact** during operation of the Project.

Impact TRA-2: Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways (no impact)

CCTA, which serves as the Congestion Management Agency for Contra Costa County, last updated its congestion management program (CMP) in 2013 (Contra Costa Transportation Authority 2015a). A draft CMP was released in 2015. The proposed parking lot would serve some of the demand from County employees in the adjacent County buildings. Therefore, the Project would not generate any new trips and a congestion management program analysis is not required. There would be **no impact**.

Impact TRA-3: Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks (no impact)

The nearest airport is the Buchanan Field Airport, which is located 4.5 miles southeast of the Project site. The Project site is not located within Buchanan Field Airport's Airport Influence Area or within its Airport Land Use Compatibility Plan area (Shutt Moen Associates 2000). The Project would have no effect on air traffic patterns and would not introduce structures or uses that would generate a safety risk to air traffic patterns. There would be **no impact**.

Impact TRA-4: Substantially increase hazards because of a design feature or incompatible uses (less than significant)

During demolition and construction, trucks and heavy equipment would slow and turn upon entering the Project site, possibly creating a short-term hazard on the streets surrounding the Project site. However, truck and heavy equipment traffic on the streets surrounding the Project site as a result of the Project would not be unusual or incompatible. During operation, the Project would not change the nature or design of any roadways or intersections. The proposed driveways would be in the same location as the existing driveways. Therefore, the Project is not expected to increase

traffic hazards from a design or incompatible use perspective. The impact would be **less than significant.**

Impact TRA-5: Result in inadequate emergency access (less than significant)

As discussed in Section 3.3, *Hazards and Hazardous Materials*, the Project would not alter the Project site in any way that would impair implementation of an adopted emergency response plan or emergency evacuation plan. Emergency response from the Contra Costa County Fire Protection District and the City for fire and police protection, respectively, would remain the same as under existing conditions because the response time and distance would remain the same. In the event of a countywide emergency, the state highways would serve as primary evacuation routes. The closest state highway is I-680, which is approximately 1 mile east of the Project site and would be unaffected by the Project. Therefore, the impact would be **less than significant.**

Impact TRA-6: Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities (less than significant)

Regular bus service provided by County Connection would continue as usual throughout demolition and after the Project is completed. Additionally, Amtrak train service would not be affected by construction or operation of the Project.

Although the environment may be less appealing for bicyclists and pedestrians at the Project site during demolition and construction, the Project would not directly obstruct the existing bicycle lane along Escobar Street. During demolition and construction, the sidewalks on the Project site would be closed. However, the Project would not directly obstruct roadways, sidewalks, or other public ways without a permit. With respect to the adjacent Finance building, the Project contractor would also provide barricades and covered walkways to all entrances and exits affected by Project demolition and construction. The Project would not conflict with any adopted programs or policies associated with alternative transportation. Therefore, this impact would be **less than significant**.

3.6 Other Topics

Pursuant to CEQA Section 15128, this section provides a brief explanation of potential impacts of the Project that were found to be less than significant. This section is based on the Notice of Preparation (NOP) (Appendix A) dated November 2, 2015, which identified the potentially significant impacts of the Project.

Sections 3.1, *Air Quality and Greenhouse Gas Emissions*, 3.2, *Cultural Resources*, 3.3, *Hazards and Hazardous Materials*, 3.4, *Noise*, and 3.5, *Transportation and Traffic*, address in complete, detailed sections the topics where the Project could have the greatest potential environmental impact. Based on the comments received in response to the NOP, as well as subsequent analysis conducted as part of this Draft EIR, the Project would result in less-than-significant impacts in all of the other environmental topic areas in Appendix G of the CEQA Guidelines. For each of these topic areas, a brief setting and discussion of potential impacts are provided below.

3.6.1 Aesthetics

3.6.1.1 Project Setting

The Project site is on County-owned property at 650 Pine Street in downtown Martinez. The site is approximately 0.3 acre and contains the existing Jailhouse building, which consists of the original structure, built in 1903, and an annex, built in 1944. The exterior of the 1903 portion of the building is hand-chiseled granite and the exterior of the annex is textured concrete in neutral earth tones (Guzzetti 2015). The Project site also includes two small surface parking lots, one to the north of the Jailhouse, and one to the south of the Jailhouse. Existing conditions at the Project site are shown in Figure 2-3 in Chapter 2, *Project Description*.

The surrounding land uses are predominantly County government buildings to the west, east, and south, and parking lots to the north. The Contra Costa County Administration building and Contra Costa County Sheriff's Office are to the east, directly across Pine Street from the Jailhouse building. To the south are various Contra Costa County courthouses. There are parking lots to the north of the Project site, across Escobar Street. To the west, sharing the same parcel as the Jailhouse building, is the Contra Costa County Finance building.

The Project site is located within the Downtown Martinez Historic District. The Jailhouse building is approximately 300 feet south of Marina Vista Avenue, which is a one-lane, one-way roadway running west one block north of the Project site. The Project site is visible from Marina Vista Avenue, which was incorporated into the Carquinez Scenic Drive with the adoption of the *Martinez General Plan* in 1973. The Carquinez Scenic Drive runs from the City of Crockett to Downtown Martinez along the Carquinez Strait. The Project site is also approximately 1 mile west of Interstate 680 (I-680). I-680 is a State Scenic Highway from the Alameda County line to State Route (SR) 24, but is not a State Scenic Highway in the Project vicinity (California Department of Transportation 2013).

There are street light fixtures on Pine Street and on Main Street near the corner of Pine Street. There is lighting on the exterior of the Jailhouse building. Existing onsite vegetation includes landscaping shrubs on the east side of the Jailhouse building.

3.6.1.2 Analysis

a. Would the Project have a substantial adverse effect on a scenic vista?

and

c. Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

There are no scenic vistas in the vicinity of the Project site. The Jailhouse building is visible from Martinez Waterfront Park and Marina Vista Avenue, which is part of the Carquinez Scenic Drive. Views from the park and Marina Vista Avenue are partially shielded by intervening vegetation. The facilities associated with the Union Pacific Railroad (UPRR) train tracks also shield views of the Jailhouse building from the park. The Jailhouse building is shorter than and similar in color to the adjacent buildings and thus blends in with its surroundings. The Project would involve demolition of the Jailhouse building and construction of a surface parking lot. Thus, the Project would remove a potential obstruction, and would not produce a negative impact on scenic vistas.

The visual character of the area surrounding the Project site includes government buildings and parking lots. The Jailhouse building is shorter than and has a similar façade and coloration as the adjacent government buildings in the area and is not a prominent feature in the existing visual character. Views of the Jailhouse building are limited to the immediate vicinity because of the two nearby larger buildings. The Jailhouse building can be seen only from Pine Street between Marina Vista Avenue and Ward Street (one block in either direction) and from Martinez Waterfront Park. Although the Jailhouse building is a contributing element to the Downtown Martinez Historic District, which comprises the historic context of the area, demolition of the Jailhouse building would result in a minimal change to the existing visual character. Additionally, the new parking lot would be designed to be visually similar to the other existing lots and, therefore, would not change the existing visual character of the area. The character of the Jailhouse building is important to the historic context of the area; the impact of the Project on the historical setting of the Project area is described in Section 3.2, *Cultural Resources*. Refer to Section 3.2 for an analysis of how the change in visual character could affect the existing historic context in the Project area.

The Project would not have a substantial adverse effect on views from Martinez Waterfront Park, or on the existing visual character or scenic vistas. There would be a **less-than-significant impact.**

b. Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?

Implementation of the Project would remove a historic building from view from Marina Vista Avenue, which is part of the Carquinez Scenic Drive. However, the Carquinez Scenic Drive is not designated as a State Scenic Highway. The Project would also not require any tree removal or damage to rock outcroppings. Therefore, the Project would have **no impact**.

d. Would the Project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Existing sources of light and glare near the Project site include the existing street lamps, which would be preserved under the Project. The existing light fixtures on the exterior of the Jailhouse building would be removed, so these sources of nighttime lighting would be eliminated. The Project

would not create any additional sources of light or glare. Therefore, the Project would have **no impact.**

3.6.2 Agricultural and Forest Resources

3.6.2.1 Project Setting

The Project site is currently developed and is located on land designated as "Urban and Built-Up Land" by the California Department of Conservation Farmland Mapping and Monitoring Program. The site does not contain Prime Farmland, Unique Farmland, or Farmlands of Statewide Importance (California Department of Conservation 2014). Surrounding areas consist of additional Urban and Built-Up Land and "Other Land." Neither the Project site nor any adjacent lands are under a Williamson Act contract (California Department of Conservation 2015). There are no existing timber resources in Martinez, and neither the Project site nor adjacent land are zoned for any forestry use (City of Martinez 1973).

3.6.2.2 Analysis

a. Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance 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 nonagricultural use?

The Project site is County-owned property that has been previously graded and developed. Because the Project site is not located on any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there would be **no impact.**

b. Would the Project conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?

No agricultural zoning or Williamson Act preserves are located on or in the vicinity of the Project site, which is located in the downtown of an established, historic city. Therefore, the Project would not conflict with existing zoning for agricultural uses or a Williamson Act contract. There would be **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))?

and

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

California Public Resources Code Section 12220(g) defines forest land as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and

wildlife, biodiversity, water quality, recreation, and other public benefits." Timberland is defined as land "which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products." There are no trees on the Project site. As such, no timber management activities occur on the Project site or in adjacent areas, and the site is not designated for timberland uses (City of Martinez 1973). Thus, there would be **no impact**.

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

The Project site is not located on any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the Project site does not contain any agricultural uses and there are no agricultural uses in the vicinity of the Project site. Thus, there would be **no impact**.

3.6.3 Biological Resources

3.6.3.1 Project Setting

The Project site is completely developed with the exception of a small landscaped area. Existing onsite vegetation includes landscaping shrubs on the east side of the Jailhouse building. There are no trees on the Project site. The site has been entirely graded and does not contain habitat for sensitive plant or animal species. The Project site is surrounded by developed land. The Carquinez Strait Regional Shoreline, which includes coastal hills, grassland, wooded ravines, eucalyptus habitat, and river shoreline, is located approximately 0.6 mile west of the Project site. The Shoreline is home to many bird and other wildlife species (East Bay Regional Park District 2015a). Rankin Park, Martinez Regional Shoreline, and Martinez Waterfront Park are all located within 0.5 mile of the Project site and are primarily recreational, with sports field, picnic areas, ponds, and creeks (East Bay Regional Park District 2015b; City of Martinez 2015b). They also have marshland and shoreline habitat. The train tracks separate the Project site from Martinez Regional Shoreline and Martinez Waterfront Park. Because of the frequency of rail traffic (up to 40-minute intervals) and the noise generated by the trains, the rail lines limit the Project site's suitability for nesting birds.

Alhambra Creek is approximately 0.2 mile west of the Project site. The creek is suitable habitat for many native species and four protected species (species that are rare or face possible extinction): the California red-legged frog, western pond turtle, steelhead, and Alameda whipsnake. The creek serves as a critical connecting corridor for Alameda whipsnake, which lives in upland areas on both sides of the Creek (Contra Costa Resource Conservation District 2015).

The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) covers the eastern portion of Contra Costa County and does not include the Project site (East Contra Costa County Habitat Conservation Plan Association 2006).

3.6.3.2 Analysis

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

The Project site is currently developed with the existing Jailhouse building and, with the exception of a small landscaped area, is completely paved. Thus, the Project site does not provide any suitable habitat for candidate, sensitive, or special-status species. The Project would not have a substantial adverse effect either directly or through habitat modification for any candidate, sensitive, or special-status species. The Project would have a **less-than-significant impact**.

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

The Project would not impact riparian habitat or other sensitive natural communities because none is located on the Project site. The Project would not alter or impact the nearest natural areas to the Project site, which include the Carquinez Strait Regional Shoreline to the west, the Martinez Regional Shoreline and Waterfront Park to the north, and Alhambra Creek to the west. The Project would have **no impact**.

c. Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?

No wetlands or other waters of the United States occur on or adjacent to the Project site. The Project would have **no impact**.

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

There are no water bodies, documented migratory wildlife corridors, or wildlife nursery sites on the Project site or in the vicinity of the Project site. Resident and migratory waterfowl would not be adversely affected by demolition of the Jailhouse building or construction of the parking lot because the site is already developed. However, because some of the windows in the Jailhouse building are missing or broken, the building could be used as roosting habitat by Townsend's big-eared bat or other roosting bats. Thus, to reduce potential impacts on Townsend's big-eared bat or other roosting bats, Mitigation Measure BIO-1 would be implemented. If demolition or construction were to begin during the bird nesting season (February 1 to August 31), demolition or construction activities could disturb active migratory bird nests in the Project vicinity. Thus, to reduce potential impacts on active nests, Mitigation Measure BIO-2 would be implemented.

No breeding, nesting, or foraging habitat for any other species exists on the Project site or in any area that would be affected by Project construction. Thus, with the possible exception of Townsend's

big-eared bat or other roosting bats, movement patterns of migratory species and waterfowl behavior would remain unchanged. This would be a **less-than-significant impact with mitigation.**

Mitigation Measure BIO-1: Conduct Preconstruction Surveys and Implement Protective Measures for Townsend's Big-Eared Bat and Other Roosting Bats

At least 2 months prior to the demolition of the Jailhouse building, qualified biologists will conduct an initial daytime survey to assess the building for potential bat roosting habitat, and to look for bats and bat sign. Qualified biologists will have knowledge of the natural history of the species that could occur and sufficient experience determining bat occupancy in buildings and bat survey techniques. The biologists will examine both the inside and outside of the building for potential roosting habitat, as well as routes of entry to the building. Locations of any roosting bats, signs of bat use, and entry and exit points will be noted and mapped on a drawing of the building. Roost sites will also be photographed as feasible. Depending on the results of the habitat assessment, the following steps will be taken as described below.

If the building can be adequately assessed (i.e., all areas of the building can be examined) and no habitat or limited habitat for roosting bats is present and no signs of bat use are present, a preconstruction survey of the interior and exterior of the building by qualified biologists will be conducted within 24 hours of demolition.

If moderate or high potential habitat is present but there are no signs of bat use, the County will implement measures under the guidance of a qualified bat biologist to exclude bats from using the building as a roost site, such as sealing off entry points. Prior to installing exclusion measures, qualified biologists will re-survey the building to ensure that no bats are present. Additionally, a preconstruction survey of the interior and exterior of the building will be conducted within 24 hours of demolition to confirm that no bats are present.

If moderate or high potential habitat is present and bats or bat sign are observed, or if exclusion measures are not installed as described above, or the building provides suitable habitat but could not be adequately assessed, the following protective measures will be implemented.

- Follow-up surveys will be conducted to determine if bats are still present. If species identification is required by the California Department of Fish and Wildlife (CDFW), surveys using night vision goggles and active acoustic monitoring using full spectrum bat detectors will be used. A survey plan (number, timing, and type of surveys) will be determined in coordination with CDFW.
- Based on the timing of demolition, the extent of bat sign or occupied habitat, and the species present (if determined), the qualified biologists will work with the County and CDFW to develop a plan to discourage or exclude bat use prior to demolition. The plan may include installing exclusion measures or using light or other means to deter bats from using the building to roost.
- A preconstruction survey of the interior and exterior of the building will be conducted within 24 hours of demolition.

Depending on the species of bats present, size of the bat roost, and timing of the demolition, additional protective measures may be necessary. Appropriate measures will be determined in coordination with the CDFW and may include measures listed below.

- To avoid impacts on maternity colonies or hibernating bats, the building will not be demolished while bats are present, generally between April 1 and September 15 (maternity season) and from October 30 to March 1 (hibernation).
- Removal of roosting habitat will only occur only following the maternity season and prior to hibernation, generally between September 15 and October 30, unless exclusionary devices are first installed (as described below). Other measures, such as using lights to deter bat roosting, may be used if developed in coordination with and approved by CDFW.
- Installation of exclusion devices will occur before maternity colonies establish or after they disperse, generally from March 1 –30 or September 15–October 30 to preclude bats from occupying a roost site during demolition. Exclusionary devices will only be installed by or under the supervision of an experienced bat biologist.

CDFW may require compensatory mitigation for the loss of roosting habitat depending on the species present and size of the bat roost. Compensation, if required, will be determined in consultation with the CDFW, and may include the construction, installation, and monitoring of suitable replacement habitat onsite or near the Project site.

Mitigation Measure BIO-2: Conduct Demolition outside Nesting Season (September 1 to January 31) or Conduct Preconstruction Nesting Bird Survey for Demolition during Nesting Season (February 1 to August 31)

To the extent practicable, demolition and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If demolition or construction cannot be performed during this period, preconstruction surveys to locate any active nests will be performed no more than 2 days prior to demolition activities as follows.

- The Project sponsor will be responsible for the retention of a qualified biologist to conduct a survey of the Project site and surrounding 250 feet for active nests – with particular emphasis on the nests of migratory birds – if demolition will begin during the bird nesting season, from February 1 through August 31.
- If active nests are observed on either the Project site or the surrounding area, the Project sponsor, in coordination with the qualified biologist, shall establish no-disturbance buffer zones around the nests, with the size based on the bird species and in consultation with the California Department of Fish and Wildlife. The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active, the nesting season ends, or if a qualified biologist monitors the nest(s) during demolition activities and determines the demolition activities are not affecting nesting bird behavior. If demolition activities appear to affect nesting bird behavior as determined by the biologist, the activities within the buffer zone shall cease immediately. If demolition activities do not affect nesting bird behavior as determined by the biologist, then demolition activities can continue, provided their distance to the nest or sound/vibration intensity does not increase. If demolition ceases for 2 days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

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

and

f. Would the Project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

The Project site does not contain any natural lands or trees. Thus, the Project would not conflict with any local policies or ordinances protecting biological resources. Additionally, no adopted habitat conservation plans or natural community conservation plans apply to this part of Contra Costa County. The East Contra Costa County HCP/NCCP covers areas of the County approximately 15 miles east of the Project site (East Contra Costa County Habitat Conservancy 2006). The Project would not result in any conflicts with local policies or any adopted conservation plans. Thus, the Project would have **no impact**.

3.6.4 Geology and Soils

3.6.4.1 Project Setting

The U.S. Department of Agriculture (2015a) classifies the primary soil at the Project site as Botella clay loam, 0 to 2 percent slopes, which have a moderate potential for shrink-swell. The geology of the Project site is classified as Quaternary Alluvium, which is made up of consolidated and unconsolidated segments, expansive clays, hillside earthflows and unstable cut slopes (Contra Costa County 2005).

The Project site is located in an area of high seismic activity. An active fault is defined as one that has had surface displacement within Holocene time (the last 11,000 years). Potentially active faults are those that show evidence of surface displacement during Quaternary time (in the last 1.6 million years) (Bryant and Hart 2007). The nearest active fault is the Concord fault, which is approximately 1.5 miles east of the Project site. The nearest potentially active fault is the Southampton Fault, which is approximately 1.3 miles west of the Project site. The Hayward fault line is approximately 11 miles southwest of the Project site (U.S. Geological Survey 2015). The San Andreas fault is approximately 30 miles west of the Project site. These faults are the principal sources of seismic activity affecting the Project site. A major earthquake along any of these faults would produce strong ground shaking at the Project site.

The Project site has a high susceptibility to liquefaction, and there is a very high susceptibility for liquefaction to the north of the Project site (U.S. Geological Survey 2014).

The Project site is generally flat and is not located within a landslide zone as designated by the U.S. Geological Survey (Wentworth et al. 1997).

3.6.4.2 Analysis

a. Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: 1. 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? 2. Strong seismic ground shaking? 3. Seismic-related ground failure, including liquefaction? 4. Landslides?

Rupture of a Known Earthquake Fault

The Project site is not located on a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map (California Department of Conservation 2015). The nearest active fault identified by an Alquist-Priolo map is the Concord Fault approximately 1.5 miles east of the Project site. The Project would be located outside of the Alquist-Priolo zone and designed in compliance with the Alquist-Priolo Special Studies Zone Act of 1972 and state earthquake codes. Additionally, the Project involves the demolition of an existing, old structure and no new structure would be built. Consequently, the Project would eliminate any potential risks from structural damage due to the rupture of a known earthquake fault. The construction of a new parking lot would not place people at long-term risk from exposure to rupture of a known earthquake fault because users would be transient and there would be no habitable structure associated with the parking lot. Because no new structure would be constructed, and any future buildings would be constructed in conformance with the 2013 California Building Code (CBC) and all applicable local (including the Contra Costa Building Code), state, and federal regulations, there would be **no impact.**

Strong Seismic Ground Shaking

Contra Costa County faults include the San Andreas, Hayward, Calaveras, Franklin, Concord, Antioch and Greenville faults, which could have earthquakes of magnitude 5.0–8.5 on the Richter Scale (Contra Costa County 2005). Although the Project site is not located on a known earthquake fault, it is in the immediate vicinity of the Concord fa ult. A major earthquake on the nearest faults with slip rates higher than 5[1] (i.e., the Hayward and San Andreas faults) would cause strong seismic ground shaking.

The Project would remove an existing, old structure, which would eliminate any potential risks from structural damage during seismic ground shaking. Because no new habitable structure would be constructed, and the users of the parking lot would be transient, the Project would not result in exposure of people or structures to seismic ground shaking**.** All demolition work associated with the Project would conform to the 2013 CBC and all applicable local (including the Contra Costa Building Code), state, and federal regulations. The CBC requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology. The CBC and the *California Division of Mines and Geology Guidelines for Evaluating and Mitigating Seismic Hazards in California, Special Publication 117*, include design and construction requirements for safety. The County Public Works Department oversees all buildings and facilities subject to the CBC. Additionally, Contra Costa County requires geologic, seismic, and soil studies as necessary in areas of potential ground shaking

[1] Slip rate is the speed with which one side of the fault moves with respect to the other. Higher slip rates indicate higher relative "importance" of faults in an area, or the hazard those faults pose to residents.

in order to evaluate proposed development (Contra Costa County 2005). Contra Costa County staff review all applications to ensure the latest seismic design criteria is met. These requirements reduce risks from seismic ground shaking on the Project site to levels considered acceptable for the state and region. Compliance with these existing standards, along with the demolition of the existing Jailhouse building without replacement, would ensure impacts of strong seismic ground shaking would be **less than significant**.

Seismic-Related Ground Failure

Although the Project site has a high susceptibility to liquefaction, the Project would remove an existing structure and no new structure would be built, thus avoiding exposure of people or structures to adverse effects from liquefaction. Additionally, the construction of a new parking lot would not place people at long-term risk from liquefaction because users would be transient and there would be no habitable structure associated with the parking lot. Because no new structure would be constructed, and users of the parking lot would be transient, there would be **no impact**.

Landslides

The Project site is generally flat and is not located within a landslide zone as designated by the U.S. Geological Survey. Additionally, the Project would remove an existing structure and no new structure would be built, thus avoiding exposure of people or structures to adverse effects due to landslides. There would be **no impact.**

b. Would the Project result in substantial soil erosion or the loss of topsoil?

The Project site was previously graded. Nonetheless, the Project site would be graded to drain water. Project demolition would result in temporary loss of minimal topsoil. Construction activities such as clearing, grading, and site preparation, which could contribute to the loss of topsoil, would be minimal because much of this work was done when the Jailhouse building was originally constructed. The proposed parking lot would be completely paved with asphalt, resulting in no potential for soil erosion or loss of topsoil. Because the Project is anticipated to impact less than 1 acre of land, the Project would not be required to obtain a State Water Resources Control Board (State Water Board) General Construction Permit that would require the County to implement a Storm Water Pollution Prevention Plan (SWPPP). Instead, the Project would need to employ best management practices (BMPs) to comply with local municipal requirements. The Project site would be protected from erosion caused by flowing water and the Project would be required to comply with the County's grading ordinance (Division 716 of the County's Ordinance Code). Compliance with the County's grading ordinance would prevent erosion and loss of topsoil. Therefore, this impact would be **less than significant**. For a discussion of erosion potential as it relates to water quality, see Section 3.6.5, *Hydrology and Water Quality*.

c. Would the Project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

The Project site is not subject to landslides or slope instability because the Project site is generally flat. Although there is a high susceptibility for liquefaction at the site, the Project would remove an existing structure and no new structure would be built. Subsidence, which could lead to soil collapse,

would also not occur with Project implementation because groundwater would not be withdrawn during Project operation. Therefore, this impact would be **less than significant**.

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

Expansive soils shrink or swell depending upon water content and can cause damage to structures. Soils with a high clay content are more susceptible to swelling than sand or gravel soils. Soils with a linear extensibility of 3 percent to 5.9 percent have a moderate potential for shrink-swell (U.S. Department of Agriculture 2015b). The soils at the Project site are Botella clay loam (0 to 3 inches) and Botella silty clay loam (3 to 68 inches), which are soils that have a shrink-swell potential of 4.5 percent. Potential effects from expansive soils would be minimized through compliance with the CBC and Contra Costa County building codes during design and construction. Therefore, the impact would be **less than significant.**

e. Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

The Project would not require the use of septic tanks or wastewater disposal. Municipal sewer is available in the vicinity of the Project site for any future development, and the proposed parking lot would not require sewer. Therefore, there would be **no impact**.

3.6.5 Hydrology and Water Quality

3.6.5.1 Project Setting

The Jailhouse building is located in a developed area within the Alhambra Valley, east of Alhambra Creek, and approximately 0.5 mile south of Carquinez Strait. The existing hydrology and water quality setting relevant to the Project is described below.

Climate and Topography

Martinez has a typical Mediterranean climate (warm dry summer and cool wet winter) of the coastal areas of Central California. Mean annual precipitation is approximately 18 inches, more than 95 percent of which falls during the cool season, from October to April. Average daily temperature ranges from 36 to 89 degrees Fahrenheit (°F), but the extreme low and high temperatures have been 19°F and 115°F, respectively. The rainy season begins in November and ends in March (City of Martinez 2015). The surface topography of the Project site is relatively flat. The Project site is currently developed and, with the exception of a small landscaped area, is completely impervious.

Regional Hydrology

The Project site is in the Alhambra Creek Watershed, which covers the middle region of north Contra Costa County, including portions of Martinez. The watershed covers approximately 17 square miles and collects runoff in branches that flow through Briones Valley. The watershed includes open space, wildlife habitat, residential and commercial areas. Alhambra Creek flows through Downtown Martinez, which is an urban area. The watershed then discharges into the Carquinez Strait through a

tidal wetland at the Martinez Regional Shoreline. The mouth of Alhambra Creek at the Carquinez Strait is 0.2 mile west of the Project site (Alhambra Creek Watershed Planning Group 2001).

Site Hydrology

There are no streams or creeks within the Project site. All onsite surface water consists of stormwater runoff flowing to the City storm drainage system. The City owns and operates most of the smaller storm drainage systems within the City. Runoff from the Project site is collected in the catch basins on the northeast corner of the Project site. The water then travels through the City of Martinez pipe system and is transferred into an open ditch which drains into Alhambra Creek (Yowakim, pers. comm.).

Groundwater

The nearest groundwater basin to the Project site is the Ygnacio Valley Groundwater Basin located east of I-680. The approximately 15,900-acre basin is in northern Contra Costa County bounded by Suisun Bay to the north, I-680 and Taylor Road to the west, the Concord Fault to the east, and the city of Walnut Creek to the south. Walnut and Grayson Creeks and Mokelumne Aqueduct pass through the Ygnacio Valley Groundwater Basin. There are no major groundwater basins underlying Martinez.

There are thick alluvial deposits covering a faulted and folded complex of consolidated Cretaceous and Tertiary rocks that lie under the Ygnacio Valley Groundwater Basin. Aquifers in the basin are hydrologically connected to the Sacramento River. The main water supply is contained by Unconsolidated Quaternary alluvium and Semi-Consolidated Tertiary-Quaternary deposits with interbedded lenses of clays, sands, and gravels. The northern portion of the Ygnacio Valley Groundwater Basin, along the Suisun Bay shoreline, consists of modern alluvial sediments are characterized by soft, water-saturated muds, peat, and loose sands.

Groundwater levels in the Ygnacio Valley Groundwater Basin have declined gradually over the period of record, information for which was last updated in 2004. Well depths in the basin range from 35 to 330 feet for municipal or irrigation wells, and 60 to 400 feet for domestic wells, yielding an average of 200 gallons per minute (California Department of Water Resources 2004). Despite the reported decline in groundwater levels, the California Department of Water Resources has designated the Ygnacio Valley Groundwater Basin as a low priority basin according to the Groundwater Sustainability Management Act (California Department of Water Resources 2014).[2]

Water Quality

Surface Water Quality

The Project site is located within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (San Francisco Water Board). The *San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan)* for the San Francisco Bay Region designates beneficial uses for all water body segments in the San Francisco Water Board's jurisdictions and then sets criteria necessary to protect these uses. Consequently, the water quality objectives developed for particular water segments are based on the designated use. The San Francisco Water Board has set numeric and

[2] In 2014, the state adopted the Groundwater Sustainability Management Act, which provides new direction for groundwater regulation.

narrative water quality objectives for several substances and parameters in numerous surface waters in its region. For those waters that do not have specific beneficial uses or water quality objectives, the tributary rule applies to streams. The Project site is 0.25 mile east of Alhambra Creek and 0.5 mile from the Carquinez Strait. Table 3.6-1 describes the designated beneficial uses that apply to Alhambra Creek and the Carquinez Strait.

To identify candidate water bodies for total maximum daily load analysis, a list of water quality–impaired segments, referred to as a Clean Water Act Section 303(d) list (303(d) list), is generated by the State Water Board. Alhambra Creek does not have any 303(d)-listed impairments. However, the Carquinez Strait (the downstream water body) is listed as impaired for Diazinon, trash, Chlordane, Dichlorodiphenyltrichloroethane (DDT), Dieldrin, dioxin compounds, furan compounds, invasive species, mercury, polychlorinated biphenyls (PCBs), and selenium (State Water Resources Control Board 2015).

Table 3.6-1. Beneficial Uses of Surface Waters in the Project Vicinity

Drainage Feature	IND	COMM	COLD	EST	NAV	MIGR	RARE	SPWN	WARM	WILD	REC-1	REC-2	NAV
Alhambra Creek			X			X	X	X	X	X	X	X	
Carquinez Strait	X	X		X	X	X	X	X		X	X	X	X

Source: State Water Resources Control Board 2015

IND= industrial service supply
COMM=commercial and sport fishing
COLD=cold fresh water habitat
EST= estuarine habitat
NAV=navigation
MIGR=migration
RARE=rare, threatened or endangered species
SPAWN=spawning, reproduction and/or early development
WARM=warm fresh water habitat
WILD=wildlife habitat
REC-1=water contract recreation
REC-2=non-contact water recreation

Groundwater Quality

The Ygnacio Valley Groundwater Basin did contain radiological or nitrate contaminants based on one well sample. No wells were sampled to test for inorganics primary, inorganics secondary, pesticides, or volatile organic compounds contaminants, and no data is available for groundwater quality (California Department of Water Resources 2004). Because of a lack of groundwater monitoring data, the California Department of Water Resources report (2004) does not identify natural, applied, and artificial recharge and outflows, including urban and agricultural extraction.

Flood Hazards

Rivers and Streams

Based on the Federal Emergency Management Agency (FEMA) revised Flood Insurance Rate Maps (FIRMs), the Project site is not located within 100-year flood hazard boundaries (Federal Emergency Management Agency 2009).

Dams

The closest dams to the Project site are the Martinez Dam and Lafayette Dam, approximately 1.7 and 5 miles away, respectively. While portions of Martinez are within the dam inundation area associated with the Martinez Dam, the *Contra Costa County Hazards Mitigation Plan Update* (2011) identifies the Project site as outside of the dam inundation zone (Contra Costa County 2011).

Tsunami

Areas that are very susceptible to tsunami inundation tend to be low-lying coastal areas, such as tidal flats, marshlands, and former bay margins that have been artificially filled. Tsunamis entering San Francisco Bay through the relatively narrow Golden Gate would tend to dissipate as the energy of the wave spreads out as the bay becomes wider and shallower. The California Emergency Management Agency has developed detailed tsunami inundation maps. According to the maps for Contra Costa County, the Project site is located outside of the tsunami hazard zone (California Emergency Management Agency 2009).

Sea Level Rise

The current warming trend of Earth's atmosphere has resulted in, and is expected to continue to cause, sea level rise. In the San Francisco Bay Area, a sea level rise of 16 inches by 2050 and 55 inches by 2100 has been predicted by the San Francisco Bay Conservation and Development Commission. The Project site is outside of the area predicted to be inundated by the 2100 increase in sea level rise (California Energy Commission 2015).

Seiche

A seiche is the oscillation of a body of water. Seiches occur most frequently in enclosed or semi-enclosed basins such as lakes, bays, or harbors. Seiches can be triggered in an otherwise still body of water by strong winds, changes in atmospheric pressure, earthquakes, tsunami, or tides. A seiche could occur in the Carquinez Strait or Suisun Bay (City of Martinez 2015).

3.6.5.2 Analysis

a. Would the Project violate any water quality standards or waste discharge requirements?

and

f. Would the Project otherwise substantially degrade water quality?

The Project would be located within the area covered by the MS4 Phase I San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (San Francisco Bay MS4 Permit) (Order R2-2015-0049), of which Contra Costa County and the City of Martinez are designated permitees. As a result, the County implements the Contra Costa Clean Water Program and has developed a Stormwater C.3 Guidebook (Contra Costa Clean Water Program 2012). Provision C.3 of the San Francisco Bay MS4 Permit requires all projects creating or redeveloping at least 10,000 square feet of impervious surface to develop a Stormwater Control Plan and incorporate stormwater management (treatment) facilities. Provision C.3 of the San Francisco Bay MS4 Permit is for new development and redevelopment projects and requires authorities to include appropriate source control, site design, and stormwater treatment measures in new development and

redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and to prevent increases in runoff flows from new development and redevelopment projects. The following requirements apply to certain projects based on project size and location:

- Post-construction stormwater treatment measures, such as Low Impact Development (LID) measures, are required for most projects that create or replace at least 10,000 square feet of impervious surface.[3]
- Post-construction stormwater quantity (flow-peak, volume, and duration) controls are required for projects in certain locations with 1 acre or more of impervious surface, in accordance with local Hydromodification Management Plans.[4]

The Project site is currently developed and, with the exception of a small landscaped area, is completely impervious. The County Public Works Department proposes to redevelop the 0.3-acre (14,881-square-foot) Project site; therefore, the Project is a Regulated Project required to incorporate stormwater treatment measures into Project design. The Project would replace the majority of impervious surface at the Project site. The Project would not create or replace 1 acre or more of impervious surface; therefore, hydromodification requirements for stormwater quantity controls do not apply. However, the Project stormwater treatment measures would help provide for infiltration and other features that help reduce the quantity of stormwater runoff from the Project site. Therefore, the County would ensure the Project is designed consistent with the San Francisco Bay MS4 Permit requirements to incorporate post-construction stormwater treatment measures. The County would further ensure that the runoff from impervious areas is captured and used, or treated using bioretention, by implementing LID standards.

The proposed parking lot would result in an increase in vehicles at the Project site, which would potentially degrade water quality due to increased quantities of fuels, gasoline, and other substances from vehicles. Because the Project is anticipated to impact less than 1 acre of land, the County Public Works Department would not be required to comply with the State Water Board General Construction Permit that would require the County to implement a SWPPP. Instead, the County Public Works Department would need to develop a Stormwater Control Plan, employ BMPs to comply with local municipal requirements (e.g., directing runoff from driveways and uncovered parking lots onto vegetated areas), and incorporate stormwater management facilities, including vegetated bioswales and drought-tolerant landscaping, pursuant to Provision C.3 of the County's NPDES permit. The Project site would be protected from erosion caused by flowing water and the Project would be required to comply with the County's grading ordinance (Division 716 of the

[3] The Project falls within the "Other Redevelopment Projects" of the Regulated Projects category within the C.3 Provision, which is defined as "any land-disturbing activity that results in the creation, addition, or replacement of exterior impervious surface area on a site on which some past development has occurred." These projects include redevelopment projects that create or replace 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single-family home subdivisions, multi-family attached subdivisions, condominiums, and apartments), mixed-use, and public projects.

[4] Hydromodification requirements apply to a project that creates or replaces at least 1 acre of impervious surface except if 1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; 2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes that extend continuously to the Bay, Delta, or flow-controlled reservoir, or drains to channels that are tidally influenced; 3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).

County's Ordinance Code). Compliance with the County's grading ordinance would prevent erosion and loss of topsoil.

Because the Project site is less than 1 acre and the Project is not expected to violate any water quality standards or waste discharge requirements, there would be a **less-than-significant impact**.

b. Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

There is no groundwater basin under the Project site. During construction of the Project, some water would be required to wash construction equipment and mist soil surfaces to reduce dust. Potable water would be obtained by connecting to the City water system. However, the contractor would use reclaimed water for dust control, and any exceptions would be approved by the Contra Costa Water District (CCWD). Additionally, Project landscaping would be drought-tolerant and meet the Provision C.3 requirements of the County's NPDES permit; no irrigation would be needed. Consequently, the water that would be used during the 4-month construction period would not have a large impact on groundwater supplies. Therefore, the Project would not result in a net deficit of aquifer volume or the lowering of the local groundwater table. Because of impervious area coverage, the Project site is not an area of high groundwater recharge. Therefore, the impact would be **less than significant.**

c. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?

and

d. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?

and

e. Would the Project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The Project may change drainage patterns due to the removal of a large structure that may have previously blocked flows. However, the proposed demolition and construction would occur on previously graded, impervious surfaces within the Project site. There would be minimal conversion of pervious surfaces to impervious surfaces.

The Project would involve demolishing the Jailhouse building and constructing a surface parking lot of approximately 13,068 square feet (0.3 acre), which is greater than the 10,000 square feet of redevelopment area trigger for stormwater treatment measures under the San Francisco Bay MS4 permit. To meet the Provision C.3 requirements of the County's NPDES permit, projects must include

appropriate site design measures, pollutant source controls and treatment control measures. The Project would include drought-tolerant landscaping and vegetated bioswales that are compatible with the Provision C.3 requirements. The County would ensure the Project site is designed consistent with the San Francisco Bay MS4 Permit requirements to incorporate stormwater management measures into the Project design. The County would further ensure that the runoff from impervious areas is captured and used, or treated using bioretention by implementing LID standards. Therefore, this impact would be **less than significant**.

g. Would the Project place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

and

h. Would the Project place within a 100-year flood hazard area structures that would impede or redirect floodflows?

and

i. Would the Project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

The County Public Works Department would not construct any structures or housing, and, therefore, would not place any people or structures in a flood hazard area. The Project site is not located within a FEMA 100-year floodplain and is designated as Zone X (unshaded) - Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year (0.2 percent annual chance) flood level (Federal Emergency Management Agency 2009).

The Project site is not located within the California Department of Water Resources Levee Flood Protection Zones (California Department of Water Resources 2015). These zones represent the maximum area that would be prone to flooding, should the levees on the San Joaquin or Sacramento Rivers fail while water elevation is at the top of levees. The Project site is not located in a designated 100-year floodplain, a dam inundation area, or an area protected by a levee and, therefore, is not susceptible to flooding. Therefore, there would be **no impact**.

j. Would the Project contribute to inundation by seiche, tsunami, or mudflow?

The Project site is located approximately 0.5 mile from the Carquinez Strait, which has the potential to cause a seiche, but is well to the south of the potential inundation area. The Project site is not within the California Department of Conservation tsunami inundation area and is not at risk of inundation by tsunami (California Emergency Management Agency 2009). The Project site is located on generally flat ground and not bordered by steep slopes and is not at risk of mudflows. Therefore, there would be **no impact**.

3.6.6 Land Use and Planning

3.6.6.1 Project Setting

Land Uses

The Project site is on County-owned property but within the limits of the City of Martinez. The Project site is currently developed with the Jailhouse building, which is vacant with the exception of a limited amount of obsolete storage. The site also includes one surface parking lot to the south of the building, one to the north of the building, and a sunken garage that provides basement access on the north end of the west side of the building. To the west, sharing the same parcel as the Jailhouse building, is the Contra Costa County Finance building.

The surrounding land uses are predominantly County government buildings to the west, east, and south, and parking lots to the north. The Contra Costa County Administration building and Contra Costa County Sheriff's Office are to the east, directly across Pine Street from the Jailhouse building. To the south are various Contra Costa County courthouses. There are parking lots to the north of the Project site across Escobar Street. Farther west is the downtown core, a commercial district with restaurants, retail, and offices. There is a residential neighborhood containing single-family homes located approximately 200 feet east of the Project site. The Project site is located approximately 0.2 mile from the Martinez Regional Shoreline and approximately 0.1 mile from Martinez Waterfront Park.

Land Use Plans

The *Contra Costa County General Plan* designates the Project site as Public/Semi-Public, which includes properties owned by public governmental agencies. A wide variety of public and private uses are allowed in this designation, but construction of private residences, private commercial uses, and subdivision of the land is prohibited (Contra Costa County 2005). The Project site is not zoned by the County, but the City zoned the site for Civic uses, and the Martinez General Plan's designation for the site is Government (G), both of which allow for the site's existing use as an unused historic jailhouse (City of Martinez 2011). The site is located within the *Martinez Downtown Specific Plan* Downtown Core area, the Central Martinez Plan area, and the Downtown Historic Overlay District. However, as described in Section 2.1.1, because the Project site is on County-owned property, the Project would not be required to comply with the City's policies and regulations. Surrounding lands are designated for Commercial, Retail and Services (C-R&S) and Governmental (G) uses, and zoned as Central Commercial District (CC) and Civic (C) by the City (City of Martinez 2011).

3.6.6.2 Analysis

a. Would the Project physically divide an established community?

The County Public Works Department proposes removing an existing structure. There are no residences located on the Project site, although there is a residential neighborhood located approximately 200 feet northeast of the Project site. The land uses around the Project site consist of a community comprised of civic uses, including County government buildings to the west, east, and south, and parking lots to the north. Nonetheless, demolition of the existing Jailhouse building and construction of a new surface parking lot would not physically divide an established community.

Rather, the Project would result in removal of a structure within an established community of civic uses. Therefore, there would be **no impact**.

b. Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The Project site is on County-owned property and the Project would not be required to comply with the City's land use policies and regulations. The County's general plan designated the site as Public/Semi-Public, which applies to properties owned by public governmental agencies. With implementation of the Project, the Project site would continue to be County-owned property and would provide parking for surrounding County government buildings. The Project is consistent with the existing land use designations and zoning, and would not conflict with any applicable land use plan, policy, or regulation. Therefore, this would be a **less-than-significant impact**.

c. Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan?

As described in Section 3.6.3.2 *Biological Resources,* the area covered by the East Contra Costa County HCP/NCCP is approximately 15 miles east of the Project site. There are no HCP/NCCPs applicable to the Project. Therefore, there would be **no impact**.

3.6.7 Mineral Resources

3.6.7.1 Project Setting

The Project site is not located in any of the aggregate resource or other mineral resource areas identified by the California Geological Survey. However, it is located approximately 2.5 miles across the Carquinez Strait from the Valero Benicia Refinery, which is identified as a mineral resource area by the California Geological Survey (California Department of Conservation 2012). Approximately 70 percent of the Refinery's production is California Air Resource Board (CARB) gasoline, California's clean-burning fuel. The refinery also produces 35 percent of the asphalt supply in northern California (Valero 2015).

3.6.7.2 Analysis

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?

and

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The Project site is located 2.5 miles from the Valero Benicia Refinery, which is identified as a mineral resource area by the California Geological Survey. However, due to the distance between the site and the refinery as well as the separation of the Project site from the refinery by the Carquinez Strait, the Project site is not located in an area of high likelihood of known significant aggregate or mineral

resources (California Department of Conservation 2012). Additionally, the Project would not limit the use of other mineral resources near the Project site. Therefore, there would be **no impact**.

3.6.8 Population and Housing

3.6.8.1 Project Setting

Contra Costa County's and the City of Martinez's population has grown steadily over the last decade. The City has historically grown at a slower pace than the County but the City's growth rate is expected to increase over the next 25 years. The City's and County's current population and population growth projections from 2015 to 2040 are shown in Table 3.6-2. As of 2015, the City's population was 37,384 and it is expected to reach approximately 40,800 by 2040 (Association of Bay Area Governments 2013). The City's population is expected to grow at an average annual rate of 0.3 percent from 2015 to 2030 and 0.5 percent from 2030 to 2040. As of 2015, the County's population was approximately 1.1 million and it is expected to reach approximately 1.3 million by 2040. The County's population is expected to grow at an average annual rate of 0.7 percent from 2015 to 2030 and 0.9 percent from 2030 to 2040.

Table 3.6-2. Martinez and Contra Costa County Population Growth Forecast 2015–2040

Jurisdiction	2015[a]	2030	2040	Annual Growth Rate 2015- 2030	Annual Growth Rate 2030- 2040
City of Martinez	37,384	38,800	40,800	0.3%	0.5%
Contra Costa County	1,102,871	1,224,400	1,338,400	0.7%	0.9%

Source: Association of Bay Area Governments 2013
[a] Population estimates for 2015 provided by the California Department of Finance (2015).

The City's and County's current number of households and household growth projections from 2015 to 2040 are shown in Table 3.6-3.

Table 3.6-3. Martinez and Contra Costa County Household Growth Forecast 2015–2040

Jurisdiction	2015[a]	2030	2040	Annual Growth Rate 2015 - 2030	Annual Growth Rate 2030- 2040
City of Martinez	14,455	15,230	15,690	0.4%	0.3%
Contra Costa County	383,124	432,430	464,150	0.9%	0.9%

Source: Association of Bay Area Governments 2013
[a] Household estimates for 2015 provided by the California Department of Finance (2015).

3.6.8.2 Analysis

a. Would the Project induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

The Project would involve demolition of the Jailhouse building and construction of a parking lot to accommodate existing parking demand. Thus, the Project would not directly or indirectly induce any population growth in the area. The Project would not include construction of any new homes or

businesses that would attract new residents. Additionally, the Project site is adequately served by existing infrastructure and the Project would not require any road or infrastructure improvements that would indirectly induce growth. Temporary construction jobs generated by the implementation of the Project are not expected to produce permanent increases in jobs or residents in the City or County. Therefore, this would be a **less-than-significant impact**.

b. Would the Project displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?

and

c. Would the Project displace a substantial number of people, necessitating the construction of replacement housing elsewhere?

There are no residences on the Project site. Thus, the Project would not result in the displacement of any people or existing housing units necessitating the construction of replacement housing elsewhere. Therefore, there would be **no impact**.

3.6.9 Public Services

3.6.9.1 Project Setting

The Contra Costa County Fire Protection District (CCCFPD) provides fire protection to the Project site and surrounding area. The City provides police protection to the Project site and surrounding area. The Project site is located in the Martinez Unified School District. Martinez Waterfront Park, Martinez Regional Shoreline, and Carquinez Straight Regional Shoreline are located in the Project vicinity. Recreational facilities in the Project area and the analysis of potential impacts from the Project on recreational facilities are described in more detail in Section 3.6.10, *Recreation*.

3.6.9.2 Analysis

a. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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? Police protection? Schools? Parks? Other public facilities?

Fire Protection

The Project site located within the CCCFPD boundaries. Fire protection for the Project site is provided by CCCFPD Station #16, which is approximately 0.6 road mile away from the Project site, and Station #14, which is approximately 2.1 road miles away from the Project site (Contra Costa County Fire Protection District 2014). The Project involves the demolition of an existing structure and would not result in any permanent structures that would generate the need for additional fire protection services. Additionally, by removing an old structure, the Project would remove an existing risk and decrease potential demand on fire protection services. The Project would not adversely affect the CCCFPD's response times or ability to provide fire protection services to the Project vicinity. Therefore, there would be **no impact**.

Police Protection

Police protection services for the Project site are provided by the City of Martinez Police Department (City of Martinez 2015c). The Project would not result in any new permanent structures that would generate the need for additional police protection services. The Project would not cause any adverse impacts on existing police protection services. Therefore, there would be **no impact**.

Schools

The Project site is within the Martinez Unified School District (City of Martinez 2015c). The Project would not result in any new permanent structures that would generate additional students in the Martinez Unified School District. Therefore, there would be **no impact**.

Parks and Other Public Facilities

The Project involves the demolition of an existing structure and would not result in an increase in population growth in the City or County. Additionally, the Project involves construction of a parking lot that would accommodate existing parking demand, rather than provide additional access to recreation facilities. Therefore, there would be no new or increased demand for parks and other public facilities, including nearby Martinez Waterfront Park, Martinez Regional Shoreline, or Carquinez Straight Regional Shoreline. Therefore, there would be **no impact**.

3.6.10 Recreation

3.6.10.1 Project Setting

Carquinez Strait Regional Shoreline is located approximately 0.6 mile west of the Project site, and is home to coastal hills, river shoreline, and habitat for eucalyptus, and bird and other wildlife species. Park facilities include a scenic drive, as well as hiking and biking trails (East Bay Regional Park District 2015a). Rankin Park is approximately 0.5 mile west of the Project site, just east of the Carquinez Strait Regional Shoreline. Rankin Park includes a swimming and diving complex, picnic areas, horseshow pits, a lighted softball field, playground area and a gazebo (City of Martinez 2015a). Martinez Regional Shoreline is approximately 0.2 mile northwest of the Project site and Martinez Waterfront Park is approximately 0.1 mile north of the Project site. Martinez Regional Shoreline and Martinez Waterfront Park include sports fields, picnic areas, ponds, and creeks (East Bay Regional Park District 2015b; City of Martinez 2015b). There are no parks or recreational facilities on the Project site.

3.6.10.2 Analysis

a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The Project would not result in an increase in population that would demand increased use of, or need to expand, existing recreational facilities. The Project would not affect or displace any recreational facilities, requiring expansion of existing or new recreational facilities. Therefore, there would be **no impact**.

b. Would the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

The Project would not include recreational facilities. The Project would not result in the need to expand existing recreation structures or construct new recreation structures that may affect the environment. Therefore, there would be **no impact**.

3.6.11 Utilities

3.6.11.1 Project Setting

Water Supply

The Project site is supplied with water by the City of Martinez Water Department (City of Martinez 2015c). The City's surface water supply is from the San Joaquin River Delta. The City purchases untreated water from the CCWD. The untreated water from CCWD is conveyed to the City through the Contra Costa Canal. The City withdraws the water from the Martinez Reservoir, which has an estimated storage capacity of 79.6 million gallons, and provides treatment and distribution services for residential, commercial, industrial, public and irrigation customers, as well as for fire protection. The City's contract with CCWD allows for a maximum delivery of 195,000 acre-feet per year, with delivery reductions based on water shortages and regulatory restrictions. Local water supply is around 6,152 acre-feet per year in both normal and dry conditions (Contra Costa County Local Agency Formation Commission 2008).

Wastewater

Wastewater service is provided by the Central Contra Costa Sanitary District (CCCSD), which collects the water and sends it to the Central Contra Costa Sanitary District Treatment Plant located northeast of the I-680/State Route 4 interchange (City of Martinez 2005).

Storm Drainage

The Project site is in the Alhambra Creek Watershed, which covers the middle region of north Contra Costa County, including portions of Martinez. The watershed covers approximately 17 square miles and collects runoff in branches that flow through Briones Valley. The watershed includes open space, wildlife habitat, residential and commercial areas. Alhambra Creek runs through Downtown Martinez, which is an urban area. The watershed then discharges into the Carquinez Strait through a tidal wetland at the Martinez Regional Shoreline. The City owns and operates most of the smaller storm drainage systems within the City.

Solid Waste and Landfills

Assembly Bill 939 (AB 939), the Integrated Waste Management Act, was passed in 1989 to address the increasing state waste stream and decreasing landfill capacity. AB 939 mandates that jurisdictions meet a 50 percent diversion goal. After Senate Bill 1016 passed in 2008, the 50 percent diversion rate was amended to be calculated as a per capita disposal rate equivalent.

The California Department of Resource Recycling and Recovery (CalRecycle) (2015e) has set the following targets for the City of Martinez.

- Per Resident Disposal Rate Target: 6.1 pounds/person/day (PPD)
- Per Employee Disposal Rate Target: 11.2 PPD

In 2014, the City reported an annual per capita disposal rate of 5.4 PPD per resident, and 10.0 PPD per employee. The City has implemented 43 programs to implement the disposal rate targets, including composting, public education, recycling, and policy incentives (California Department of Resources Recycling and Recovery 2015e).

In 2006, the City adopted the Construction and Demolition Ordinance, which requires construction and remodeling projects to reuse or recycle their construction debris. In 2014, the Ordinance was amended to comply with CALGreen, California's statewide mandatory green building code 2014 updates. Projects must reuse or recycle 50 percent or more of generated debris (City of Martinez 2015f).

Republic Services (formerly Allied Waste) is responsible for the collection and disposal of solid waste and recyclable items for Martinez. Republic Services operates the Contra Costa Transfer and Recovery Station (CCT&RS). Waste from the Project site would be transported from Martinez to the CCT&RS, and then to the Keller Canyon Landfill for disposal (LSA Associates 2003). CCT&RS is located approximately 3 miles east of the Project site. Keller Canyon Landfill is located approximately 10.5 miles east of the Project site.

CCT&RS has a maximum permitted throughput of 1,900 tons per day, and data on the maximum and remaining capacity is not available (California Department of Resources Recycling and Recovery 2015b). Keller Canyon Landfill has a maximum permitted throughput of 3,500 tons per day, and a maximum capacity of 75,018,280 cubic yards. The remaining capacity of the landfill is 63,408,410 cubic yards (California Department of Resources Recycling and Recovery 2015c). The CCT&RS and Keller Canyon Landfill accept construction material and debris.

Hazardous waste is not accepted at Keller Canyon Landfill. The nearest landfill that accepts asbestos contaminated materials is Vasco Road Sanitary Landfill in Livermore. Vasco Road Landfill is located approximately 40 miles southeast of the Project site (San Francisco Bay Regional Water Quality Control Board 2014). The nearest landfill that accepts lead-based paint is Kettleman Hills Facility in Kettleman City, which is approximately 205 miles south of the Project site (Troy Hommerding, pers. comm.).

Vasco Road Sanitary Landfill has a maximum permitted throughput of 2,518 tons per day. The landfill has a maximum capacity of 32,970,000 cubic yards, and there are 7,959,079 cubic yards of remaining capacity (California Department of Resources Recycling and Recovery 2015d). Kettleman Hills has a maximum permitted throughput of 8,000 tons per day. The landfill has a maximum capacity of 10,700,000 cubic yards and there is 6,000,000 cubic yards of remaining capacity (California Department of Resources Recycling and Recovery 2015c).

3.6.11.2 Analysis

a. Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Construction and operation of the Project would not generate wastewater. Therefore, the Project would not exceed the applicable wastewater treatment requirements. There would be **no impact**.

b. Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The Project would not result in any permanent structures, and the Project does not include the introduction of any new population that would require domestic water or wastewater disposal services. Thus, the Project would not require the expansion or construction of new water or wastewater treatment facilities. There would be **no impact**.

c. Would the Project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The Project site is currently developed and, with the exception of a small landscaped area, is completely impervious. The Project would result in a similar amount of impervious surface at the Project site. As described in Section 3.6.5, *Hydrology and Water Quality*, the County Public Works Department would need to incorporate stormwater management facilities pursuant to Provision C.3 of the County's NPDES permit. The County would ensure the Project site is designed consistent with the San Francisco Bay MS4 Permit requirements to incorporate stormwater management measures into the Project design. The County would further ensure that the runoff from impervious areas is captured and used, or treated using bioretention by implementing LID standards. The existing stormwater drainage facilities have the capacity to accommodate any increase in stormwater drainage or runoff related to the Project. Runoff from the Project site is collected in the catch basins on the northeast corner of the Project site. The water then travels through the City of Martinez pipe system and is transferred into an open ditch which drains into Alhambra Creek (Yowakim, pers. comm.). Because runoff and drainage are anticipated to be similar to existing conditions, the existing systems would have the capacity for the stormwater runoff. No new drainage facilities or expansion of existing facilities would be required. Therefore, this impact would be **less than significant**.

d. Would the Project have sufficient water supplies available to serve the Project from existing entitlements and resources, or would new or expanded entitlements be needed?

Construction of the Project would require minimal water use that could be accommodated by the City's existing water supply. Reclaimed water would be used for soil compaction and dust control during construction, which would reduce the amount of potable water required. Operation of the Project would not increase demand on water supply because it would not result in any permanent structures or generate additional population requiring water services. Project landscaping would be drought-tolerant and meet Provision C.3 requirements of the County's NPDES permit; no irrigation would be required. The landscaping features would not require any additional water supply. Therefore, no new or expanded water entitlements are needed for the Project. There would be **no impact**.

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

The Project would not increase demand for wastewater disposal and treatment services because it would not generate additional population. Thus, the Project would not create any service demand above existing commitments. There would be **no impact**.

f. Would the Project be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

Demolition waste from the Project would increase the use of landfill services and production of solid waste because the Project would involve the demolition of the Jailhouse building, including the sunken garage and the surrounding granite curb. The Project site is currently served by CCT&RS and Keller Canyon Landfill. CCT&RS has recycling services for construction and demolition materials, green materials services, and a garbage/mixed waste disposal facility. Keller Canyon Landfill has recycling services for construction and demolition materials and green materials.

Construction contractors would comply with all applicable statues and regulations during construction. Specifically, the Project would comply with Title 40 of the Code of Federal Regulations Parts 239–259 (regulations for solid waste), California Code of Regulations Title 14, Division 7, Chapter 3, Article 5, Solid Waste Storage and Removal Standards, and Contra Costa County Ordinance No. 92-105. Additionally, the Project contractor would submit a Demolition Plan, a Debris Recovery Plan, a Waste Management and Recycling Plan, and a Debris Recovery Report to comply with local and state ordinances related to solid waste. Demolition would be performed in a manner that maximizes salvage and recycling of materials. A minimum of 50 percent by weight of the solid waste generated to be diverted from landfill disposal through re-use and recycling as required by the California Green Building Standard Code 2013. Materials to be recycled or re-used would be stored onsite in noncombustible containers. All demolition materials, waste, and debris that are not designated to be salvaged would become the Project contractor's property and would be removed and disposed of in compliance with all local, state, and federal regulations. The Project would not result in any new permanent structures that would generate solid waste. Because the remaining capacity of Keller Canyon Landfill is 63,408,410 cubic yards, it is anticipated that the landfill has sufficient capacity to accommodate the solid waste disposal needs of the Project. It is anticipated that the landfills that could receive the hazardous wastes generated by the Project have sufficient permitted capacity to accommodate the hazardous waste disposal needs of the Project. Therefore, the impact would be **less than significant.**

g. Would the Project comply with federal, state, and local statutes and regulations related to solid waste?

The Project would comply with Title 40 of the Code of Federal Regulations Parts 239–259 (regulations for solid waste), California Code of Regulations Title 14, Division 7, Chapter 3, Article 5, Solid Waste Storage and Removal Standards, and Contra Costa County Ordinance No. 92-105. Construction contractors would comply with all applicable statues and regulations during construction. Hazardous materials associated with demolition activities would be disposed of in an approved facility. The Project would not result in any permanent structure that would general solid

waste. Project operations would comply with federal, state, and local statues and regulations related to solid waste. Therefore, this impact would be **less than significant**.

Chapter 4
Alternatives

4.1 Alternatives Development and Screening Criteria

According to Section 15126.6 of the State CEQA Guidelines, an EIR must describe a reasonable range of alternatives to the project or project location that could feasibly attain most of the basic project objectives and that would avoid or substantially lessen any of the significant impacts of the proposed project. Accordingly, alternatives that do not avoid or substantially lessen significant impacts of a project do not need to be analyzed in an EIR. Additionally, the State CEQA Guidelines require analysis of a No Project Alternative to allow decision makers to compare the impacts of project approval with the impacts of not approving the project. The EIR must evaluate the comparative merits of the alternatives. The EIR must identify the environmentally superior alternative other than the No Project Alternative.

An EIR is not required to present the alternatives analysis at the same level of detail as the assessment of the project, and it is not required to consider every conceivable alternative to a project. Rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making.

Key provisions of the State CEQA Guidelines (Section 15126.6) pertaining to the alternatives analysis are summarized below.

The discussion of alternatives will focus on alternatives to the project or its location that are feasible, meet most or all of the project objectives, and would substantially reduce one or more of the project's significant effects.

The range of alternatives must include the No Project Alternative. The no project analysis will discuss the existing conditions at the time the notice of preparation was published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved based on current plans and consistent with available infrastructure and community services. The No Project Alternative is not required to be feasible, meet any of the project objectives, or reduce the project's expected impacts to any degree.

The range of alternatives required in an EIR is governed by a *rule of reason*; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. An EIR is not required to analyze every conceivable alternative to a project.

An EIR need not consider an alternative whose effects cannot be reasonably ascertained, whose implementation is remote and speculative, or that would not achieve the basic project objectives.

4.1.1 Screening Criteria

A range of potential alternatives was subjected to screening criteria to eliminate those potential alternatives that do not qualify as alternatives under CEQA. There was no attempt to include every conceivable alternative in this range. Rather, the County selected a number of representative alternatives to consider based on the following screening criteria.

- Does the alternative meet most or all of the Project objectives?
- Is the alternative potentially feasible?
- Would the alternative substantially reduce one or more of the significant effects associated with the Project?

4.1.2 Ability to Meet Project Objectives

As described in Chapter 2, *Project Description,* the primary Project objective is to help the County form a well-planned, functional civic center in Downtown Martinez. The specific Project objectives are listed below.

- Reduce hazards posed by the existence of the unoccupied, contaminated building.
- Meet near-term parking needs in the area.
- Implement policies in the *Martinez General Plan* and the *Martinez Downtown Specific Plan* and the *Contra Costa County General Plan* for the civic portion of Downtown Martinez.
- Facilitate future development of required space for County government administrative uses.
- Allow for compatible and functional structures and land uses in the civic center area.

4.1.3 Impact Avoidance

The Project would result in significant and unavoidable impacts on historic architectural resources. This EIR did not identify any feasible mitigation measures to reduce the impacts to a less-than-significant level.

4.1.4 Feasibility

Feasible is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors" (State CEQA Guidelines Section 15364). CEQA does not require that an EIR determine the ultimate feasibility of a selected alternative but rather that it is probably feasible. Accordingly, no economic studies have been prepared regarding the economic feasibility of the selected alternatives.

4.2 Alternatives Considered

The following alternatives were considered and subjected to the screening process described above.

4.2.1 Alternative 1 – No Project Alternative

Under the No Project Alternative, the Project site would remain in its existing condition and the Jailhouse building would not be demolished. Because the Jailhouse building is contaminated with hazardous materials, including lead-based paint and asbestos, those materials would continue to contaminate the Project site. No parking lot would be constructed. The County would not be able to reduce the hazards posed by the contaminated building, meet near-term parking needs in the area, implement the *Martinez General Plan* and the *Martinez Downtown Specific Plan* and the *Contra Costa*

County General Plan for the civic portion of Downtown Martinez, facilitate future development of required space for County government administrative uses, or allow for compatible and functional structures and land uses in the civic center area.

4.2.2 Alternative 2 – Adaptive Reuse of Entire Building Alternative

Under the Adaptive Reuse of Entire Building Alternative, the County would rehabilitate the Jailhouse building for government office use through modifications conducted in compliance with the *Secretary of Interior's Standards for the Treatment of Historic Properties* (SIS).[1] The SIS are guiding concepts for the design of alterations and new additions to a historic property, as well as for the maintenance and repairs and replacement of historic materials. The SIS for rehabilitation and reuse address design and construction decisions. Examples of decisions for adaptive reuse design of the entire Jailhouse building following the SIS would include the identification and retention of character-defining features of the original structure built in 1903, updated evaluation of the historical significance of the 1944 annex, identification of the annex's character-defining features, and when to retain and repair rather than replicate deteriorated historic fabric. The Jailhouse building is contaminated with hazardous materials, including lead-based paint and asbestos. This alternative would include the remediation and disposal of the hazardous materials in an appropriate place. There would be no demolition and no construction of a parking lot. The granite curb that separates the existing parking lot south of the Jailhouse building from the sidewalk and the sunken garage would not be demolished.

4.2.3 Alternative 3 – Partial Demolition and Adaptive Reuse of Remaining Building Alternative

Under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, the County would demolish the 13,089-gross-square-foot (gsf) 1944 annex to the Jailhouse building and would rehabilitate the 5,919-gsf original structure built in 1903 for government office use through modifications conducted in compliance with the SIS. A parking lot with approximately 15 spaces would be developed in the current location of the annex. This alternative would add a driveway off Pine Street. The Jailhouse building is contaminated with hazardous materials, including lead-based paint and asbestos. This alternative would include the remediation and disposal of the hazardous materials in an appropriate place. The granite curb that separates the existing parking lot south of the Jailhouse building from the sidewalk and the sunken garage would be demolished.

4.2.4 Off-Site Alternative

An Off-Site Alternative was suggested by a public speaker at the public scoping meeting conducted for the Project. Under the Off-Site Alternative, the 12-story Contra Costa County Administration building (referred to by the public speaker as the Cigarette Machine building) located at 651 Pine Street, across Pine Street from the Project site, would be demolished and a parking lot with approximately 33 spaces would be constructed in its place. The Administration building is not

[1] The purpose of the *Secretary of Interior's Standards for the Treatment of Historic Properties* is to retain the values of historic buildings to the maximum extent feasible while allowing for alternative use.

vacant and is currently used for County government administrative and public uses, including public meeting and hearing rooms.

4.2.5 Relocation Alternative

In response to the Notice of Preparation (NOP), a Relocation Alternative was suggested by a commenter, although the commenter did not suggest a site to which the building should be relocated.

4.2.6 Alternatives Dismissed from Analysis

4.2.6.1 Alternatives that Do Not Meet the Project Objectives

Alternatives that do not avoid or substantially lessen significant impacts of the Project or that do not meet the Project objectives do not need to be analyzed in an EIR. Only some of the alternatives that were screened would meet portions of Project objectives. Those alternatives would reduce the hazards posed by the contaminated building, implement the *Martinez General Plan* and the *Martinez Downtown Specific Plan* and the *Contra Costa County General Plan* for the civic portion of Downtown Martinez, facilitate future development of required space for County government administrative uses, and allow for compatible and functional structures and land uses in the civic center area.

One alternative, the Off-Site Alternative, was dismissed from the alternatives analysis, because it was found not to meet any of the Project objectives. The Off-Site Alternative would not meet any of the Project objectives because it would not reduce the hazards posed by the contaminated building, it would reduce the amount of space for County government administrative uses, and it would replace a compatible and functional structure with a parking lot in the civic center area. Additionally, the Off-Site Alternative is not viable because the Contra Costa County Administration building is not vacant and is currently being used for a wide variety of County government administrative and public uses.

4.2.6.2 Infeasible Alternatives

Based on the following analysis, the Relocation Alternative would be infeasible. Relocation is most feasible when configuration of a structure allows it to maintain its structural integrity when lifted from the existing location and its size allows it to be easily moved to the alternative location without dismantling or providing custom shoring to stabilize the structure. Also, a nearby site must be available, with a path of travel for the structure that minimizes the need to lift aerial utility lines or remove light standards and traffic signals.

When considering the foregoing, the Jailhouse building would be a difficult structure to move. The overall size of the Jailhouse building is too large to fit on adjacent streets without separating it into segments. The width of the Jailhouse building at its widest portion is approximately 50 feet. Streets in the vicinity of the Project site are approximately 35 feet wide. Due to the relative width of the building compared to the width of the nearby streets, the building would need to be temporarily shored and cut into portions to move the building within the confines of the widths of the nearby streets. Adding to the difficulty is the material used to construct the exterior of the 1903 portion of the building, which is hand-chiseled granite, an extremely heavy material. The massive granite walls of the 1903 portion of the building are prone to separation and cracking and present tremendous weight. It is not feasible that the Jailhouse building could be moved as a complete structural unit.

Additionally, a nearby site that could accommodate a building the size of the Jailhouse building must be available. There are currently no nearby vacant County-owned parcels available.

Relocation would not avoid the impacts of the Project related to historic resources. The Relocation Alternative would have a negative impact on the building's integrity of location. Even if modifications to the Jailhouse building are conducted in compliance with the SIS, the building would most likely no longer be able to convey its significance as a cultural resource in a new location, per guidance provided by the National Park Service.[2] It appears that the building would be able to retain its overall integrity only if a new relocation site were selected that is compatible with the current location of the Jailhouse building (i.e., as a contributing building of the NRHP listed Contra Costa County Courthouse block). Furthermore, the loss of materials caused by dismantling, relocating, and reinstalling the building would be detrimental, most likely requiring reconstruction measures that would not be considered favorable as a preservation approach.

4.3 Alternatives Analysis

4.3.1 Alternative 1 – No Project

4.3.1.1 Aesthetics

Under the No Project Alternative, there would be neither a temporary nor any permanent change to current views, visual character, daytime glare, or nighttime lighting. Therefore, the No Project Alternative would have less impact related to aesthetics when compared with the Project.

4.3.1.2 Agricultural and Forest Resources

The Project site is not located on any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the Project site is not zoned for agricultural use, does not contain any agricultural uses, and is not under a Williamson Act contract. The site is also not designated for timberland uses. Therefore, there would be no impact on agricultural and forest resources under the No Project Alternative, similar to the Project.

4.3.1.3 Air Quality and Greenhouse Gas Emissions

No demolition or construction would occur with the No Project Alternative. As a result, none of the short-term construction-related emissions resulting from the Project would occur under this alternative. Mitigation Measures AQ-1 and GHG-1 are identified in this EIR to reduce potential air quality and greenhouse gas (GHG) impacts during Project construction to a less-than-significant level. The No Project Alternative would not require mitigation to reduce this impact. The No Project Alternative would not result in any operational air quality or GHG emissions impacts because the Jailhouse building would continue to be vacant. The operational air quality or GHG emissions impacts under this alternative would be similar to the Project, which would include the operation of a parking lot to accommodate existing parking demand, Therefore, overall, the No Project Alternative would have less impact related to air quality and GHG emissions when compared with the Project.

[2] As explained in *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*, moved properties constitute a category for which historic register eligibility is in most cases not possible

4.3.1.4 Biological Resources

Under the No Project Alternative, there would be no demolition or construction. As a result, none of the potential impacts on Townsend's big-eared bat or other roosting bats due to the demolition of the Jailhouse building under the Project would occur under this alternative. This EIR includes mitigation measures to reduce impacts on the Townsend's big-eared bat, other roosting bats and nesting birds during Project construction to a less-than-significant level. The No Project Alternative has no need for such measures. Therefore, the No Project Alternative would have less impact on biological resources when compared with the Project.

4.3.1.5 Cultural Resources

The No Project Alternative would not include the demolition of a historic resource or ground-disturbing activities. Consequently, unlike the Project, this alternative would not have the potential to impact historic, archaeological, or paleontological resources. Therefore, the No Project Alternative would have less impact related to cultural resources when compared with the Project.

4.3.1.6 Geology and Soils

No demolition or construction would occur with the No Project Alternative. Consequently, none of the geology or soils impacts associated with the Project would result. Therefore, the No Project Alternative would have less impact related to geology and soils when compared with the Project.

4.3.1.7 Hazards and Hazardous Materials

Under the No Project Alternative, the Jailhouse building would not be demolished and it would continue to be contaminated with hazardous materials, including asbestos and lead-based paint. This EIR includes mitigation measures to reduce the potential for construction workers to be exposed to hazardous materials during Project construction to a less-than-significant level. The No Project Alternative has no need for such measures. Unlike the Project, the No Project Alternative would not include the remediation and disposal of the hazardous materials in an appropriate place. This alternative would have no impact relative to baseline conditions. Therefore, the No Project Alternative would have less impact related to hazards and hazardous materials when compared with the Project because no one would have authorized access to contaminated areas, and the contaminated materials would not be disturbed by demolition as under the Project.

4.3.1.8 Hydrology and Water Quality

Under the No Project Alternative, there would be no alteration to the current drainage pattern on the Project site. Stormwater would continue to flow over the surface of the site at its current rate, flowing to the City storm drainage system. This alternative would have no impact relative to baseline conditions. The amount of existing impervious surface at the site would be similar to the amount of impervious surface under the Project, resulting in a similar amount of stormwater entering the drainage system. However, the impact on water quality would be greater under this alternative because the Project would incorporate stormwater management (treatment) facilities. Therefore, overall, the No Project Alternative would have a greater impact related to hydrology and water quality when compared with the Project.

4.3.1.9 Land Use and Planning

Similar to the Project, the No Project Alternative would not physically divide an established community. Land use would remain in compliance with the County's general plan, which designates the site as Public/Semi-Public. Therefore, the No Project Alternative and the Project would have a similar impact related to land use and planning because both uses are consistent with the County's general plan.

4.3.1.10 Mineral Resources

The Project site is not located in an area of high likelihood of known significant aggregate or mineral resources. Therefore, there would be no impact on mineral resources under the No Project Alternative, similar to the Project.

4.3.1.11 Noise

Under the No Project Alternative, there would be no short-term construction noise impacts. As a result, none of the short-term construction-related noise impacts resulting from the Project would occur under this alternative. Mitigation Measure NOI-1 is identified in this EIR to reduce potential noise impacts during Project construction to a less-than-significant level. The No Project Alternative would not require mitigation to reduce this impact. In the long-term, this alternative would result in a continuation of existing uses on the Project site and existing noise levels would not change. Both this alternative and the Project would result in noise levels that would be within the City's threshold. Overall, the No Project Alternative would result in fewer noise impacts compared with the Project.

4.3.1.12 Population and Housing

The No Project Alternative would result in the continuation of existing uses on the Project site. This alternative would not generate temporary construction jobs. Therefore, the No Project Alternative would have less impact related to population and housing when compared with the Project.

4.3.1.13 Public Services

Under the No Project Alternative, there would be no change in demand on public service providers. Therefore, there would be no impact on public services under the No Project Alternative, similar to the Project.

4.3.1.14 Recreation

Under the No Project Alternative, there would be no new use of the Project site and thus no change in demand on recreational facilities. Therefore, there would be no impact on recreation under the No Project Alternative, similar to the Project.

4.3.1.15 Transportation and Traffic

The No Project Alternative would result in the continuation of existing uses on the Project site. Unlike during demolition and construction of the Project, this alternative would not temporarily increase the vehicular trips in the Project vicinity. Similar to the Project, the existing parking spaces on the Project site serve some of the parking demand for the adjacent County buildings and, thus, do not generate any additional traffic in the Project vicinity. Both this alternative and the Project would

result in acceptable level of service (LOS) on roadways in the Project vicinity. Overall, the No Project Alternative would result in a lower level of traffic impacts when compared with the Project.

4.3.1.16 Utilities

Under the No Project Alternative, there would be no change in demand on utilities and service systems. Additionally, no debris would be produced that could exceed permitted capacities at surrounding landfills because this alternative would not include any demolition or construction. Therefore, the No Project Alternative would have less impact related to utilities when compared with the Project.

4.3.2 Alternative 2 – Adaptive Reuse of Entire Building Alternative

4.3.2.1 Aesthetics

Under the Adaptive Reuse of Entire Building Alternative, there would be no change to the current views, visual character, and daytime glare. The County would rehabilitate the Jailhouse building for government office use through modifications in compliance with the SIS, which would ensure the design would retain character-defining features of the original structure. The Adaptive Reuse alternative would not involve demolition of the existing Jailhouse building, and would thus leave views unchanged. However, this alternative could create an increased source of light that could adversely affect nighttime views in the area, as it could introduce lighted walkways, parking areas, and security lighting throughout the Project site. This could increase the amount of ambient light radiating into the night sky from the Project site because there would be additional light sources associated with this alternative. Therefore, the impacts on aesthetics under the Adaptive Reuse of Entire Building Alternative would be greater than under the Project.

4.3.2.2 Agricultural and Forest Resources

The Project site is not located on any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the Project site is not zoned for agricultural use, does not contain any agricultural uses, and is not under a Williamson Act contract. The site is also not designated for timberland uses. Under the Adaptive Reuse of Entire Building Alternative, there would be no impact on agricultural and forest resources, similar to the Project.

4.3.2.3 Air Quality and Greenhouse Gas Emissions

The rehabilitation activities under the Adaptive Reuse of Entire Building Alternative would generate some short-term construction-related emissions. However, the rehabilitation of the Jailhouse building under this alternative would generate fewer construction related emissions than the demolition of the Jailhouse building under the Project. Mitigation Measures AQ-1 and GHG-1 are identified in this EIR to reduce potential air quality and GHG impacts during Project construction to a less-than-significant level. The Adaptive Reuse of Entire Building Alternative would also require mitigation to reduce this impact. Under this alternative, the County would rehabilitate the Jailhouse building for government office use. Consequently, unlike under the Project, the vacant building would be used for government offices. This use would generate vehicle trips and require the use of utilities, both of which would produce emissions during operation. Therefore, the Adaptive Reuse of

Entire Building Alternative would result in fewer construction impacts, but greater operation impacts on air quality and GHG emissions when compared with the Project.

4.3.2.4 Biological Resources

Rehabilitation of the Jailhouse building would result in potential impacts on Townsend's big-eared bat, other roosting bats, and nesting birds similar to impacts under the Project. This EIR includes mitigation measures to reduce potential impacts on Townsend's big-eared bat, other roosting bats, and nesting birds during Project construction to a less-than-significant level. Under this alternative, the County would be required to implement mitigation measures similar to those required for the Project. Therefore, the Adaptive Reuse of Entire Building Alternative and the Project would have similar impacts on biological resources.

4.3.2.5 Cultural Resources

The Adaptive Reuse of Entire Building Alternative would not involve ground-disturbing activities that would have the potential to impact archaeological or paleontological resources. Under this alternative, the Jailhouse building (a historic resource) would be rehabilitated for government office use through modifications conducted in compliance with the SIS, whereas the Project would result in demolition of the Jailhouse building. Therefore, the impacts related to cultural resources under the Adaptive Reuse of Entire Building Alternative would be less than under the Project.

4.3.2.6 Geology and Soils

The Adaptive Reuse of Entire Building Alternative would result in a new population at the Project site, because new employees and visitors would be more likely to be at the Project site. Although the County would not demolish the sunken garage, impacts related to geologic hazards (e.g., rupture of a known earthquake fault, seismic-related ground failure) would be more likely under this alternative than under the Project because employees and visitors in the Jailhouse building would be exposed to long-term risk from the rupture of a known earthquake fault, seismic ground shaking, liquefaction, and landslides. Standard mitigation measures could reduce this alternative's potential geology and soils impacts to a less-than-significant level. As with the Project, all demolition work and construction associated with this alternative would conform to the 2013 California Building Code (CBC) and all applicable local (including the Contra Costa Building Code), state, and federal regulations. Overall, the impacts related to geology and soils under the Adaptive Reuse of Entire Building Alternative would be greater than under the Project.

4.3.2.7 Hazards and Hazardous Materials

The Adaptive Reuse of Entire Building Alternative would require similar construction activities as the Project, including the remediation and disposal of the hazardous materials in an appropriate place. This alternative would have the same associated risks with the accidental release of hazardous materials as the Project. This EIR includes mitigation measures to reduce the potential for construction workers to be exposed to hazardous materials during Project construction to a less-than-significant level. Under this alternative, the County would be required to implement mitigation measures similar to those required for the Project. Therefore, the Adaptive Reuse of Entire Building Alternative and the Project would have similar impacts related to hazards and hazardous materials.

4.3.2.8 Hydrology and Water Quality

Under the Adaptive Reuse of Entire Building Alternative, there would be no alteration to the current drainage pattern on the Project site. Stormwater would continue to flow over the surface of the site at its current rate, flowing to the City storm drainage system. This alternative would have no impact relative to baseline conditions. The amount of existing impervious surface at the site would be similar to the amount of impervious surface under the Project, resulting in a similar amount of stormwater entering the drainage system. However, the impact on water quality would be greater under this alternative than under the Project because the Project would incorporate stormwater management (treatment) facilities. This alternative would not be required to incorporate treatment facilities because it would not create or redevelop at least 10,000 square feet of impervious surface. Therefore, overall, the Adaptive Reuse of Entire Building Alternative would have a greater impact related to hydrology and water quality when compared with the Project.

4.3.2.9 Land Use and Planning

Similar to the Project, the Adaptive Reuse of Entire Building Alternative would not physically divide an established community. Under this alternative, the County would rehabilitate the Jailhouse building for government office use. Land use would remain in compliance with the County's general plan, which designates the site as Public/Semi-Public. Therefore, the Adaptive Reuse of Entire Building Alternative and the Project would have a similar impact related to land use and planning because both uses are consistent with the County's general plan.

4.3.2.10 Mineral Resources

The Project site is not located in an area of high likelihood of known significant aggregate or mineral resources. Therefore, there would be no impact on mineral resources under the Adaptive Reuse of Entire Building Alternative, similar to the Project.

4.3.2.11 Noise

Both the Adaptive Reuse of Entire Building Alternative and the Project would temporarily increase noise in the Project vicinity during construction. However, this alternative would not generate as much noise during construction because it would not require demolition activities that could generate groundborne vibration generated by falling building debris. Mitigation Measure NOI-1 is identified in this EIR to reduce potential noise impacts during Project construction to a less-than-significant level. The Adaptive Reuse of Entire Building Alternative would not require mitigation to reduce this impact. Under this alternative, the County would rehabilitate the Jailhouse building for government office use. Consequently, unlike the Project, implementation of this alternative would result in long-term noise associated with traffic and stationary uses associated with the use of the site for government offices. Both this alternative and the Project would result in noise levels that would be within the City's municipal code noise standards. Overall, the Adaptive Reuse of Entire Building Alternative would result in fewer construction noise impacts, but greater operational noise impacts when compared with the Project.

4.3.2.12 Population and Housing

Similar to the Project, the Adaptive Reuse of Entire Building Alternative would generate temporary construction jobs, but those jobs are not expected to produce permanent increases in jobs or

residents in the City or County. Under this alternative, the County would rehabilitate the Jailhouse building for government office use. Consequently, unlike the Project, this alternative could indirectly induce population growth in the area because it would provide for increased government office use at the site. Therefore, the Adaptive Reuse of Entire Building Alternative would result in greater impacts on population and housing when compared with the Project.

4.3.2.13 Public Services

Under the Adaptive Reuse of Entire Building Alternative, there would be an increase in demand on public service providers. This alternative would result in a greater demand for public services than would the Project because the County would rehabilitate the Jailhouse building for government office use rather than demolish the Jailhouse building and construct a parking lot. Similar to the Project, this alternative would not adversely affect Contra Costa County Fire Protection District's (CCCFPD) response times or ability to provide fire protection services to the Project vicinity. Overall, the Adaptive Reuse of Entire Building Alternative would result in greater impacts on public services when compared with the Project.

4.3.2.14 Recreation

Under the Adaptive Reuse of Entire Building Alternative, there would be an increase in population that would demand increased use of, or need to expand, existing recreational facilities. This alternative would have a greater demand for recreational facilities than would the Project because the County would rehabilitate the Jailhouse building for government office use rather than demolish the Jailhouse building and construct a parking lot. Employees at the Project site may use recreational facilities in the Project vicinity. Overall, the Adaptive Reuse of Entire Building Alternative would result in greater impacts on recreation when compared with the Project.

4.3.2.15 Transportation and Traffic

Both the Adaptive Reuse of Entire Building Alternative and the Project would temporarily increase the vehicular trips, including employee commute trips and hauling truck trips, in the Project vicinity during construction. However, this alternative would not require as many construction trips as the Project because it would not generate as much demolition material. Under this alternative, the County would rehabilitate the Jailhouse building for government office use. Consequently, unlike the Project, this alternative is expected to generate additional traffic in the Project vicinity during operation. Both this alternative and the Project would result in acceptable LOS on roadways in the Project vicinity. Overall, the Adaptive Reuse of Entire Building Alternative would result in fewer construction traffic impacts, but greater operational traffic impacts when compared with the Project.

4.3.2.16 Utilities

Under the Adaptive Reuse of Entire Building Alternative, there would be an increase in demand on utilities and service systems. This alternative would produce less solid waste than would the Project during construction. However, this alternative would cause a greater demand for utilities than would the Project because the County would rehabilitate the Jailhouse building for government office use rather than demolish the Jailhouse building and construct a parking lot. It is assumed that the demand could be met by the existing infrastructure and capacities of utility service providers.

Overall, the Adaptive Reuse of Entire Building Alternative would result in greater impacts on utilities when compared with the Project.

4.3.3 Alternative 3 – Partial Demolition and Adaptive Reuse of Remaining Building Alternative

4.3.3.1 Aesthetics

Under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, the County would demolish the 1944 annex to the Jailhouse building and would rehabilitate the original 1903 structure for government office use, compliant with SIS. Overall, the impacts to visual character under this alternative would be less than under the Project, as the remaining building would continue to be a contributing element to the Downtown Historic Overlay District, which comprises the historic context of the area. However, this alternative could create an increased source of light that could adversely affect nighttime views in the area, as it could introduce lighted walkways, parking areas, and security lighting throughout the Project site. This could increase the amount of ambient light radiating into the night sky from the Project site because there would be additional light sources associated with this alternative. Overall, the impacts on aesthetics under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would be less than under the Project.

4.3.3.2 Agricultural and Forest Resources

The Project site is not located on any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the Project site is not zoned for agricultural use, does not contain any agricultural uses, and is not under a Williamson Act contract. The site is also not designated for timberland uses. Under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, there would be no impact on agricultural and forest resources, similar to the Project.

4.3.3.3 Air Quality and Greenhouse Gas Emissions

The abatement and demolition activities under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would generate some short-term construction-related emissions. However, the rehabilitation of the original structure and demolition of the annex would generate fewer construction related emissions than the demolition of the Jailhouse building under the Project. Mitigation Measures AQ-1 and GHG-1 are identified in this EIR to reduce potential air quality and GHG impacts during Project construction to a less-than-significant level. The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would also require this mitigation to reduce this impact. Under this alternative, the County would rehabilitate the original structure for government office use. Consequently, unlike the Project, a portion of the previously vacant building would be used for government offices. This use would generate vehicle trips and require the use of utilities, both of which would produce emissions during operation. Therefore, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in similar, but less construction impacts, but greater operation impacts on air quality and GHG emissions when compared with the Project.

4.3.3.4 Biological Resources

Similar potential impacts on Townsend's big-eared bat or other roosting bats as well as nesting birds due to the demolition of the Jailhouse building under the Project would occur under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, which would involve the rehabilitation of the original structure and demolition of the annex. This EIR includes mitigation measures to reduce impacts related to the Townsend's big-eared bat or other roosting bats as well as nesting birds during Project construction to a less-than-significant level. This alternative would be required to implement mitigation measures similar to those required for the Project. Therefore, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative and the Project would have similar impacts on biological resources.

4.3.3.5 Cultural Resources

The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would involve ground-disturbing activities associated with the demolition of the annex and the sunken garage, and the construction of a parking lot in their place. This EIR includes mitigation measures to reduce impacts on archaeological resources, paleontological resources, and human remains during ground-disturbing activities to a less-than-significant level. Under this alternative, the County would be required to implement mitigation measures similar to those required for the Project. Under this alternative, the original 1903 structure (a historic resource) would be rehabilitated for government office use through modifications conducted in compliance with the SIS, whereas the Project would result in the demolition of the entire Jailhouse building. Therefore, the impacts related to cultural resources under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would be less than significant, and would have less impact compared with the Project.

4.3.3.6 Geology and Soils

The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in a new population at the Project site, as the original structure would be used for government office uses. Although this alternative would not demolish the sunken garage, impacts related to geologic hazard (e.g., rupture of a known earthquake fault, seismic-related ground failure) would be more likely to result under this alternative than under the Project because Jailhouse building employees and visitors would be exposed to long-term risk from the rupture of a known earthquake fault, seismic ground shaking, liquefaction, and landslides. Standard mitigation measures could reduce this alternative's potential geology and soils impacts to a less-than-significant level. As with the Project, all demolition work and construction associated with this alternative would conform to the 2013 CBC and all applicable local (including the Contra Costa Building Code), state, and federal regulations. Overall, the impacts related to geology and soils under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would be greater than under the Project.

4.3.3.7 Hazards and Hazardous Materials

The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would require similar construction activities as the Project, including the remediation and disposal of the hazardous materials in an appropriate place. This EIR includes mitigation measures to reduce the potential for construction workers to be exposed to hazardous materials during Project construction to a less-than-significant level. Under this alternative, the County would be required to implement mitigation measures similar to those required for the Project. Therefore, the Partial Demolition and Adaptive

Reuse of Remaining Building Alternative and the Project would have similar impacts related to hazards and hazardous materials.

4.3.3.8 Hydrology and Water Quality

The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would alter the current drainage pattern on the Project site to a lesser extent than would the Project. The amount of existing impervious surface at the site would be similar to the amount of impervious surface under the Project, resulting in a similar amount of stormwater entering the drainage system. However, the impact on water quality would be greater under this alternative than under the Project because the Project would incorporate stormwater management (treatment) facilities. This alternative would not be required to incorporate treatment facilities because it would not create or redevelop at least 10,000 square feet of impervious surface. Therefore, overall, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would have a greater impact related to hydrology and water quality when compared with the Project.

4.3.3.9 Land Use and Planning

Similar to the Project, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would not physically divide an established community. Under this alternative, the County would demolish a portion of the Jailhouse building and rehabilitate the remaining building for government office use. Land use would remain in compliance with the County's general plan, which designates the site as Public/Semi-Public. Therefore, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative and the Project would have a similar impact related to land use and planning because both uses are consistent with the County's general plan.

4.3.3.10 Mineral Resources

The Project site is not located in an area of high likelihood of known significant aggregate or mineral resources. Therefore, there would be no impact on mineral resources under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, similar to the Project.

4.3.3.11 Noise

Both the Partial Demolition and Adaptive Reuse of Remaining Building Alternative and the Project would temporarily increase noise in the Project vicinity during demolition and construction. However, this alternative would not generate as much noise during construction because it would not require as much demolition or construction as the Project. Consequently, there would be less impact from groundborne vibration generated by falling building debris from demolition. Mitigation Measure NOI-1 is identified in this EIR to reduce potential noise impacts during Project construction to a less-than-significant level. The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would also require this mitigation to reduce this impact. Under this alternative, the County would rehabilitate the original structure for government office use. Consequently, unlike the Project, implementation of this alternative in the long term would result in noise from traffic and stationary uses associated with the use of the site for government offices. Both this alternative and the Project would result in noise levels that would be within the City's municipal code noise standards. Overall, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in fewer construction noise impacts, but greater operational noise impacts when compared with the Project.

4.3.3.12 Population and Housing

Similar to the Project, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would generate temporary construction jobs, but those jobs are not expected to produce permanent increases in jobs or residents in the City or County. Under this alternative, the County would rehabilitate the original structure for government office use. Consequently, unlike the Project, this alternative could indirectly induce population growth in the area because it would provide for increased government office use at the site. Therefore, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in greater impacts on population and housing when compared with the Project.

4.3.3.13 Public Services

Under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, there would be an increase in demand on public service providers. This alternative would create a greater demand for public services and recreation than would the Project because the County would rehabilitate the original structure for government office use rather than demolish the Jailhouse building and construct a parking lot. Similar to the Project, this alternative would not adversely affect CCCFPD's response times or ability to provide fire protection services to the Project vicinity. Overall, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in greater impacts on public services when compared with the Project.

4.3.3.14 Recreation

Under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, there would be an increase in population that would demand increased use of, or need to expand, existing recreational facilities. This alternative would create a greater demand for recreational facilities than would the Project because the County would rehabilitate the Jailhouse building for government office use rather than demolish the Jailhouse building and construct a parking lot. Employees at the Project site may use recreational facilities in the Project vicinity. Overall, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in greater impacts on recreation when compared with the Project.

4.3.3.15 Transportation and Traffic

Both the Partial Demolition and Adaptive Reuse of Remaining Building Alternative and the Project would temporarily increase the vehicular trips, including employee commute trips and hauling truck trips, in the Project vicinity during construction. However, this alternative would not require as many construction trips as the Project because it would not generate as much demolition material. Under this alternative, the County would rehabilitate the original structure for government office use. Consequently, unlike the Project, this alternative is expected to generate additional traffic in the Project vicinity during operation. Both this alternative and the Project would result in acceptable LOS on roadways in the Project vicinity. Overall, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in fewer construction traffic impacts, but greater operational traffic impacts when compared with the Project.

4.3.3.16 Utilities

Under the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, there would be an increase in demand on utilities and service systems. This alternative would produce less solid waste than would the Project during construction. However, this alternative would have a greater demand for utilities than would the Project because the County would rehabilitate the original structure for government office use rather than demolish the Jailhouse building and construct a parking lot. It is assumed that the demand could be met by the existing infrastructure and capacities of utility service providers. Overall, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative would result in greater impacts on utilities when compared with the Project.

4.4 Environmentally Superior Alternative

The State CEQA Guidelines require that an environmentally superior alternative be identified. The environmentally superior alternative is the alternative that would avoid or substantially lessen, to the greatest extent, the environmental impacts associated with the project while feasibly attaining most of the major project objectives. If the alternative with the least environmental impact is determined to be the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The identification of the environmentally superior alternative results from a comparison of the impacts associated with each alternative to those of the Project. Table 4-1 provides a comparison of the potential impacts of the No Project Alternative, Adaptive Reuse of Entire Building Alternative, and Partial Demolition and Adaptive Reuse of Remaining Building Alternative compared with the Project by resource topic. The No Project Alternative would have the least impacts because no demolition or construction would be involved. Specifically, the No Project impact would have less or similar impact on most resource topics and greater impact on hydrology and water quality. The Adaptive Reuse of Entire Building Alternative would have less of an impact than would the Project on air quality during construction, cultural resources, noise during construction, and transportation and traffic during construction, but would have a greater impact on aesthetics, air quality and GHG emissions during operation, geology and soils, hydrology and water quality, noise during operation, population and housing, public services, recreation, transportation and traffic during operation, and utilities. The Partial Demolition and Adaptive Reuse of Remaining Building Alternative would have less of an impact than would the Project on aesthetics, air quality during construction, cultural resources, noise during construction, and transportation and traffic during construction, but would have a greater impact on air quality and GHG emissions during operation, geology and soils, hydrology and water quality, noise during operation, population and housing, public services, recreation, transportation and traffic during operation, and utilities.

The No Project Alternative would be the environmentally superior of the three alternatives because it would result in less impact overall. As required by CEQA, if the alternative with the least environmental impact is determined to be the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. The Adaptive Reuse of Entire Building Alternative and Partial Demolition and Adaptive Reuse of Remaining Building Alternative would both result in fewer construction impacts but greater operational impacts. Compared with each other, the Adaptive Reuse of Entire Building Alternative would result in greater impacts on cultural resources than the Partial Demolition and Adaptive Reuse of Remaining Building Alternative, which would include the removal of the 1944 annex. The removal of the 1944 Jailhouse

annex, which does not contribute to the historical significance of the Jailhouse building, would allow for the rehabilitation of the 1903 Jailhouse building's northwest elevation wall. The 1903 Jailhouse building is an historical resource. The Adaptive Reuse of Entire Building Alternative would result in greater impacts on air quality and GHG emissions during operation, geology and soils, hydrology and water quality, noise during operation, population and housing, public services, recreation, transportation and traffic during operation, and utilities because it would result in more space used for government office uses compared with the Partial Demolition and Adaptive Reuse of Remaining Building Alternative and, thus, greater activity on the Project site. Therefore, the Partial Demolition and Adaptive Reuse of Remaining Building Alternative is considered the environmentally superior alternative.

Table 4-1. Comparison of Alternatives' Impacts

Environmental Topic Area	Level of Project Impact	Impact Compared with the Project		
		No Project	Adaptive Reuse of Entire Building	Partial Demolition and Adaptive Reuse of Remaining Building
Aesthetics	Less than significant	Less	Greater	Less
Agricultural and Forest Resources	No impact	Similar	Similar	Similar
Air Quality and GHG (Construction)	Less than significant with mitigation	Less	Less	Similar, but less
Air Quality and GHG (Operation)	Less than significant	Similar	Greater	Greater
Biological Resources	Less than significant with mitigation	Less	Similar	Similar
Cultural Resources	Significant and unavoidable	Less	Less	Less
Geology and Soils	Less than significant	Less	Greater	Greater
Hazards and Hazardous Materials	Less than significant with mitigation	Less	Similar	Similar
Hydrology and Water Quality	Less than significant	Greater	Greater	Greater
Land Use and Planning	Less than significant	Similar	Similar	Similar
Mineral Resources	No impact	Similar	Similar	Similar
Noise (Construction)	Less than significant with mitigation	Less	Less	Similar, but less
Noise (Operation)	Less than significant	Similar	Greater	Greater
Population and Housing	Less than significant	Les	Greater	Greater
Public Services	No impact	Similar	Greater	Greater
Recreation	No impact	Similar	Greater	Greater
Transportation and Traffic (Construction)	Less than significant	Less	Less	Less

Chapter 5
Other CEQA Considerations

This chapter contains the following discussions and analyses required by the California Environmental Quality Act (CEQA).

- Cumulative impacts.
- Growth-inducing impacts.
- Significant and unavoidable environmental impacts.

Pursuant to CEQA Guidelines Section 15127, a discussion of significant irreversible impacts is not required because this is a site-specific project and not the adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency.

5.1 Cumulative Impacts

5.1.1 Legal Requirements

State CEQA Guidelines require that the cumulative impacts of a project be addressed in an EIR when the cumulative impacts are expected to be significant and when the project's incremental effect would be cumulatively considerable (State CEQA Guidelines Section 15130[a]). Cumulative impacts are impacts on the environment that result from the incremental impacts of a proposed action when added to other past, present, and reasonably foreseeable future actions (State CEQA Guidelines Section 15355[b]). Such impacts can result from individually minor but collectively significant actions taking place over time.

Section 15130 of the State CEQA Guidelines states that the discussion of cumulative impacts need not provide as much detail as the discussion of effects attributable to the project alone. The level of detail should be guided by what is practical and reasonable.

5.1.2 Methodology

According to the State CEQA Guidelines, an adequate discussion of significant cumulative impacts should contain the following discussions.

- An analysis of related future projects or planned development that would affect resources in the project area similar to those affected by the project.
- A summary of the expected environmental effects to be produced by those projects, with specific reference to additional information stating where that information is available.
- A reasonable analysis of the cumulative impacts of the relevant projects.

An EIR must examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative impacts.

When evaluating cumulative impacts, CEQA recommends one of the following two methods.

1. Projects to consider in the cumulative analysis include any past, present, and probable future projects producing related or cumulative impacts, including projects outside the control of the lead agency (i.e., project list approach).
2. The cumulative analysis would consider projections contained in an adopted local, regional, or statewide plan, or would use a prior environmental document which has been adopted or certified for such a plan (i.e., plan approach).

The Project site is located within the *Martinez Downtown Specific Plan* boundaries. The *Martinez Downtown Specific Plan* was adopted in 2006 by the Martinez City Council to support revitalization of Downtown Martinez. The plan area covers approximately 220 acres in Downtown Martinez, generally extending in a north-south direction from the Martinez Regional Shoreline and Waterfront Park to Susana Street and in the east-west direction by the hillsides. The purpose of the specific plan is to guide future development and infrastructure projects that would benefit downtown in multiple ways.

- Strengthen Downtown Martinez as a shopping and dining destination for Martinez residents and visitors.
- Capitalize on past investments in amenities such as the waterfront, Alhambra Creek, and Intermodal Station.
- Create new housing opportunities for a variety of household types.
- Preserve and enhance downtown's historic small-town character while revitalizing its economy.

Buildout of the Specific Plan is anticipated to result in the development of approximately 1,000 new dwelling units and a small amount of new commercial office space. This analysis is based on the plan/projections approach using the buildout of the Martinez Downtown Specific Plan (City of Martinez 2006) and the Martinez Downtown Specific Plan EIR (City of Martinez 2005).

The spatial boundary for the study of a cumulative impact varies depending on the resource of concern. For example, impacts related to geology and archeological resources are generally site-specific, while air and noise impacts can encompass larger areas. Most of the Project impacts are site-specific and limited in terms of geography, and do not have the ability to compound impacts from past, existing or future projects beyond the project area. In these circumstances, CEQA directs that it is not necessary to address in detail the impacts from other projects:

> "[w]here a lead agency is examining a project with an incremental effect that is not 'cumulatively considerable,' a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable" (CEQA Guidelines, Section15130, subdivision [a]).

And

> "An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR" (State CEQA Guidelines Section 15130 subd. [a][1]).

Additionally, the cumulative background may differ for each resource (water projects for effects related to fish may differ from transportation projects for effects related to traffic, air, and noise).

5.1.3 Analysis of Cumulative Impacts

The following analysis describes the potential for the Project, in combination with the cumulative projects, to result in cumulatively significant environmental impacts. The analysis of each resource considers the cumulative setting of the potential impacts. The evaluations identify whether the cumulative impact would be significant, and whether the Project's contribution to a significant cumulative impact would be considerable.

The Project would involve demolition of the Jailhouse building and construction of a surface parking lot. As described in Section 3.6, *Other Topics*, the Project would have no impact on agricultural resources, mineral resources, public services, or recreation. Because the Project would have no impact on these resources, the Project could not contribute to cumulative impacts on these resources. Therefore, the Project's potential contribution to cumulative impacts on these resources is not evaluated further.

5.1.3.1 Aesthetics

The cumulative setting for aesthetics consists of any proposed development allowed by the *Downtown Specific Plan* within the same viewshed as the Project. The surrounding land uses along Pine, Escobar, and Main Street is the Project area viewshed. This area is developed with existing government buildings and parking lots. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan would not result in any significant impacts related to visual resources (City of Martinez 2005). Therefore, there are no significant cumulative impacts related to aesthetics and the Project would not make a substantial contribution to a significant cumulative impact.

5.1.3.2 Air Quality and Greenhouse Gas Emissions

Cumulative impacts associated with air quality and greenhouse gas emissions are described in Section 3.1, *Air Quality and Greenhouse Gas Emissions.*

5.1.3.3 Biological Resources

The cumulative setting for biological resources is the city of Martinez. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan would not result in any significant impacts on biological resources (City of Martinez 2005). Thus, there are no significant cumulative impacts related to biological resources. As described in Section 3.6.3, *Biological Resources,* the Project site is completely developed with the Jailhouse building and parking areas, with the exception of a small landscaped area. Because some of the windows in the Jailhouse building are missing or broken, the building could potentially be used as roosting habitat by Townsend's big-eared bat or other roosting bats. Thus, to reduce potential impacts on Townsend's big-eared bat or other roosting bats, Mitigation Measure BIO-1 would be implemented and Project impacts would be less than significant. This mitigation measure will ensure that the Jailhouse building does not contain a substantial bat roost or, if Townsend's big-eared bats are detected, avoidance and minimizations measures may be necessary. As such, this mitigation measure will ensure that the Project's contribution to regional impacts on roosting bats would not be cumulatively considerable. Therefore, the Project would not result in a substantial contribution to a significant cumulative impact.

5.1.3.4 Cultural Resources

The cumulative setting for cultural resources consists of the planned developments within Martinez that could potentially affect archaeological, historical, and paleontological resources. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan could result in potentially significant impacts on archaeological deposits, paleontological resources, and human remains in archaeological sites (City of Martinez 2005). Buildout of the specific plan was found not to result in any significant impacts related to historical resources with implementation of Mitigation Measures CULT-1, CULT-2, and CULT-3 in the *Downtown Martinez Specific Plan EIR*. Therefore, there are no significant cumulative impacts related to cultural resources and the Project would not result in a substantial contribution to a significant cumulative impact.

5.1.3.5 Geology and Soils

Geological hazards related to future development in the Project area are generally site-specific and relate to the type of building and building foundation proposed, as well as the soil composition and slope on the site.

The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan could result in potentially significant impacts related to seismic hazards, as well as shrink-swell potential and settlement (City of Martinez 2005). Buildout would not result in any significant impacts related to known earthquake faults, landslides, erosion, unstable geologic unit, or expansive soil. With implementation of Mitigation Measures GEO-1 and GEO-2 in the *Downtown Martinez Specific Plan EIR*, buildout of the specific plan would result in less-than-significant impacts related to geology and soils. Thus, there are no significant cumulative impacts related to geology and soils.

As described in Section 3.6.4, *Geology and Soils*, all demolition work associated with the Project would conform with the 2013 California Building Code and all applicable local (including the Contra Costa Building Code), state, and federal regulations. Additionally, because no new structure would be constructed and, and any future buildings would be constructed to meet the 2013 California Building Code and the Contra Costa Building Code, the Project would not pose an unacceptable risk to human life and, therefore, would not make a considerable contribution to the potential risks related to seismic hazards or shrink-swell potential and settlement. Therefore, the Project would not result in a substantial contribution to a significant cumulative impact.

5.1.3.6 Hazards and Hazardous Materials

Hazardous materials issues are generally site-specific and relate to the prior history of land uses on the site or adjacent sites. Except in cases where there is a major hazardous site nearby (e.g., a Superfund site), these impacts are site-specific because they generally only affect conditions within a single site. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan could result in potentially significant impacts related to exposure to hazardous materials present in soils and groundwater, and demolition or renovation of any buildings containing lead-based paint and asbestos-containing building materials (City of Martinez 2005). Buildout would not result in any significant impacts related to the transport, use, or disposal of hazardous materials; emissions within one-quarter mile of a school; hazardous materials sites; airport land use plan area; a private airstrip; interference with an adopted emergency response plan; or wildland fires. With implementation of Mitigation Measures HAZ-1 and HAZ-2 in the *Downtown Martinez Specific Plan EIR*, buildout of the specific plan would result in less-than-significant impacts related to hazards and

hazardous materials. Therefore, there are no significant cumulative impacts related to hazards and hazardous materials and the Project would not result in a substantial contribution to a significant cumulative impact.

5.1.3.7 Hydrology and Water Quality

The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan could result in potentially significant impacts related to degradation of water quality in the Carquinez Strait, placement of housing in areas subject to storm-related flooding, and low-lying portions of the Plan area that could be impacted by coastal flooding (City of Martinez 2005). Buildout would not result in any significant impacts related to groundwater or stormwater drainage. With implementation of Mitigation Measures HYD-1a, HYD-2, and HYD-3 in the *Downtown Martinez Specific Plan EIR*, buildout of the specific plan would result in less-than-significant impacts related to hydrology and water quality. Therefore, there are no significant cumulative impacts related to hydrology and water quality and the Project would not contribute to a cumulatively considerable impact.

5.1.3.8 Land Use and Planning

The cumulative setting for land use and planning consists of development anticipated under the *Martinez Downtown Specific Plan*. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan could result in a potentially significant impact related to land use conflicts between existing industrial uses and new residential uses (City of Martinez 2005). Buildout would not result in any significant impacts related to the physical division of an established community nor conflict with an applicable habitat conservation plan or natural community conservation plan. With implementation of Mitigation Measure LU-1 in the *Downtown Martinez Specific Plan EIR*, buildout of the specific plan would result in less-than-significant impacts related to land use and planning.

Therefore, there are no significant cumulative impacts related to land use and the Project would not contribute to a cumulatively considerable impact related to land use.

5.1.3.9 Noise

The cumulative setting for noise consists of development in the Project vicinity that could also contribute to the ambient noise environment at the existing sensitive receptors affected by noise generated as a result of the Project. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan could result in potentially significant impacts related to excessive construction noise or groundborne vibration, train-related noise, and train-related groundborne vibration (City of Martinez 2005). With implementation of Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 in the *Downtown Martinez Specific Plan EIR*, buildout of the specific plan would result in less-than-significant impacts related to noise. The *Downtown Martinez Specific Plan EIR* also noted that new development could expose existing and new residences to noise from stationary sources, but this noise exposure would not be excessive and would not be considered significant. Nonetheless, Mitigation Measure NOISE-4 in the *Downtown Martinez Specific Plan EIR* would ensure this impact would remain less than significant. Therefore, there are no significant cumulative impacts related to noise and the Project would not result in a substantial contribution to a significant cumulative impact.

5.1.3.10 Population and Housing

The cumulative setting for population and housing consists of development in Martinez. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan would not result in any significant impacts related to population and housing (City of Martinez 2005). As described in Section 3.6.8, *Population and Housing*, the County Public Works Department would not construct any structures or housing, or demolish any housing. Additionally, the Project would not generate any new long-term employment opportunities. Therefore, there are no significant cumulative impacts related to population and housing and the Project would not contribute to a cumulatively considerable impact.

5.1.3.11 Transportation and Traffic

The cumulative setting for traffic includes development in the Project vicinity that would involve construction activities concurrently with those of the Project and that would result in traffic on the same roadways, creating the potential to cumulatively degrade the traffic operation, bicycle facilities, and safety condition on the local access roads in the vicinity of the Project. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan would not result in any significant impacts related to transportation and circulation (City of Martinez 2005). Therefore, there are no significant cumulative impacts related to transportation and traffic and the Project would not contribute to a cumulatively considerable impact.

5.1.3.12 Utilities

The cumulative setting for utilities consists of Martinez. The *Downtown Martinez Specific Plan EIR* noted that buildout of the specific plan would not result in any significant impacts related to utilities (City of Martinez 2005). As described in Section 3.6.11, *Utilities*, the Project would have no impact related to the exceedance of wastewater treatment requirements, the need for new water or wastewater treatment facilities, new or expanded stormwater drainage facilities, water supply, or wastewater treatment capacity. Demolition waste from the Project would increase the use of landfill services and production of solid waste because the Project would involve the demolition of the Jailhouse building, including the sunken garage and the surrounding granite curb. The Project would not result in any new permanent structures that would generate solid waste. It is anticipated that Keller Canyon Landfill has sufficient capacity to accommodate the solid waste disposal needs of the Project. Additionally, Project operations would comply with federal, state, and local statues and regulations related to solid waste. Therefore, there are no significant cumulative impacts related to utilities.

5.2 Growth-Inducing Impacts

Section 21100(b)(5) of CEQA requires an EIR to discuss how a project, if implemented, may induce growth and the impacts of that induced growth (see also State CEQA Guidelines Section 15126). CEQA requires the EIR to discuss specifically "the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment" (State CEQA Guidelines Section 15126.2[d]). The State CEQA Guidelines do not provide specific criteria for evaluating growth inducement and state that growth in any area is not "necessarily beneficial, detrimental, or of little significance to the environment." CEQA does not require separate mitigation for growth inducement because it is assumed that these impacts are

already captured in the analysis of environmental impacts (see Chapter 3, *Impact Analysis*). Furthermore, the State CEQA Guidelines require that an EIR "discuss the ways" a project could be growth-inducing and to "discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment."

According to the State CEQA Guidelines, a project would have potential to induce growth if it would result in either of the following conditions.

- Remove obstacles to population growth (e.g., through the expansion of public services into an area that does not currently receive these services), or through the provision of new access to an area, or a change in a restrictive zoning or General Plan land use designation.
- Result in economic expansion and population growth through employment opportunities and/or construction of new housing.

In general, a project could be considered growth-inducing if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. However, the State CEQA Guidelines do not require a prediction or speculation of where, when, and in what form such growth would occur (State CEQA Guidelines, Section 15145).

5.2.1 Remove Obstacles to Growth or Provide New Access

The Project is demolition of the Jailhouse building and construction of a new surface parking lot on the site. The existing driveways on the north and south sides of the Jailhouse building would be maintained. There is existing demand for parking in Downtown Martinez and the proposed parking lot would serve some of this demand. The Project would not result in any new roads or infrastructure. Thus, the Project would not directly or indirectly induce any population growth in the area.

The *Contra Costa County General Plan* designates the site as Public/Semi-Public, and the City of Martinez zoned the site for Civic uses and designates it for Government use in the *Martinez General Plan* (County of Contra Costa 2005; City of Martinez 2011). No changes to the zoning or land use designation for the Project site would be required as part of the Project. Based on the analysis above, the Project would not be expected to indirectly or directly induce population growth.

5.2.2 Economic, Population, and Housing Growth

Typically, the growth-inducing potential of a project is considered significant if the project fosters growth or a concentration of population in a different location or in excess of what is assumed in pertinent general plans or land use plans, or projections made by regional planning agencies, such as the Association of Bay Area Governments. The County Public Works Department does not propose to demolish or construct any housing. Thus, the Project would not have a direct impact on population or housing growth. Project construction would result in a short-term increase in construction-related job opportunities in the Contra Costa County region. However, construction workers would likely be drawn from the existing construction employment labor force. Therefore, opportunities provided by Project construction would not likely result in the relocation of construction workers to the Project area. Therefore, the employment opportunities provided by Project construction are not anticipated to induce indirect growth in the region.

The Project would not generate any new long-term employment opportunities. Therefore, Project operation is not anticipated to induce indirect or direct growth in the region.

5.3 Significant and Unavoidable Environmental Impacts

Section 21067 of CEQA and Sections 15126(b) and 15126.2(b) of the State CEQA Guidelines require that an EIR describe any significant impacts, including those that can be mitigated but not reduced to a less-than-significant level. Furthermore, where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should also be described. The Project would result in significant and unavoidable impacts on historic architectural resources. Demolition of the building is proposed in order to achieve the project objectives described in Chapter 2*, Project Description*. Contra Costa County has over 200 facilities to operate and maintain. The Public Works Department is responsible for operating and maintaining these facilities. As part of the administration of the County facility portfolio, Public Works is responsible for identifying and highlighting vacant or underutilized County-owned buildings for potential disposition. Because this building has been long-vacant, contains hazardous materials including lead and asbestos, is no longer used or needed for the purpose it was constructed, and would not be viable for an alternate use, the building has been recommended for demolition rather than future County use.

Chapter 6
References

6.1 Chapter 1, Introduction

None.

6.2 Chapter 2, Project Description

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6.8.1 Section 3.6.1, Aesthetics

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