JACK LONDON DISTRICT
4TH & MADISON PROJECT

Response to Comments Document

Case No. ER15-005
State Clearinghouse No. 2015042051

Prepared for:
City of Oakland

February 2016

URBAN PLANNING PARTNERS INC.

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Prepared for the City of Oakland

By:

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With:

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February 2016

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COMBINED NOTICE OF AVAILABILITY AND RELEASE OF A RESPONSE TO COMMENTS/ FINAL ENVIRONMENTAL IMPACT REPORT (Final EIR) AND NOTICE OF PUBLIC HEARINGS ON CERTIFICATION OF THE EIR (AND, AS SEPARATE AND INDEPENDENT BASES, RELIANCE ON CEQA GUIDELINES SECTIONS 15183 AND 15183.3) AND CONSIDERATION OF APPROVAL OF THE 4TH & MADISON JACK LONDON DISTRICT PROJECT

TO: All Interested Parties

PROJECT NAME: Jack London District 4th & Madison Project

PROJECT LOCATION: 180 4th Street and 431 Madison Street, Oakland, CA

PROJECT SPONSOR: CP V JLS, LLC

CASE FILE NO: ER15-005 & PLN15-172, State Clearinghouse # 2015042051

PROJECT LOCATION: The project site is located at 180 4th Street and 431 Madison Street and encompasses 1.5 city blocks in the Jack London District. It is bounded by Jackson Street to the west, 5th Street to the north, Madison Street to the east, and 3rd Street to the south. The Assessor's Parcel Numbers (APNs) for the project site are 001-0161-001; -002; and -007-07.

PROJECT DESCRIPTION: The project proposes to demolish an existing warehouse building and surface parking lot to construct two buildings consisting of five levels of wood frame construction (potentially with an additional mezzanine) over two levels of concrete. The project would include approximately 330 residential apartment units, up to 8,000 square feet of ground-floor commercial space and 335 parking spaces. The primary component of the project is the development of approximately 330 multi-family residential units. The unit mix would consist of approximately 15 studio, 190 one-bedroom, 116 two-bedroom, and 9 three-bedroom apartments. Resident-serving amenities and private and shared open space are proposed for each building.

The General Plan land use classification for the project site, as established by the City's Estuary Policy Plan adopted June 1999, is Mixed Use District (MUD). The zoning designation for the project site is Community Shopping Commercial Zone (C-45). Required discretionary permits for the project include a Major Conditional Use Permit, Regular Design Review, and Tentative Parcel Map.

ENVIRONMENTAL REVIEW: The preparation of the RTC/ Final EIR has been overseen by the City's Environmental Review Officer and the conclusions and recommendations in the document represent the independent conclusions and recommendations of the City. Copies of the Responses to Comments/ Final EIR will be available for review or distribution to interested parties at no charge at the City of Oakland Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612, Monday through Friday, 8:30 a.m. to 5:00 p.m. The Responses to Comments/ Final EIR may also be reviewed at the following website: http://www2.oaklandnet.com/Government/o/PBN/OurServices/ Application/DOWD009157.

PUBLIC HEARINGS ON FEIR:

1. The Oakland Landmarks Preservation Advisory Board will conduct a public hearing on the historic resources aspect of the project on **February 22, 2016** at **6:00 p.m.** in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza;

2. The Oakland City Planning Commission will conduct a public hearing on **March 2, 2016**, at **6:00 p.m.** in Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza to consider certification of the Final EIR and project approvals.

Copies of the DEIR were available for review at the City of Oakland Bureau of Planning, Planning and Zoning Division, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California and at the Oakland Public Library, Social Science and Documents, 125 14th Street, Oakland, and on the City's website at: http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157. Copies of the DEIR were also distributed to interested parties.

The public were encouraged to provide comments during the public comment period from August 11, 2015, through September 25, 2015. Public Hearings were held on September 14, 2015, at the Meeting of the Landmarks Preservation Advisory Board, and September 16, 2015, at the Meeting of the City Planning Commission. Comments were made at the public hearings as well as received in writing. All comments that were received have been addressed in the Responses to Comments and Final EIR document.

If you challenge the environmental document or other actions pertaining to the Project in court, you may be limited to raising only those issues raised at the public hearings described above or in written correspondence received by the Bureau of Planning on or prior to **March 2, 2016.**

For further information, please contact **Pete Vollmann** at **(510) 238-6167** or pvollmann@oaklandnet.com.

DARIN RANELETTI
Deputy Director, Bureau of Planning
Environmental Review Officer

Date of Notice: **February 11, 2016**
File Number ER15-005

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I. INTRODUCTION

A. PURPOSE OF THE RESPONSE TO COMMENTS DOCUMENT

This document has been prepared to respond to comments received on the Draft Environmental Impact Report (Draft EIR or 4th & Madison Project Draft EIR) prepared for the Jack London District 4th & Madison Project (SCH# 2015042051). The Draft EIR identifies the likely environmental consequences associated with the implementation of the proposed project, and recommends mitigation measures and standard conditions of approval to reduce potentially significant impacts. This Response to Comments (RTC) Document provides responses to comments received on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to these comments or to amplify or clarify material in the Draft EIR. This RTC Document, together with the Draft EIR, constitutes the Final EIR for the proposed project.

The City of Oakland will consider the Final EIR before approving or denying the proposed project. Before the Lead Agency may approve the project, it must certify that the Final EIR adequately discloses the environmental effects of the proposed project, that the Final EIR has been completed in conformance with the California Environmental Quality Act (CEQA), and that the decision-making body of the Lead Agency independently reviewed and considered the information contained in the Final EIR. Certification of the Final EIR would indicate the City's determination that the Final EIR adequately evaluates the environmental impacts that could be associated with the proposed project.

The City of Oakland has prepared this document pursuant to *CEQA Guidelines* Section 15132, which specifies the following (and which also applies to Draft and Final EIRs):

> "The Final EIR shall consist of:
>
> (a) The Draft EIR or a revision of that draft.
>
> (b) Comments and recommendations received on the Draft EIR either verbatim or in a summary.
>
> (c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
>
> (d) The response of the Lead Agency to significant environmental points raised in review and consultation process.

(e) Any other information added by the Lead Agency."

This Final EIR incorporates comments from public agencies and the general public and contains the Lead Agency's responses to those comments.

B. ENVIRONMENTAL REVIEW PROCESS

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft EIR.

The City of Oakland circulated a Notice of Preparation (NOP), which stated that the Draft EIR will address the potential environmental effects only for Land Use & Planning, Air Quality, Cultural Resources, Greenhouse Gas Emissions, Noise, and Transportation. The NOP was published on April 17, 2015, and the public comment period for the scope of the EIR lasted from April 17, 2015, to May 18, 2015. The NOP was sent to property owners within 300 feet of the project site as well as to responsible and trustee agencies, organizations, and interested individuals. Additionally, the NOP was sent to the State Clearinghouse. Scoping sessions were held for the project on May 6, 2015, and May 11, 2015, before the Planning Commission and Landmarks Preservation Advisory Board, respectively. Written comments received by the City on the NOP and verbal comments received at the public scoping meetings were taken into account during the preparation of the Draft EIR.

The Draft EIR was made available for public review on August 11, 2015, and distributed to applicable local and State agencies. Copies of the Notice of Availability (NOA) of the Draft EIR were mailed to all individuals previously requesting to be notified of the EIR, in addition to those agencies and individuals who received a copy of the NOP.

The CEQA-mandated 45-day public comment period for the Draft EIR ended on September 25, 2015. Public hearings were held before the City of Oakland Landmarks Preservation Advisory Board and Planning Commission on September 14, 2015, and September 16, 2015, respectively. Copies of all written comments received during the comment period and comments made at the public hearings before the Planning Commission and Landmarks Preservation Advisory Board are included in Appendix A of this document.

C. CONSIDERATION OF THE FINAL EIR

If significant new information is added to an EIR after notice of public review has been given, but before final certification of the EIR, the lead agency must issue a new notice

and recirculate the EIR for further comments and consultation.[1] Recirculation is not required where the new information added to an EIR merely clarifies or amplifies or makes insignificant modification in an adequate EIR.[2]The City has determined that none of the additions, corrections or clarifications to the Draft EIR identified in this document constitute significant new information pursuant to Section 15088.5 of the CEQA Guidelines. As a result, recirculation of the Draft EIR is not required.

Specifically, the new information, corrections or clarifications presented in this document do not disclose that:

- A new significant environmental impact would result from the project or from a new mitigation measure (or standard condition) proposed to be implemented;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures (or standard conditions) are adopted that reduce the impact to a level of insignificance;
- A feasible project alternative or mitigation measure (or standard condition) considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; or
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

New information added to the EIR includes updated traffic counts, which demonstrates that the intersection of Jackson Street and 6th Street would operate at level of service F under 2035 conditions regardless of the project, as described on pages 10 through 16, 161 and 204 of this document. This updated analysis demonstrates that project's contribution to this significant cumulative impact would be reduced to a less than significant level with implementation of new mitigation measure TRANS-1. Thus, with respect to traffic operations at the Jackson St./6th Street intersection, new information added to the EIR describes a substantial increase in the severity of an environmental impact than was described in the Draft EIR. Per CEQA Guidelines § 150885.5(a), this new information does not trigger recirculation because mitigation measures will be adopted that reduce the impact to a level of insignificance. While the additions to the EIR described above provide valuable information by which to evaluate the environmental impacts of the project, and include clarification and insignificant modifications to the EIR, they do not trigger recirculation under the standard articulated in the Guidelines or in *Laurel Heights.*

[1] *CEQA Guidelines* §15088.5; *Laurel Heights Improvement Ass'n v. Regents of the Univ. of Cal.*, 6 Cal. 1112 [1993]).

[2] Ibid.

Information presented in the Draft EIR and this document support the City's determination that recirculation of the Draft EIR is not required.

D. DOCUMENT ORGANIZATION

This RTC Document consists of the following chapters:

- *Chapter I: Introduction.* This chapter discusses the purpose and organization of this RTC Document and the Final EIR, and summarizes the environmental review process for the project.
- *Chapter II: List of Commenting Agencies, Organizations, and Individuals.* This chapter contains a list of agencies, organizations, and persons who submitted written comments on the Draft EIR during the public review period or verbal comments at the Landmarks Preservation Advisory Board and/or Planning Commission hearing.
- *Chapter III: Comments and Responses.* This chapter contains a written response for each written CEQA-related comment received during the public review period and for verbal comments received during the public hearing is provided. Each comment and response is presented in a matrix and each response is keyed to the associated comment. The written comments received via US mail, hand delivery, and electronically during the public review period on the Draft EIR are provided in their entirety in Appendix A.
- *Chapter IV: Text Revisions.* Corrections to the Draft EIR necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft EIR, are contained in this chapter. Text with <u>double underline</u> represents language that has been added to the Draft EIR; text with ~~strikeout~~ has been deleted from the Draft EIR.

II. LIST OF COMMENTING AGENCIES, ORGANIZATIONS, AND INDIVIDUALS

This chapter presents a list of written and verbal comments received during the public review period and describes the organization of the letters, emails and public hearing comments that are included in Chapter III, Comments and Responses, of this document.

A. ORGANIZATION OF COMMENT LETTERS AND RESPONSES

Appendix A includes a reproduction of each letter received on the Draft EIR and a summary of comments made at the public hearings before the Landmark Preservation Advisory Board and Planning Commission. The comments are grouped by the affiliation of the commenter, as follows: State, local and regional agencies (A); groups and organizations (B); individuals (C); and the public hearing (D).

The comment letters are numbered consecutively following the A, B, and C designations. The letters are annotated in the margin according to the following code:

- State, Local and Regional Agencies: A#-#
- Groups and Organizations: B#-#
- Individuals: C#-#
- Public Hearing: D#-#

The letters are numbered and comments within that letter are numbered consecutively after the hyphen.

Chapter III contains a written response for each comment. Each comment and response is presented in a matrix and each response is keyed to the associated comment.

B. LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

Each written comment submitted to the City during the public review period is listed in Table II-1. The comments are listed in order by the date of the correspondence.

TABLE II-I LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

Reference Number	Commenter	Date
State, Local, and Regional Agencies		
A1	Department of Transportation (CalTrans)	September 24, 2015
Groups and Organizations		
B1	Jack London Improvement District	September 10, 2015
B2	South of Nimitz Improvement Council (SoNIC)	September 13, 2015
B3	Oakland Heritage Alliance	September 13,2015
B4	South of Nimitz Improvement Council (SoNIC)	September 22, 2015
B5	Brickhouse Lofts Home Owners Association	September 23, 2015
B6	Adams Broadwell Joseph & Cardozo LLP, for *Oakland Residents for Responsible Development*	September 25, 2015
B7	Oakland Heritage Alliance	September 25, 2015
Individuals		
C1	Jim Ryugo	September 12, 2015
September 14, 2015 Landmarks Preservation Board Public Comments		
Landmarks Preservation Board Member Comments		
D1	Eleanor Casson	September 14, 2015
D2	Frank Flores	September 14, 2015
D3	Peter Birkholz	September 14, 2015
D4	Christopher Andrews	September 14, 2015
D5	Stafford Buckley	September 14, 2015
Public Attendee Verbal Comments		
D6	Naomi Schiff	September 14, 2015
D7	Savlan Hauser	September 14, 2015
D8	Gary Knecht	September 14, 2015
September 16, 2015 Planning Commission Public Comments		
Planning Commissioner Comments		
D9	Commissioner Nagraj	September 16, 2015
D10	Commissioner Patillo	September 16, 2015

TABLE II-I LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

Reference Number	Commenter	Date
D11	Commissioner Weinstein	September 16, 2015
D12	Commissioner Myres	September 16, 2015
D13	Commissioner Bonilla	September 16, 2015
D14	Commissioner Moore	September 16, 2015
Public Hearing Verbal Comments		
D15	Lionel Williams	September 16, 2015
D16	Judith Ganz	September 16, 2015
D17	Gavin Gavan	September 16, 2015
D18	Savlan Hauser	September 16, 2015
D19	Gary Knecht	September 16, 2015
D20	Naomi Schiff	September 16, 2015

Source: Urban Planning Partners, 2015; City of Oakland Planning and Zoning Division, 2015.

III. COMMENTS AND RESPONSES

This chapter provides written responses to comments received by hand-delivered mail or electronic mail during the public review period on the Draft EIR. This chapter also includes responses to comments made at the public hearings on the Draft EIR before the City of Oakland Landmarks Preservation Advisory Board and Planning Commission on September 14, 2015, and September 16, 2015, respectively. Written comments received via US mail, hand delivery, and electronically during the public review period on the Draft EIR are provided in their entirety in Appendix A.

The comments are grouped by affiliation of the commenting entity as follows: State, local, and regional agencies (A); groups and organizations (B); individuals (C); and public hearing comments (D). Each of the comments is also excerpted and included in the comments and response matrix provided in Table III-1. A summary of the comments made at the public hearings on the Draft EIR is also provided with associated responses.

Responses specifically focus on comments that pertain to the adequacy of the analysis in the Draft EIR or other aspects pertinent to the environmental analysis of the proposed project pursuant to CEQA. Comments that address topics beyond the purview of the Draft EIR or CEQA are noted as such for the public record. Where comments and/or responses have warranted changes to the text of the Draft EIR, these changes appear as part of the specific response and are repeated in Chapter IV, Text Revisions, where they are listed generally in order of where the original text appeared in the Draft EIR document.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
State, Local, and Regional Agencies		
A1 Caltrans		
A1-1	Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. Our comments seek to promote the State's smart mobility goals that support a vibrant economy and build active communities rather than sprawl. We have reviewed the Draft Environmental Impact Report (DEIR) and have the following comments to offer. ***Project Understanding*** The proposed infill project would demolish the site's existing building and adjacent surface parking lot and construct two buildings of approximately 330 apartment units and 3,000 square feet of ground-floor commercial, and 365 parking spaces. The project is located within approximately one-half mile of the Lake Merritt BART and Amtrak stations. The northernmost portion of the project site (Block A) is located along 5th Street. Interstate 880 (I-880) is located immediately north and adjacent to 5th Street. Ramps at Oak Street and Jackson Street provide the regional access to the project site. ***Mitigation Responsibility*** As the lead agency, the City of Oakland (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.	The comment related to fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring for mitigation measures is noted. It is the City's standard practice to address each of these items in the Project Standard Conditions of Approval and Mitigation Monitoring and Reporting Program which is adopted as part of the EIR certification and project approval process. The remaining introductory comments do not specifically address the adequacy of the EIR; no further response is necessary.
A1-2	***Transportation Analysis*** Please clarify the Jackson Street/5th Street and Jackson Street/6th Street intersections' level of service (LOS) calculations between what is stated in Appendix D, Table 1, Intersection LOS Comparison, and Appendix C, Traffic and Transportation LOS Calculations. The 2035 + P PM results at the Jackson Street/5th Street and Jackson Street/6th Street intersections shows LOS C, but the calculations in Appendix C show LOS D for these same intersections.	Since publication of the Draft EIR, an updated traffic analysis using 2015 counts was completed and is provided in Appendix D Revised; the updated traffic counts are provided in Appendix C Revised (see Chapter IV of this RTC Document); Draft EIR Chapter IV.C Traffic and Transportation, is updated in its entirety in Chapter IV, Text Revisions, of this RTC document. Given that the revisions occur throughout the entire section, each of the individual revisions is not shown here. The complete revised section is provided in Chapter IV of this RTC for ease of seeing the revisions in the context of the complete section. Key excerpts of the text revisions are provided to updated information specific to the comment.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		Page 97 of the Draft EIR, the section beginning with b. Analysis Scenarios, is revised: **b. Analysis Scenarios** The operations of the study intersections were evaluated for the peak hour during the morning and evening commute periods (7:00 to 9:00 AM and 4:00 to 6:00 PM) for the following scenarios: ▪ **Existing Conditions** – Existing traffic volumes ~~obtained from vehicle turning movement counts collected in 2013~~ and ~~existing roadway/~~intersection configurations ~~as presented in the *Jack London Square Redevelopment Project Addendum to the 2004 EIR* published in May 2014 (This document is referred to as the JLS Addendum in this report).~~ collected in April 2015. ▪ **Existing Plus Project Conditions** – Existing traffic volumes plus new traffic generated by the project. ▪ **2035 No Project Conditions** – Projected conditions in 2035 including traffic estimates for approved and probable future development projects based on the 2035 Plus Project Conditions growth presented in the *Jack London Square Redevelopment Project Addendum to the 2004 EIR* published in May 2014 (This document is referred to as the JLS Addendum in this report). ▪ **2035 Plus Project Conditions** – 2035 No Project Conditions plus new traffic generated by the project. **Page 107, Traffic Volumes subsection, is revised:** **Traffic Volumes** Intersection turning movement counts were ~~obtained from the *JLS Addendum*. Counts from this study were conducted~~collected in April 2015 during the morning and evening peak periods (7:00 to 9:00 AM and 4:00 to 6:00 PM~~) in January and February, 2013.~~). The counts were conducted on non-holiday weekdays, when local area schools were in normal session. Intersection lane configurations and traffic control devices (traffic signals or stop signs) were observed during field visits. Figure IV.C-5 shows the existing AM and PM peak-hour traffic volumes, lane geometries, and intersection controls for the study intersections. Appendix C Revised presents the detailed counts for the study intersections.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		Page 108, Intersection Operations subsection, is revised: **Intersection Operations** Table IV.C-3 summarizes the intersection LOS under Existing Conditions. As shown, three of the ~~four~~ study intersections currently operate at LOS B or better. The Jackson Street/6th Street intersection operates at LOS E during the AM peak hour and LOS D during the PM peak hour. The LOS calculations are included in Appendix C Revised. **Page 130, subsection (1) Existing Plus Project Conditions, paragraph 3, is revised:** The intersection LOS results presented in Table IV.C-6 show that with the project (Existing Plus Project Conditions), ~~all~~three of the four study intersections would continue to operate at LOS B or better during both AM and PM peak hours. The Jackson Street/6th Street intersection would operate at LOS E during both AM and PM Peak hours. All four study intersections are located within Downtown Oakland, where the LOS standard for intersection operations is LOS F. Therefore, the proposed project would not cause a significant impact at the study intersections under Existing Plus Project Conditions, and no mitigation measures are required. **Page 130, 2035 Traffic Volume Forecasts, is revised:** **2035 Traffic Volume Forecasts** ~~Cumulative volumes were obtained from the *JLS Addendum*, which used the Alameda County Transportation Commission (ACTC) Travel Demand Model (version released in June 2011 and based on Association of Bay Area Government [ABAG] *Projections 2009*) to estimate 2035 volumes. Since the JLS Addendum forecasts did not account for the proposed project, the 2025 No Project analysis for the Cost Plus Site project uses the JLS Addendum 2035 Plus Project forecasts. Figure IV.C-10 shows the 2035 No Project traffic volumes. Figure IV.C-11 shows the traffic volumes under 2035 Plus Project Conditions, which consists of 2035 No Project traffic volumes (shown on Figure IV.C.10) plus net new volumes generated by the proposed project.~~ The 2035 cumulative volumes were derived from the 2015 traffic counts and the *JLS Addendum*, which used the Alameda County Transportation Commission (ACTC) Travel Demand Model (version released in June 2011 and based on Association of Bay Area Government [ABAG] *Projections 2009)* to estimate 2035 volumes. The JLS Addendum 2035 Plus Project forecasts were

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response

utilized as the base for deriving the 4th and Madison Project 2035 No Project conditions, but adjusted to reflect the more recent 2015 volumes which show that traffic patterns in the area have changed. To adjust for this change in existing conditions, the difference in traffic volumes between the *JLS Existing (2013)* conditions and the JLS *2035 Plus Project* conditions were added to the *Existing (2015)* volumes. The resulting *2035 No Project* traffic volumes utilized for this traffic analysis are shown on Figure IV.C-10. Figure IV.C-11 shows the traffic volumes under *2035 Plus Project Conditions*, which consists of *2035 No Project* traffic volumes (shown on Figure IV.C.10) plus net new volumes generated by the proposed 4th and Madison project.

Page 132, Table IV.C-6 is revised:

TABLE IV.C-6 EXISTING PLUS PROJECT INTERSECTION LOS RESULTS

	Existing				Existing Plus Project			
	AM		PM		AM		PM	
Intersection	Delay[a]	LOS	Delay[a]	LOS	Delay[a]	LOS	Delay[a]	LOS
Jackson Street/5th Street	~~11.2~~ 12.0	B	~~15.6~~ 18.2	B	~~11.3~~ 12.1	B	~~15.7~~ 18.4	B
Jackson Street/6th Street	~~25.7~~ 58.9	~~C~~E	~~12.2~~ 52.0	~~B~~D	~~30.8~~ 66.4	~~C~~E	~~12.7~~ 56.1	~~B~~E
Oak Street/5th Street	~~8.8~~ 9.1	A	~~9.7~~ 10.3	~~A~~B	~~8.~~ 9.2	A	~~9.7~~ 10.4	~~A~~B
Oak Street/6th Street	~~8.9~~ 10.2	~~A~~B	~~8.8~~ 11.0	~~A~~B	~~9.0~~ 10.2	~~A~~B	~~8.8~~ 11.0	~~A~~B

[a]For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle.
Source: Fehr & Peers, 2015.

Beginning page 132, the Intersection Operations subsection is revised as shown below to provide and describe the updated LOS Calculations for the 2035 + Project:

Intersection Operations

The intersection LOS analysis results under 2035 No Project and 2035 Plus Project Conditions are presented in Table IV.C-7. As shown, ~~all~~ three of the four study intersections would continue to operate at LOS D or better.[7] ~~Therefore, the proposed project~~The Jackson Street/6th Street intersection would ~~not cause a significant impact~~operate at ~~the study intersections~~LOS F ~~conditions~~ during AM and PM peak hours under 2035 ~~Plus Project Conditions, and no mitigation measures are required~~conditions regardless of the project.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		Impact TRANS-1: Traffic generated by the proposed project would increase the total intersection v/c ratio by 0.03 or more and increase the critical movement v/c ratio by 0.05 or more (Significant Threshold #5) at the Jackson Street/6th Street intersection, which would operate at LOS F regardless of the proposed project under 2035 ~~No Project and Plus Project~~ conditions. (S) Mitigation Measure TRANS-1: Implement the following measures at the Jackson Street/6th Street intersection: a) Provide a protected left-turn phase for the northbound approach at the intersection. b) Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the project applicant shall submit the following to the City of Oakland's Transportation Services Division for review and approval: ▪ Plans, Specifications, and Estimates (PS&E) to modify intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below: o 2070L Type Controller with cabinet assembly o GPS communications (clock) o Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) o Countdown pedestrian head module switch out o City standard ADA wheelchair ramps o Video detection on existing (or new, if required) o Mast arm poles, full actuation (where applicable) o Polara push buttons (full actuation) o Bicycle detection (full actuation) o Pull boxes o Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable)- 600 feet

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response

maximum
- Conduit replacement contingency
- Fiber Switch
- PTZ Camera (where applicable)
- Transit Signal Priority (TSP) equipment consistent with other signals along corridor.

▪ Signal timing plans for the signals in the coordination group. (LTS)

After implementation of this measure, the intersection would continue to operate at LOS F during both AM and PM peak hours. However, the mitigation measures would reduce the v/c ratio for the intersection and the critical movements to less than significant levels.

TABLE IV.C-7 CUMULATIVE AND CUMULATIVE PLUS PROJECT INTERSECTION LOS RESULTS

Intersection	Peak Hour	2035 No Project Delay[a]	2035 No Project LOS	2035 Plus Project Delay[a]	2035 Plus Project LOS	Significant Impact?	2035 Plus Project Mitigated Delay[a]	2035 Plus Project Mitigated LOS	Significance after Mitigation?
Jackson Street/5th Street	AM	13.6	B	13.6	B	No			
	PM	31.3	C	33.1	C	No			
Jackson Street/6th Street	AM	111.3 (v/c=1.48)	F	>120 (v/c=1.54)	F	Yes [b]	>120 (v/c=1.37)	F	Less than significant
	PM	120.0 (v/c=2.33)	F	>120 (v/c=2.41)	F	Yes [b]	>120 (v/c=1.46)	F	Less than significant
Oak Street/5th Street	AM	12.2	B	12.4	B	No			
	PM	72.4	F	74.4	F	No			
Oak Street/6th Street	AM	10.6	B	10.8	B	No			
	PM	12.7	B	12.7	B	No			

[a]For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle. For intersections operating at LOS F, both delay and volume-to-capacity (v/c) ratio are shown.
[b]The impact is significant because the project would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more (Significant Threshold #5) at an intersection that would operate at LOS F regardless of the project.
Source: Fehr & Peers, 2015.

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[7] These intersection results differ from those presented in the JLS Addendum and Lake Merritt Station Area Plan EIR (LMSP). This discrepancy is ~~explained in~~ primarily due to the ~~transportation memo presented as Appendix D to this EIR~~different existing volumes collected and used for each document primarily due to the transportation memo presented as Appendix D to this EIR different existing volumes collected and used for each document.

Given the updated traffic analysis, the difference between the conditions described in the Jack London Square Redevelopment Project Addendum to the 2004 EIR (JLS Addendum), and the Lake Merritt Station Area Plan Draft EIR (LMSP Draft EIR) is not as pertinent; however clarification is provided below.

Appendix C and Appendix D of the Draft EIR contain LOS calculations from different sources. Table 1 in Appendix D summarizes analysis results published

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		in previous environmental documents – i.e., the JLS Addendum, and the LMSP Draft EIR. Appendix C presents LOS calculations for the intersection analysis conducted for the 4th & Madison Draft EIR. Although the published Draft EIR used the traffic volumes collected for the JLS Addendum, which were the most recent available data at the time the analysis was completed, the Draft EIR presented different results due to changes in analysis assumptions, which are summarized in Appendix D. The Draft EIR analysis modified the JLS assumptions to be consistent with the City's Transportation Impact Study Guidelines (November 2013).
A1-3	Please explain the different **existing PM conditions at the Oak Street/5th Street intersection** between the Lake Merritt Station Area Plan EIR (LMSP) and the Jack London Square Redevelopment Project Addendum to the 2004 EIR (JLS) found in Appendix D, Table 1. The LMSP shows LOS D and the JLS Addendum shows LOS A, yet the volumes are approximately two percent different, as shown in Appendix D, Table 2. Please provide any field data to further support these assumptions.	See response to comment A1-2 regarding updated traffic analysis using 2015 counts. Given the updated traffic analysis, the difference between the conditions described in the LMSP EIR and the JLS Addendum is not as pertinent; however clarification is provided below. In addition, note that based on the recent 2015 data, the Oak Street/5th Street intersection currently operates at LOS B (intersection average delay = 10.3 seconds) during the PM peak hour. As described in Appendix D of the Draft EIR, the LMSP EIR reported a worse LOS than the JLS Addendum at the Oak Street/5th Street intersection during the PM peak hour under Existing Conditions due to the following: ▪ LMSP Draft EIR used a peak hour factor ranging between 0.81 and 0.93 for each turning movement, compared to 1.0 used in the JLS Addendum (City of Oakland's Transportation Impact Study Guidelines [April 2013] recommend using a peak hour factor of 1.0 for the entire intersection) ▪ The JLS Addendum assumed three eastbound lanes: one shared through/right-turn lane, one through lane, and one through/left-turn lane. The LMSP Draft EIR assumed three eastbound lanes as well, but a right-turn only lane instead of a shared through/right-turn lane. The JLS Addendum assumes two northbound lanes: one through lane and one shared through/right-turn lane. The LMSP Draft EIR assumes one northbound shared lane. The configuration used in the JLS Addendum reflects the current configuration at the intersection. The LMSP Draft EIR accounted for pedestrian volumes, while the JLS Addendum did not.
A1-4	Please explain the dissimilar 2035 + P AM and PM intersection LOS comparisons between the LMSP EIR and JLS Addendum, found in Appendix D, Table 1. The LMSP EIR shows intersection LOS comparisons between E and F, and the JLS Addendum shows intersection LOS comparisons between A and C. As mentioned in the Appendix Memo, the LMSP generally used higher cumulative 2035 traffic volumes.	See response to comment A1-2 regarding updated traffic analysis using 2015 counts. Given the updated traffic analysis, the difference between the conditions described in the LMSP EIR and the JLS Addendum is not as pertinent; however clarification is provided below. As described in Appendix D, The LMSP Draft EIR reported higher delay and worse LOS at the study intersections under 2035 Plus Project conditions due to

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		following: ▪ The LMSP Draft EIR generally uses higher intersection volume forecasts. ▪ The LMSP Draft EIR used specific peak hour factors for each turning movement, while the JLS Addendum used a global peak hour factor of 1.0. ▪ The LMSP Draft EIR accounts for pedestrian volumes, while the JLS Addendum does not. THE LMSP Draft EIR uses different lane configurations than the JLS Addendum.
A1-5	The two EIRS also use different peak hour factors (PHF). The LMSP ranges between 0.80 and 0.95 and the JLS Addendum uses a global PHF of 1.0. The Memo mentions that the difference has a substantial effect on LOS. Please clarify if the PHF of 0.80 to 0.95 lowers the LMSP volumes to make them closer to the volumes of the JLS Addendum.	The lower peak hour factors used in the LMSP Draft EIR, which range between 0.80 and 0.95 and are inconsistent with the City's *Transportation Impact Study Guidelines* (November 2013), result in 5 to 20 percent higher volumes, and contribute to a greater delay and worse LOS than using a peak hour factor of 1.0. An updated analysis using 2015 counts is provided in Appendix C; Chapter IV.C, Traffic and Transportation, is updated in Chapter IV, Text Revisions of this RTC document. Consistent with the City of Oakland's *Transportation Impact Study Guidelines* (November 2013), the updated analysis uses a peak hour factor of 1.0 for the entire intersection.
A1-6	***Interstate 880 - Caltrans Project Coordination*** Please be aware of ongoing projects within the Caltrans State Highway Operation and Protection Program and State Transportation Improvement Program for Alameda County. Projects within vicinity of this project include the I-880/5th Avenue Bridge Replacement Project and the I-880 Broadway/Jackson Interchange Improvement Project. We advise you to coordinate with Caltrans to address possible overlapping of construction and potential traffic impacts. For further assistance regarding Caltrans I-880 Projects, please contact Cristina Ferraz, Caltrans District Division Chief - East Region, at (510) 286-3890.	Thank you for the offer of assistance. The City of Oakland and the project applicant will coordinate with Caltrans on potential traffic issues during construction and potential overlaps with other on-going construction projects if necessary. Construction of the proposed project and Mitigation Measure TRANS-1 would not be in Caltrans right-of-way and are expected to have minimal effect on Caltrans facilities. Moreover, the project is required to comply with SCA TRA-2, which requires preparation and implementation of a project-specific construction management plan that contains measures to reduce construction-related traffic conflicts to the maximum extent feasible. Construction of the I-880/5th Avenue Bridge Replacement Project is complete and thus would not be a source of any potential traffic impacts due to overlapping construction. The I-880 Broadway/Jackson Interchange Improvement Project is currently in the planning stages and the final improvements have not been determined; therefore, it is not known at this time if the proposed development would have any effects on the project.
A1-7	***Transportation Impact Fees*** Please identify any transportation impact fees to be used for project mitigation. Mitigation may include fair share contributions to the regional fee program as applicable and should support the use of transit and active transportation modes. The Alameda County Transportation Commission *201 4 Transportation*	No transportation impact fees are proposed as mitigation for this project; the project would fully implement the identified Mitigation Measure TRANS-1. Currently, there are no City or regional traffic impact fee programs that are applicable to the proposed project. Also, note that Standard Conditions of Approval TRA-1 requires the proposed project to implement a TDM Plan that would encourage residents to use transit and other non-automobile modes, which

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	Expenditure Plan has listed investments including the I-880 Broadway-Jackson Interchange Improvements Project currently under review. In addition, funds are included for I-880 Broadway-Jackson multimodal transportation and circulation improvements at Jack London Square. These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity.	would reduce future congestion.
A1-8	***Vehicle Trip Reduction*** Caltrans encourages the City to locate future housing, jobs and employee-related services near major mass transit centers with connecting streets configured to facilitate walking and biking. We commend the City's Standard Conditions of Approval for the Project, TRA-1: Parking and Transportation Demand Management (TDM), which incorporates a number of strategies that will promote mass transit use thereby reducing regional vehicle miles traveled and traffic impacts. We concur with the future TDM Plan's ongoing monitoring and enforcement program to ensure the Plan is implemented. As suggested, we encourage an annual compliance report be required to demonstrate their effectiveness. This smart growth approach is consistent with MTC's Regional Transportation Plan/Sustainable Community Strategy goals of both increasing non-auto mode transportation, and reducing per capita VMT by 10 percent each.	The proposed project includes implementation of the City of Oakland's Standard Conditions of Approval TRA-1, commended by Caltrans in this comment. Otherwise, this comment does not specifically address the adequacy of the EIR; no further response is necessary. In regards to annual compliance, the City's SCA requires the Plan to include an ongoing monitoring and enforcement program to ensure the TDM Plan is implemented on an ongoing basis prior to and during project operation. Moreover, please note that the project is located within a quarter mile of the Lake Merritt BART station, a major mass transit center, and it is located in a Priority Development Area designated by Plan Bay Area, the region's SB 375 sustainable communities strategy.
A1-9	***Transportation Management Plan*** Where traffic restrictions and detours affect State highways, a Transportation Management Plan (TMP) or construction Traffic Impact Study may be required of the City for approval by Caltrans prior to construction. Please ensure that such plans are also prepared in accordance with the TMP requirements of the corresponding jurisdictions. For further TMP assistance, please contact the Office of Traffic Management Plans/Operations Strategies at 510-286-4579. TMPs must be prepared in accordance with California *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address: http://www/dot.ca.gov/hq/traffops/engineering/muted/pdf/camuted2014/Part6.pdf	Standard Conditions of Approval TRA-2 requires the preparation of a Construction Management Plan (CMP) that includes a set of comprehensive traffic control measures to reduce construction-related traffic to the maximum extent feasible prior to the start of project construction. The City of Oakland and/or project applicant's contractor would coordinate with Caltrans if project construction would affect Caltrans right-of-way and/or operations on Caltrans facilities.
B1-1	We recognize that the entitlement process is an opportunity to shape the project and its conditions of approval so that they contribute to the quality, awareness, and enjoyment of the historic	These introductory comments do not specifically address the adequacy of the EIR. It is noted that the City has not yet prepared draft conditions of approval. Such conditions will be prepared as part of the Staff Report just prior to the Planning

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	district that is impacted. We are concerned that the draft conditions of approval do not correlate to the potential impact of the proposed project on the Waterfront Warehouse District, listed on the National Register of Historic Places in 2000, and to which the S&W Fine Foods Building is a contributing structure.	Commission Hearing that will be scheduled to consider approval of the project. See responses to comments B1-2 to B1-6, below for responses to specific concerns raised about the mitigation measures recommended in the Draft EIR and how the mitigation measures correlate to the associated historic impacts.
B1-2	The proposed mitigation HIST-1d, contribution to the citywide Façade Improvement Program, is of greatest concern. It offers nothing to mitigate the impact on the Waterfront Warehouse District yet is the most extreme mitigation imposed on the applicant.	Mitigation Measure HIST-1d is revised to specify that the funds should be reserved for buildings within the Waterfront Warehouse District. The use of *Façade Improvement Program* funds for use in the District is appropriate given the location of 180 4th Street within the District. By directing that the funds be used in the Waterfront Warehouse District, the mitigation will have a direct effect on the remaining historic resources in the District as well as the District itself. The mitigation measure is revised below to reflect this and provide more specificity regarding the process for use of the funds. **Page 88, Mitigation Measure HIST-1d, is revised:** HIST-1d: Contribution to *Façade Improvement Program.* Project applicant shall contribute to the City of Oakland's Facade Improvement Program. In accordance with the City's Façade Improvement Program, t~~T~~he amount of the contribution required to be paid by the project applicant under this mitigation measures shall be ~~based on the following~~: ▪ $10,000 for the first 25 feet of two facades of a building and $2,500 per each 10 additional linear feet of those two same facades beyond 25 feet. ▪ There shall be a 20 percent increase for the buildings designated as Historic Resources under CEQA. ▪ Multiply the total by two times for being located within a~~n~~ API National Register District. For purposes of this mitigation, the two facades are along 4th Street and Jackson Street at 300 feet and 200 feet, respectively. The following calculation results in a total contribution of $318,000: 4th Street: $10,000 + $2,500 x 275/10 feet = $78,750 Jackson Street: $10,000 + $2,500 x 175/10 feet = $53,750 $78,750 + $53,750 = $132,500 Increase by 20%: $159,000 Increase by 2x: $318,000 The Façade Improvement Program contribution required hereunder shall be payable upon issuance of the first Certificate of Occupancy to the project and designated for the repair or improvement of facades within the historic WWD

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		for a 2-year period. After that time all remaining funds shall be eligible for citywide Façade Improvement Program expenditures. Notwithstanding the foregoing, if prior to the issuance of the first Certificate of Occupancy for the project, the JLID updates its existing historic signage program ("Program") to enhance, promote, and preserve the integrity of the WWD (e.g., interpretive signage programs, trash receptacle maintenance programs, walking tour programs, and graffiti removal programs) and all plans for the Program are approved by City staff, the project sponsor may contribute up to $100,000 under this mitigation measure towards the Program. City staff's review and approval will be based on the Program's ability to enhance, promote and preserve the integrity of the WWD. The Façade Improvement Program contribution required hereunder shall be reduced in an amount equal to the project applicant's payment to JLID provided that proof of such payment is verified by City staff and shall be subject to further adjustment in accordance with HIST-1e. The above noted payment to JLID shall be in addition to the contribution to the historic signage currently mounted on a trash receptacle within the historic district, as listed in HIST-1c. **Page 87, Mitigation Measure HIST-1b, is revised:** HIST-1b: *Commemoration and Public Interpretation.* The project applicant shall prepare a permanent exhibit/display, with the help of an experienced professional, of the history of the property including, but not limited to, historic and current condition photographs, interpretive text, drawings, video, or interactive media. The exhibit/display shall be placed in a suitable, publicly accessible location on the site~~, or in the lobby~~ of the ~~residential tower~~ project facing toward the interior of the WWD either on 4th Street or on Jackson Street. The visual display should focus on the District and the S & W Company. It should contain a minimum of interpretative text and provide more visual-based interpretation with depictions that may include, but are not limited to: images of S & W Company operations within the Historic District at 200 4th Street or other locations; historic images of street scenes within the Historic District in and around the project site; images or reproductions of the S & W Fine Foods can labels and crate labels to provide context of the project site in terms of S & W Fine Food's operations during 1914-1954 and its role as part of the larger Historic District of which it is part, The applicant is encouraged to contact the public relations department of Del Monte Foods, Inc., the present owner of the S & W brand, for assistance in obtaining archival materials that may assist in

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		development of the visual display required by this mitigation measure. The visual display required by this mitigation measure shall refer the public to a 5- to 10-minute (minimum) podcast or similar audio presentation prepared at the project sponsor's expense that shall be made available on the internet at no cost to the public. Content of the required podcast or audio presentation shall be prepared by a qualified architectural historian meeting the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards, and shall combine discussion regarding the S & W building (i.e., the existing building at 180 4th Street) and its context within the greater Historic District to form the basis of a comprehensive self-guided walking tour of the District. This exhibit/display required by this mitigation measure shall be in addition to the existing historic signage #6, S & W Fine Foods currently mounted on a trash receptacle within the historic district (see Mitigation Measure HIST-1c). Moreover, Mitigation Measure HIST-1c would provide funding to repair and replace interpretive historic signage throughout the district. This measure has also been revised to more than double the amount of required funding, and now provides more flexibility for the use of funds that exceed repair and replacement costs on projects that directly benefit the WWD's historic integrity. **Page 87, Mitigation Measure HIST-1c, is revised:** HIST-1c: *Historic District Signage Program*. The project applicant shall provide a financial contribution of $25,000 to ~~support~~ fund the repair and replacement of existing trash receptacles and historic signage that comprise the Jack London ~~District Association~~ Improvement District's sidewalk and trash receptacles and historic signage program ("Program"), payable to Jack London Improvement District (JLID) or another organization responsible for the Program upon issuance of the first Certificate of Occupancy.~~25~~ ~~25 Jack London District Association, 2015. http://www.jlda.org/search/label/trashcan, accessed April 2.~~ ~~26 Provided by the Jack London District Association. E-mail, 4th and Madison Project EIR, from Savlan Hauser, Jack London District Association to Hisashi Sugaya, Carey & Co., Inc., July 2, 2015. Attachment: Jack London Maintenance of Historical Warehouse District Markers.pdf.~~
B1-3	We insist that, as a matter of principle, any funds related to the demolition of this contributing structure be applied to use within	See response to comment B1-2.Mitigation Measure HIST-1d has been revised to mandate that all required funding be applied to use within the boundaries of the

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	the boundaries of the Waterfront Warehouse District.	Historic District.
B1-4	The first and second proposed mitigations; documentation (HIST-1a) and commemoration (HIST-1b) through display are related to the individual structure and commonly required for designated historic structures. Therefore in order to relate the mitigation to the impact on the District we suggest that the display be publicly accessible and as interactive as possible.	See response to comment B1-2. Mitigation Measure HIST-1b has been revised to require that the required exhibit/display be interactive, oriented toward the Historic District and publically accessible.
B1-5	In consideration of the third proposed mitigation, signage on trash receptacles (HIST-1c), it should be noted the Jack London Improvement District (JLID) rather than the Jack London District Association (JLDA) is responsible for maintenance and cleaning of all elements in the public right-of-way since the initiation of operations in 2014 and according to its management plan with the City of Oakland. The Jack London Improvement District provided the estimated maintenance cost of $10,780.88 to the Consultant.	The Jack London Improvement District (JLID) is acknowledged as the entity responsible for maintaining and cleaning all elements in the public right-of-way. Mitigation Measure HIST-1c has been updated to reflect this correction. See response to comment B1-2. The revisions reflect additional input from JLID based on a preliminary survey of and cost estimate to repair the damaged receptacles.
B1-6	This is a maintenance cost absorbed entirely by the Jack London Improvement District PBID, so any funds directed to this purpose should be provided to JLID rather than JLDA. Additional funds will be needed for repairs to many of the receptacles as well as replacement of two or three receptacles (and signage) that have been destroyed during the past fifteen years.	The funds will be directed to the administering organization, JLID. See response to comment B1-5 above which revises references to JLDA to JLID. Established as a Business Improvement District (BID) in 2013, the JLID has a formal relationship with the City of Oakland for maintenance of the trash receptacles with interpretive signage. The mitigation utilizes this relationship by providing funds that the JLID can use for repair and replacement of receptacles and signage and other projects. Mitigation Measure HIST-1c has been revised based on additional input from JLID to require additional funding for the repair and replacement of trash receptacles and historic signage or other appropriate community-determined district interpretive signage program. Please see response to comment B1-2. The trash receptacle program was originally created via funds paid by project applicants for development projects in the Jack London District, and the design and implementation of the program was driven by local residents and members of the Jack London neighborhood, namely, Gary Knecht and Peter Birkholtz. Per the JLDA's website: "…the developer (of the 428 Alice Street condominium project) Pulte Homes was required to pay $50,000 towards historic preservation of the district, and Signature Properties was also required to pay $25,000 for building at 288 Third St (an empty lot). This $75,000 supported three preservation projects: renovation of the trash cans in the district that display information about many of the historic buildings, placing of 13 street signs

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		designating the boundaries of the historic district, and development of a self-guided walking tour brochure. More information about the buildings in the district can be found in the walking tour brochure which can be obtained from World Grounds Cafe (at 3rd and Alice) or directly from JLDA (email info@jlda.org)..."[1] The program represents a successful and ongoing historical interpretation program for the Jack London District that has been well-received by the neighborhood and general public. The program is established and JLDA received a William Turnbull Jr. Environmental Education Grant Award in 2001 (prior to the JLID, the Jack London District Association managed the program) from the California Architectural Federation in recognition. Further, some public commenters discussed the success of and expressed regard for this program at various public meetings held for the proposed project. Other neighbors and businesses, as well as JLID, have expressed that these trash cans are frequent targets of vandalism and theft of metal parts to be sold for scrap, and are challenging to maintain and aesthetically out of date. For these reasons, this program, via its managing entity, JLID, is an appropriate recipient of the funds allocated by Mitigation Measure HIST-1c, which will be directed to the repair and replacement of trash receptacles and historic signage program that have been damaged over past years, or these funds shall, with the input and approval of area stakeholders, city-wide historic advocates, and the planning staff, be used for an alternative historic signage program that benefits the district and achieves the same goals and successful outcomes of the current trash can signage program.
B1-7	In addition, we are concerned that the Planning Commission will not have an opportunity to receive written comments from the Landmarks Preservation Advisory Board because the Planning Commission is scheduled to hold a public hearing on this item on September 16th, in just two days. We ask you to request that the Planning Commission continue its public hearing to its next meeting (Oct 7) in order to receive the LPAB's written comments.	The request to have the Planning Commission continue the public hearing to take comments on the Draft EIR from September 16th to October 7th, the next regular meeting of the Planning Commission, was discussed at the September 14th Landmarks Preservation Advisory Board (LPAB) meeting and the September 16th Planning Commission meetings. Neither the Board nor Commission felt it was necessary to continue the hearing given no action on the EIR or project was taken. The hearings were held only to take comments on the Draft EIR. Additionally, it is noted that although it is the City of Oakland's practice to hold public hearings on Draft EIRs, Section 15202 of the CEQA Guidelines, Public Hearings, state that CEQA "does not require formal hearings at any stage of the

[1] Jack London District Association, 2008. "Oakland Waterfront Warehouse District." http://www.jlda.org/2008/01/oakland-waterfront-warehouse-district_12.html. Accessed January 26, 2015.

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		environmental review process." The City of Oakland, in conducting two public hearings with separate commissions/boards on the Draft EIR, and in appointing a LPAB subcommittee, has demonstrated commitment to a robust public and City review process. To further address the design comments raised at the LPAB September 16th meeting, the LPAB appointed a design subcommittee to work with the applicant to better study the project's relationship to the WWD and enhance the design of Building A to better fit within the WWD. This action was shared with the Planning Commission. The subcommittee included board members Peter Birkholtz and Frank Flores. City staff, including architectural historian Betty Marvin, and case planner Peterson Vollmann, attended the subcommittee as well as the applicant and the applicant's architect. The LPAB subcommittee met on October 8th and on October 20th. The first meeting was a walking tour of the project site and District, followed by a review of exhibits prepared by the applicant's architect. In the second meeting, the LPAB subcommittee considered exhibits prepared by the architect based on direction provided by the LPAB subcommittee on the walking tour. On November 6th, the LPAB subcommittee approved a final preferred version of the architectural exhibits. Subcommittee members felt that the applicant had provided sufficient contextual documentation to address public and LPAB concerns, and that the final recommended version was appropriate to the district and a strong enhancement of the proposed design. The revised design will be provided to the Planning Commission when the Commission considers approval of the project.
B1-8	During the past few months, Jack London Improvement District has conducted outreach and hosted several community meetings with Jack London stakeholders and the Developer, Carmel Partners, to receive input and promote awareness of the development and its implications. The community has expressed that the development has potential for positive impact to the neighborhood by bringing activity, new residents, and additional amenities to an area that is accessible and appropriate for the proposed use. The community has also shown a great interest in the integrity of the historic Waterfront Warehouse District, and brought forth numerous creative ideas for mitigation of the project's potential impact have come forth, including: ▪ Enhancing gateways and public spaces of the historic Waterfront Warehouse District through improved signage, pedestrian amenities, installations, and streetscape	The ideas for improvements for to the WWD are noted and will be shared with the Planning Commission as part of the review of the project merits. Mitigation Measure HIST-1d has been modified to allow more flexibility in the types of improvements that mitigation dollars from this project could fund within the Historic District. See response to comment B1-2. The comment states that "The community has…brought forth numerous creative ideas for mitigation of the project's potential impact…" Each suggested in discussed below. Among these ideas are the following (note that the bullets have been numbered to more easily address each one): 1. *Enhancing gateways and public spaces of the historic Waterfront Warehouse District through improved signage, pedestrian amenities, installations, and streetscape improvements.*

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	improvements ▪ Replacing and repairing historical signage and trash receptacles to better interpret the Waterfront Warehouse District ▪ Installing historic streetlights to enhance nighttime views of buildings throughout the District while reducing vandalism and improving pedestrian safety at night ▪ Funding educational historical architecture and urban design walking tours of the District ▪ Producing creative exhibits about the District's history at a variety of locations around the district ▪ Removing graffiti that detracts from the historic character of buildings in the District Each of these measures (and others not yet imagined) would have a more direct correlation to the potential impact than the conditions proposed in the draft EIR, and would serve to enliven and improve the district.	Mitigation Measure HIST-1d has been modified to allow more flexibility of the type of improvements mitigation dollars from this project could fund within the Historic District. In addition, new Mitigation Measure HIST-1e has been added to the Historic Resources chapter which would, among other things, require the project sponsor to salvage two pilasters from the existing façade and incorporate them into the design of the ground-floor 5th Street façade of the Block A building proposed by the project. These pilasters, coupled with the interpretative waste receptacle near the corner of 5th and Jackson streets, would form a northeastern gateway into the Historic District along Jackson Street. **Page 88, Mitigation Measure HIST-1e, is added:** HIST-1e: *Salvaged Architectural Elements*: The project sponsor shall use commercially reasonable efforts to salvage at least two ribbed vertical pilasters from the façade of the existing Block A building and incorporate such pilasters into the design of the ground-floor 5th Street façade of the Block A building proposed by the project, subject to confirmation by the Planning & Building Department. Up to $100,000 of the $318,000 façade improvement fee required under Mitigation Measure HIST-1d may be used by the project sponsor to pay for such pilaster salvage and incorporation. In addition, the project sponsor shall salvage the segment of railroad spur track along the south facing, 4th Street façade of the existing Block A building for incorporation into the final project design by imbedding them in concrete, subject to confirmation by the Planning & Building Department. No portion of the façade improvement fee required under Mitigation Measure HIST-1d may be used to pay for such rail salvage or incorporation. 2. A second set of suggested mitigations included the *repair and replacement of the trash receptacles with the historical signage.* The EIR proposes mitigation (i.e., Mitigation Measure HIST-1c) that would require the project to fund the repair and replacement of the interpretative signage currently within the Historic District. See responses to comments B1-6. 3. The comment to *install historic streetlights* does not directly address the potential impact of the project's removal of a contributing building and could be detrimental to the historic character of the District. Historic photographs in possession of Carey & Co., the City's historic resources expert consultant for this project, do not show what could be characterized as "historic streetlights." Although a street-by-street survey to locate historic streetlights in the District was not conducted, a "walkthrough" using Google Street View did not reveal any streetlights that could have historic significance. The majority of

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		streetlights are modern "cobra" lights attached to modern power poles. The National Register of Historic Places Registration for the Waterfront Warehouse District does not identify street furniture as a resource type and therefore streetlights are not included as being important to the historic significance of the District. Therefore, the introduction of new streetlights into an Historic District with no record of historic streets has no precedent as a form of historic resource mitigation and would be inappropriate to the District because they would detract from the historic qualities of the contributing elements of the Historic District causing additional adverse impacts on the District. 4. Another comment suggested *funding walking tours of the District*. Mitigation Measure HIST-1d has been modified to allow more flexibility of the type of improvements mitigation dollars from this project could fund within the Historic District. See responses to comments B1-6. The contribution to the JLID could be used for this purpose. 5. The comment suggests *producing creative exhibits about the District's history at a variety of locations around the district*. The trash receptacles located is one type of creative exhibit that already exists throughout the District. Mitigation HIST-1c provides additional funds to support the Jack London District Association's sidewalk and trash receptacles and historic signage program, which could be used to enhance this existing program, or create a different interpretive exhibit. In addition, since publication of the Draft EIR for this project, Mitigation Measure HIST-1b has been supplemented to clarify that the required publicly accessible visual display/exhibit focus on content that provides historical context for the project site in terms of S&W Fine Food's operations during 1914-1954 and its role as part of the larger Historic District of which it is part. 6. The last suggestion is to *remove graffiti that detracts from the historic character of* buildings. Mitigation Measure HIST-1d has been modified to allow more flexibility of the type of improvements mitigation dollars from this project could fund within the Historic District. See response to comment B1-6.
B1-9	We ask that the EIR be revised to appropriately address the impact at hand, and function to enhance, promote, and preserve the integrity of the Waterfront Warehouse District.	See response to comment B1-8.
B2 SoNiC (September 13)		
B2-1	Pages 69 through 96 of the draft EIR contain various errors and omissions that we will cover in a separate letter. However, we	SoNiC submitted a second letter detailing these items. See responses to comments for letter B3.

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	believe the Landmarks Preservation Advisory Board should weigh in on several important issues.	
B2-2	**Mitigation Measures** Measures appropriate to mitigate *Significant* effects to a Historical Resource are listed in the draft EIR on pages 78 & 79. The list has nine measures that are taken from the City's Historic Preservation Element (Action 3.8.1). Three of them are relevant to this comment: ▪ No. 7 suggests documentation in a HABS survey report … or **other appropriate format**. ▪ No. 8 suggests providing on-site information on the historical significance of the resource. No. 9 suggests a contribution to a façade improvement program, …, or **other program appropriate to the character of the resource**.	These introductory comments are detailed below in subsequent comments. See responses to comments B2-4, B2-6, B2-7, and B2-8, below.
B2-3	The draft EIR proposes four "mitigation measures" (pp 87 – 88) for the demolition of the S&W Fine Foods headquarters. Our belief is that three of them need significant revisions.	This comment does not specifically address the adequacy of the EIR. See responses to comments B1-2 above and B2-4, B2-6, B2-7, and B2-8, below.
B2-4	HIST-1a: HABS documentation (per No. 7) is appropriate for individual landmarks but seems like overkill for a district contributor. The whole Waterfront Warehouse District is the historical resource that should be documented. Rather than a HABS survey report, we suggest another "appropriate format" be proposed and be focused on the WWD. Because it will be less expensive, leftover funds could be used for the Historic District Signage Program (HIST-1c), which we think should be expanded.	Since publication of the Draft EIR, the City authorized architectural historian Michael Hibma, LSA Associates, Inc. (LSA), to conduct a peer review of Carey & Company's analysis of the project's potential impact to historic resources set forth in the Draft EIR. A report detailing the results of LSA's peer review is included as Appendix H. Among other determinations, LSA concluded that the Draft EIR appropriately recommends Historic American Buildings Survey (HABS) Level III documentation as mitigation for the demolition of 180 4th Street, a property considered by the City of Oakland to be an historic resource. The HABS Level III document standard, as required by Mitigation Measure HIST-1a, applies to individual properties, such as the project site, and is appropriate for the existing Block A building, which is a contributing element to an historic district. Pursuant to applicable federal guidelines, the general scope of HABS Level III documentation includes: (1) Drawings: sketch plan; (2) Photographs: photographs with large format negatives of exterior and interior views; (3) Written Data: short form historical reports. Mitigation Measure HIST-1a has been revised to require that written data prepared for the HABS documentation include available information contained in previously prepared evaluation documentation of the existing Block A building and the Historic District. In addition, Mitigation Measure HIST-1d has been modified to allow more flexibility of the type of improvements mitigation dollars from this project could fund within the Historic District. See response to comment B1-6.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		Page 87, Mitigation Measure HIST-1a, is revised: HIST-1a: *HABS Documentation.* Prior to demolition of 180 4th Street, the project applicant shall provide *HABS-Level III Documentation* records that follow the specifications set by the Historic American Buildings Survey (HABS). The documentation shall include: ▪ Drawings – sketch floor plans of the buildings and a site plan. ▪ Photographs – digital photographs meeting the Digital Photography Specifications Checklist. ▪ Written data – a historical report with the history of the property, property description and historical significance. The required written data shall incorporate available information contained in previously prepared evaluation documentation of the existing building at 180 4th Street and the Western Waterfront District (WWD) and shall put in context the history of such existing building in relation to the overall historic WWD. A final scope of work for the required HABS-Level III Documentation shall be prepared in consultation with the Oakland Cultural Heritage Survey. A qualified architectural historian meeting the qualifications in the *Secretary of the Interior's Professional Qualification Standards* shall oversee the preparation of the sketch plans, photographs and written data. The documentation shall be printed on archival paper. Digital photographs shall be burned to archival CD or DVD disks. The documentation shall be submitted to and reviewed by the City of Oakland staff and reasonably found to be ~~adequate~~consistent with HABS standard (Federal Register, Vol. 48, No. 190, Thursday, September 29, 1983, pp. 44730-34) prior to issuance of the demolition permit. The documentation shall be deposited with the Oakland History Room in the Public Library, Oakland City Planning Department, and the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. In addition, Mitigation Measure HIST-1b has been revised to ensure that its required exhibit/display puts the history of the existing building at 180 4th Street in the context of the Historic District as a whole to ensure that such exhibit/display is not focused solely on the building. See response to comment B1-2.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
B2-5	HIST-1b: On-site commemoration and public interpretation (per No. 8) of the S&W Fine Foods headquarters on or in the new building is an appropriate condition of approval.	This comment in general support of Mitigation Measure HIST-1b is noted and will be provided to the Landmarks Preservation Board and Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary. Please see response to comment B1-2.
B2-6	HIST-1c: The Historic District Signage Program (per No. 7 and No. 8) involves trash receptacle signs and street marker signs. Rather than paying for one year of maintenance (HIST-1c) we recommend making urgently needed repairs and providing replacements for several units destroyed by cars. We suggest that a survey be done and costs be estimated.	Comments B2-6 through B2-8 are all related to funding programs/projects in addition to those directed to the JLID and the city's Façade Improvement Program and will be considered as part of the project approval process. See responses to comments B1-2, B1-6 and B1-8. The revision to mitigation measure HIST-1c, reflected in response to comment B1-2, directly addresses the commenter's concerns. As stated in the revised mitigation measure, the project applicant will provide $25,000 to fund the repair and replacement of existing trash receptacles and historic signage that comprise support the Jack London District Association Improvement District's sidewalk and trash receptacles and historic signage program.
B2-7	Enhancing and expanding the signage program throughout the WWD would be a much more appropriate mitigation for the demolition of a contributing building.	See responses to comments B1-2, B1-6, B1-8 and B2-6.
B2-8	HIST-1d: Contribution (per No. 9) should be to a "program appropriate to the character of the resource". As noted above, the historical resource is the Waterfront Warehouse District in which the S&W Fine Foods headquarters is a contributing property. Funds should be used to benefit and enhance the Waterfront Warehouse District; they should not be deposited in the Façade Improvement Fund as there are few if any facades in the WWD that need "improvement". The Jack London Improvement District and members of the community have suggested many viable uses for this contribution. What's needed is a program and decision-making process that benefits and enhances the WWD.	Mitigation Measure HIST-1d has been revised to provide more flexibility regarding the use of mitigation funds and to require that such funds be expended for the benefit of the Historic District. See responses to comments B1-2, B1-8 and B2-6.
B2-9	**Impacts on Historic Resources** Three categories of impacts on historic resources are discussed in the draft EIR: *Less-than-Significant Impacts*, *Significant Impacts*, and *Cumulative Impacts* (pp 83–96). It identifies one *Significant Impact*, which is the demolition of the S&W Fine Foods headquarters (HIST-1) and proposes four mitigations (discussed above). It identifies one *Cumulative Impact*, which is to materially impair the significance of the historic district (HIST-2) but proposes no mitigations or conditions of approval. On page 84 the draft EIR says that the demolition of S&W Fine	This comment reiterates the contents of the Draft EIR. The reference to page 84 of the Draft EIR discusses a *project-level* impact on the Waterfront Warehouse District that is less-than-significant. The references to page 95 and page 96 of the Draft EIR discuss a *cumulative* impact on the Waterfront Warehouse District that is significant. The text references cited by commenter each discuss the effect of the project on the District, but some reference the effects on a project level and others reference project effects on a cumulative level. These two impacts are separate and distinct.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
	Foods headquarters would have a *Less-than-Significant Impact* on the Waterfront Warehouse District because its loss "would not destroy the District's character such that it would be likely to be removed from the National Register of Historic Places." However, on page 95 the draft EIR says that "the proposed project will add to this cumulative loss of integrity and loss of historic resources and as a result the integrity and significance [of the] National Register District will be materially affected." And on page 96 the draft EIR says, "the effect of the proposed project in combination with effects of other the past projects would be cumulatively significant and unavoidable."	
B2-10	Nowhere in the draft EIR could we find a discussion of the design review findings that must be made in order to approve demolition of the S&W Fine Foods Headquarters (City of Oakland Planning Code, Section 17.136.075). Relevant to this comment is the required finding that "The replacement project will not cause the district to lose its current historic status." (17.135.075 C.3.b.vi.).	The regulations in 17.136.075 state that "Regular Design Review of the demolition or removal of a Designated Historic Property (DHP) or Potentially Designated Historic Property (PDHP) shall only be approved after the Regular Design Review of a replacement project at the subject site has been approved…" Regular design review takes place separately from the CEQA process and is conducted by the Director of City Planning or the Planning Commission.
B2-11	To make this finding, there is a short two-paragraph discussion of *Less-than Significant Impacts* that we believe should be expanded to explain how and why the Waterfront Warehouse District will continue to meet National Register criteria after demolition of the S&W Fine Foods headquarters.	As stated in the Draft EIR, because it is only 1 of 23 historic resources contributing to the WWD, and due to its location at the far northeast corner, its demolition would not cause the WWD to lose overall integrity to the point where it could be considered for delisting from the National Register of Historic Places (National Register). The seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association. Each aspect of integrity is addressed separately. Similar to the criteria for listing on the National Register of Historic Places, they are not evaluated together; a district just needs to meet one of the criteria for listing, not all of them, to be listed. With respect to integrity, a district does not have to satisfy all the aspects of integrity in order to retain its historic significance. All districts change over time. It is not necessary for a district to retain all of its historic physical features or characteristics in order to retain its historic designation. The district must, however, retain the essential physical features that enable it to convey its historic significance. As the evaluation shows below, the WWD retains its physical integrity.[2]

[2] U.S. Department of the Interior, National Park Service. "VIII. Hoe to Evaluate the Integrity of a Property." *National Register Bulletin: How to Apply the National Register Criteria for Evaluation.* U.S. Department of the Interior, National Park Service. http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm, accessed December 14, 2015.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
		Location. The WWD remains in the location where it was first developed and therefore retains its integrity of location even with the loss of 180 4th Street. **Design** can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts that are significant primarily due to historic association or architectural value, design is about more than just individual buildings or structures located within the boundaries of those districts. Design also applies to the way in which buildings, sites, or structures are related. Some design changes have taken place in the WWD since its listing in the National Register, most recently the demolition of 428 Alice Street and its replacement with new construction. The additional loss of 180 4th Street would contribute to a loss of design; however, sufficient buildings would remain, and would continue their relationship to one another and the street, to maintain the integrity of design. **Setting** refers to the character of the place in which the district played its historical role and involves how, not just where, the district is situated and its relationship to surrounding features. All individual properties contribute to the setting of the WWD, and the loss of 180 4th Street would affect its setting. However, this particular property is in the northeast corner of the district, situated almost by itself and surrounded on three-plus sides by properties not in the district. Thus, the removal of 180 4th Street would not affect the setting of the WWD to the point of being significantly compromised. **Materials** are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The WWD has a combination of materials that contribute to its integrity, with concrete and masonry among the most common. 180 4th Street is constructed of both reinforced concrete and brick with a painted finish and industrial windows. These materials are common throughout the WWD, and the remaining buildings will sufficiently retain the district's integrity of materials. **Workmanship** is more generally applied to individual properties than districts. Taken together, the workmanship of the contributing resources in the WWD present evidence of how buildings were constructed, common detailing, and technological practices and aesthetic principles. These characteristics will remain embodied in the remaining buildings in the district even with the loss of 180 4th Street. **Feeling** is a property's expression of the aesthetic or historic sense of a particular

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		period of time. It results from the presence of physical features that, taken together, convey the property's historical character. The demolition of one property will erode the feeling of the WWD; however, it will not result in the complete loss of feeling, as the district will continue to retain its design, materials, workmanship, and setting. **Association.** A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. The loss of one property will not affect the district's ability to convey its relationship to its industrial origins. Moreover, Since publication of the Draft EIR, the City authorized architectural historian Michael Hibma, LSA Associates, Inc. (LSA), to conduct a peer review of Carey & Company's analysis of the project's potential impact to historic resources set forth in the Draft EIR. A report detailing the results of LSA's peer review is included as Appendix H of the Draft EIR (see Chapter IV, Text Revisions). Among other determinations, LSA concurred with the Draft EIR's determination that the demolition of the existing building at 180 4th Street would not result in a substantial adverse change to the Historic District because the demolition would not materially impair the significance of the District as a whole.
B2-12	There is a very long eight-page discussion of *Cumulative Impacts* (pp 88 – 96) that could be edited and needs to include some serious mitigation measures or conditions of approval for Impact HIST-2.	The discussion of Cumulative Impacts is long but the City and EIR authors wanted to ensure a thorough discussion on the potential cumulative effects. Some text within this Cumulative Impacts discussion has been revised for clarity. **Pages 95 to 96, under (2) Conclusion, are revised as follows:** The overall integrity of the District would be impaired by the proposed project in conjunction with the already constructed newer developments. This includes material impairment to integrity of design, setting, feeling, and association. ~~For an Oakland API,[29] normally two-thirds of the properties are "contributors" to the API, reflecting the API's principal historical or architectural themes, and must not have undergone major alterations. In this case, it appears that two-thirds of the properties will continue to meet this standard. Within the historic district boundary there are 33 parcels (including the Posey Tube Oakland Portal) containing the 25 current historic district contributors. The cumulative number of district contributors if all known projects are executed will be 24. (This would remain above the two-thirds percentage, or 22 district contributors.)~~

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Comment #	Comment	Response
		Under National Register criteria, a historic district may be considered eligible if the majority of the components add to the district's character, even if they are individually undistinguished; however, these individual resources must possess integrity, as must the district as a whole. Further, the number of noncontributing properties a district can contain and yet still convey its sense of time and place and historical development depends on how these properties affect the districts' integrity. In the recent past, a number of new developments have been constructed in the historic district, including the Allegro, 288 3rd Street, and 428 Alice Street together with the loss of a contributing resource as the result of the latter project. The proposed project will add to this cumulative loss of integrity and loss of historic resources and as a result the integrity and significance National Register District will be materially affected. Although the historic district would still maintain a little more than two-thirds of its district contributors if the project is approved and constructed, ~~its~~ the District's integrity would be compromised by the demolition of the S & W Fine Foods, Inc.'s warehouse, specifically in the area north and east of Alice and 4th Streets. The scale, mass and height of the current development at 428 Alice Street and the 4th & Madison project (180 4th Street) together will increase this area's~~make this area~~ incompatibility~~le~~ with the rest of the historic district. In addition, the loss of two similar, major warehouse buildings exacerbates the loss of historic resources in this quadrant of the historic district. ~~The historic district as currently configured would, after construction of the proposed project and other past projects, be eroded and this could cumulatively affect the District's eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources.~~ Although construction of the project, in combination with past, present and future development (based on the City's current list of development proposed, approved, and under construction) would continue to result in the development and redevelopment of infill and underutilized sites throughout the area, which would collectively erode and could cumulatively adversely affect the District's eligibility for listing in the National Register of Historic Places and the California Register. Implementation of Mitigation Measure HIST-1(a-e) would minimize this significant adverse cumulative effect~~s~~ to the extent feasible, but would not mitigate this significant cumulative impact~~s~~ to a less-than-significant level.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		Given the cumulative contribution of the proposed project with the 428 Alice Street development on the District's integrity, ~~It can be fairly argued that~~ there is no way to feasibly ensure that ~~at some~~ future ~~point~~ cumulative development, together with past and present ~~these two~~ projects, ~~may~~ would not substantially reduce the District's ability to convey its historic integrity in the manner required to maintain its eligibility for listing on the National and California Historic Registers. ~~physically alter the historic district's integrity related to the numbers of contributors, as well as building size, scale, design and character such that its ability to convey its sense of an historic environment will be substantially reduced.~~ Thus, the effect of the proposed project in combination with effects of the other past projects would be cumulatively significant and unavoidable. (SU) _____ ~~[29] The API coincides with the National Register Oakland Waterfront Warehouse District.~~ The discussion adequately addresses potential impacts associated with past, present, and future developments. Although the cumulative discussion does not include mitigation measures formatted in a way the mitigation measures for project impacts are shown. The last paragraph on page 96 explains that Implementation of Mitigation Measure HIST-1 would also minimize this cumulatively significant adverse effect to the extent feasible, but would not mitigate impacts to a less-than-significant level. Cumulative impacts of this nature are difficult to mitigate as it is difficult to ensure that other elements outside the control of this project are maintained in a way that will not compromise the integrity of the district. The City has not yet prepared draft conditions of approval. Such conditions will be prepared as part of the Staff Report just prior to the Planning Commission hearing that will be scheduled to consider approval of the Project.
B2-13	**Jack London District** The header on each page of the draft EIR says "Jack London Square 4th & Madison Project EIR". This project is not in Jack London Square. Jack London Square is south of the Union Pacific Railroad tracks (Embarcadero) and closer to the foot of Broadway. Most of the Square is on land owned by the Port of Oakland. The header should be corrected on every page to remove "Square". Replacing it with "District" would work as would also removing "Jack London".	**All pages of the Draft EIR that reference Jack London Square 4th & Madison Project EIR, are revised:** Jack London ~~Square~~ District 4th & Madison Project EIR

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
B3 Oakland Heritage Alliance		
B3-1	1. **Project proponents and commissioners should seriously consider alternative #2**, the environmentally superior approach, which would attain project objectives and still preserve some of the historic aspects of the site, as well as avoiding the visual weakening of the national register district, whether or not the block is still considered eligible. The case for ignoring this alternative has not been made. EIRs were invented not to supply strawman alternatives, but real ones. A substantive, earnest, and good-faith effort should be made to try to work this or a similar alternative through thoroughly, and come up with a less damaging alternative to the current proposal.	As noted in the comment, the Draft EIR identifies Partial Preservation Alternative #2 as the environmentally superior alternative of the three alternatives assessed in the document (excluding the required "No Project" alternative). The City has seriously considered and evaluated Alternative #2 in a substantive, earnest and good faith effort. As described in detail in response to comment B1-7, the Landmarks Preservation Board (LPAB) formed a subcommittee to work with the applicant to review the proposed project and alternatives based on initial comments by the public and LPAB and to determine what project refinements are necessary. In the first LPAB subcommittee on October 8th, the applicant provided renderings of the proposed project and Partial Preservation Alternative #2 from additional vantage points, in response to public and LPAB comments requesting analysis of the two within the context of the District and surrounding area. These exhibits are now included as Figures VI-5 through VI-9 in Chapter 6, Alternatives, of the Draft EIR, and are reflected in Chapter IV, Text Revisions. They deemed the additional context renderings and street elevation studies sufficient in showing the proposed project's and Alternative #2's design within the District and relative to surrounding historic and contemporary context. Additionally, in considering approval of the project, the City will be required to consider whether to adopt the environmentally superior alternative. CEQA does not require lead agencies to approve recommended mitigation and/or the environmentally superior alternative, but it does require the City to consider such mitigation measures and alternatives. If the City chooses to reject a mitigation measure or the environmentally superior project alternative, the City must first find that specific economic, legal, social, technological, or other considerations, render the mitigation or project alternative infeasible.
B3-2	2. **The mitigations are inadequate.** We support the suggestions made by some residents of the neighborhood that expand on the mitigations suggested in the DEIR, to wit: HIST-1a: HABS documentation (per No. 7) is appropriate for individual landmarks but seems like overkill for a district contributor. The whole Waterfront Warehouse District is the historical resource that should be documented. Rather than a HABS survey report, we suggest another "appropriate format" be proposed and be focused on the WWD. Because it will be less expensive, leftover funds could be used for the Historic District	See response to comment B2-4.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
	Signage Program (HIST-1c), which we think should be expanded.	
B3-3	HIST-1b: On-site commemoration and public interpretation (per No. 8) of the S&W Fine Foods headquarters on or in the new building is an appropriate condition of approval.	This comment states support for Mitigation Measure HIST-1b as a condition of approval. All the recommended mitigation measures will be required as conditions of approval. See responses to comments B1-2.
B3-4	HIST-1c: The Historic District Signage Program (per No. 7 and No. 8) involves trash receptacle signs and street marker signs. Rather than paying for one year of maintenance (HIST-1c) we recommend making urgently needed repairs and providing replacements for several units destroyed by cars.	See responses to comments B1-6, B1-5, B2-6, B1-2, and B1-8.
B3-5	We suggest that a survey be done and costs be estimated. Enhancing and expanding the signage program throughout the WWD would be a much more appropriate mitigation for the demolition of a contributing building.	See responses to comments B2-6, B1-2, and B1-8.
B3-6	HIST-1d: Contribution (per No. 9) should be to a "program appropriate to the character of the resource". As noted above, the historical resource is the Waterfront Warehouse District in which the S&W Fine Foods headquarters is a contributing property. Funds should be used to benefit and enhance the Waterfront Warehouse District; they should not be deposited in the Façade Improvement Fund as there are few if any facades in the WWD that need "improvement".	See responses to comments B2-6, B1-2, and B1-8.
B3-7	The Jack London Improvement District and members of the community have suggested many viable uses for this contribution. What's needed is a program and decisionmaking process that benefits and enhances the WWD.	See responses to comments B2-6, B1-2, and B1-8.
B3-8	Oakland Heritage Alliance would add that any on-site commemoration should be placed in an area where the general public and passers-by can see it without requiring entry through a security system.	Mitigation Measure HIST-1b*, Commemoration and Public Interpretation*, was developed to ensure that all components of a commemorative display are prepared and located such that they are visually available to the public. The measure requires the assistance of an experienced display professional and states that "The exhibit/display shall be placed in a suitable, publicly accessible location on the site…" (page 87). Mitigation Measure HIST-1b has been revised to further increase public accessibility. See responses to comments B1-2 and B1-4.
B3-9	On a minor note, when we visited the site there was discussion with the developers about retention or creative reuse onsite of abandoned train track elements.	Portions of the original tracks remain visible, one of which is on 4th Street in front of the existing building. New Mitigation Measure HIST-1e has been added to the Historic Resources chapter which would, among other things, require the project sponsor to salvage such tracks and incorporate them into the final project design. See response to comment B1-8.
B3-10	There is no mention of reusing any historic materials in the DEIR. Please inventory available historical materials and devise ways to	No exterior materials of historical significance were identified in the evaluation of 180 4th Street performed by Carey & Co, during a site visit on February 17, 2015.

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Comment #	Comment	Response
	use elements on site as part of the project. The developers at the time seemed amenable.	An interior walkthrough of the building was conducted on October 22, 2015, and no interior materials of significance were identified. See Memorandum on "Interior walkthrough of the building at 180 4th Street, Oakland, California" included as Appendix G to the Draft EIR, as reflected in Chapter IV, Text Revisions, of the Response to Comments Document. However, new Mitigation Measure HIST-1e has been added to require the project sponsor to salvage some features of the existing property and incorporate them into the final project design. See responses to comment B1-8.
B3-11	The proposed project will entirely raze one block of the Waterfront Warehouse National Register District. Therefore, the mitigations must go some way to compensating for diminishing an important district, as well as for the demolition of the building itself. While HABS-HAER documentation is an important undertaking, we do not recognize it as a substantive mitigation, since all it does is document what will vanish. While contribution to the citywide façade improvement program is also a good thing, it does nothing to make whole a National Register District that is being impaired. While commemorations are wonderful for providing some limited amount of context for those who are interested, they often occur inside lobbies or in similar places that are not publicly accessible. And, after all, they commemorate that which has been destroyed.	HABS documentation is one of several mitigations recommended to reduce the adverse impacts of the proposed project. The recommended mitigations collectively do not reduce the impacts to a less-than-significant impact on the historic resource. See c. Significant Impacts, Impact HIST-1, which states "The impact will remain significant and unavoidable, as this mitigation measure cannot lessen impacts to a less-than-significant level." However, since publication of the Draft EIR, the mitigation measures described in the Historic Resources chapter have been supplemented to ensure that it appropriately focused on reducing project impacts as they relate to the Historic District, including Mitigation Measure HIST-1b, which has been revised to require an commemorative interpretive display/exhibit that is oriented toward the Historic District, includes content that places the existing buildings in context with the District as a whole, and is made accessible to the public. Also see responses to comments B1-2, B1-5, B1-6, B1-8, and B2-4.
B3-12	Substantially greater mitigation effort is imperative if the entire block is to be demolished.	Several mitigations in combination address impacts of the proposed project. HABS-HAER documentation is an accepted mitigation recognized in cases where there are impacts to a historic resource. The mitigation for a contribution to be made to the city's Façade Improvement Program shall now be earmarked for use in the District. A contribution shall also be made to the JLID for use within the District. The interpretive display recommended as mitigation shall be placed on the exterior of 180 4th Street directly in the public's view, and aspects of the existing property will be required to be salvaged and incorporated into the project design. See responses to comments B1-2, B1-5, B1-6, B1-8, and B2-4.
B3-13	**3. The proposed new design is not good enough.** The design quality of the replacement structure is not yet equal to or superior to that of the historic structure. The replacement of a National Register contributor should rise to a particularly high level of design, or the demolition cannot be justified (see Demolition Findings Ordinance).	This comment does not specifically relate to the adequacy of the Draft EIR rather the quality of the design. The Draft concludes that removal of the structure would result in a significant and unavoidable impact. A "high level of design" is not among the standards found in the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Rather this language is used in the Demolition Findings for Category I Historic Properties, which is part of a separate review process by the city. The demolition findings contained in section 17.136.075 of the City of Oakland municipal code will have to be met prior to project approval. See response to comments B3-14 and B3-15.

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B3-14	While the S&W building was not a fancy building, its builders did more than just build a plain warehouse block. We particularly object to the "container" shaped protrusion above the first floor looming over the leasing office. There is absolutely no history of container use at this site, so how this is corrugated metal shape relevant? It seems an obtrusive rendering of a current trope, which for lack of a stylistic label we might call "put a big heavy frame around some window or group of windows." This kind of element is overused at present, for example on the federal building in San Francisco, in the Oakland Children's Hospital design, and recurringly on other recent projects. Is this going to be the cliché of the 20-teens, the feature that stands out as the characteristic habit of architects of our era? Is it possible to achieve a look that is more timeless? We challenge the project architects to revisit this corner and if indeed total demolition of the historic resource is insisted upon, to design something that more appropriately addresses the Waterfront Warehouse District with relevant forms.	This comment does not specifically address the adequacy of the Draft EIR. A response is provided below that describes the public and City review process the project has undergone in in relation to the concerns raised in the comment. As described in response to comment B1-7, the design of the proposed project was considered by and revised based upon the input of a subcommittee of the Landmarks Preservation Board (LPAB). In this subcommittee process, a study of design variations of the proposed project was presented for the corner of Building A at 4th Street and Madison Street, which included the following options: ▪ The project as proposed, ▪ A corner treatment that was less stepped and removed the street deck, ▪ A corner treatment with the metal "boxcar" element removed, ▪ A corner tower element similar to the treatment at the other three corners of the building with the boxcar, and ▪ A corner tower element similar to the treatment at the other three corners of the building without the boxcar element. The LPAB studied design variations at this particular corner identified in the comment, as well as for the other corners and facades of the proposed project. This comprehensive review yielded a final recommended design variation utilized to revise the proposed design. A revised plan set was submitted to the City in November 2015. The proposed project, as revised, will continue through the City's design review process. It is noted that the architectural drawings submitted in November 2015 comply with applicable City design standards, but remain conceptual and subject to refinement through design review process.
B3-15	**4. The demolition findings ordinance (17.136.075) is not being implemented properly.** Where are the demolition findings and the detailed discussion they require? To make any sense as an adjunct to decisionmaking, the demolition ordinance-required studies *must be fulfilled before or during the environmental review period, not afterward,* or it serves no useful function. If the project is approved without looking at those considerations, why go to the trouble of revisiting the questions posed under the Demolition Ordinance?	This comment does not specifically address the adequacy of the EIR, but rather the demolition and design review approval process. Oakland Municipal Code (OMC) 17.136.075, *Regulations for demolition or removal of CIX-1A zoned properties, designated historic properties, and potentially designated historic properties*, is a subsection of OMC Chapter 17.136, *Design Review Procedure*. It is intended to inform decision making during the development application process. The code language makes no reference to the CEQA review process. OMC Section 17.136.075 provides additional design review criteria for the demolition or removal of Designated Historic Properties (DHPs) and Potentially Designated Historic Properties (PDHPs) that have to be met prior to the city granting approval for demolition or development of a new structure. Similar to

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		the standard design review criteria/findings or conditional use permit criteria findings, such detail is not typically or required to be included in the EIR or part of the CEQA process. The demolition findings and all other required findings (i.e., design review) will be included with the staff report when the project approval is scheduled for consideration. The Draft EIR analyzes the *impacts* of the demolition in a manner consistent with CEQA guidelines. This includes discussions of impacts to historic resources and other environmental topics. The document identifies the demolition of the 180 4th Street warehouse as having a significant and unavoidable historic impact, HIST-1 (page 86).
B3-16	It is particularly relevant in the case of this project, in a National Register District. City staff must implement the requirements of the ordinance, and do it in a timely fashion. We intend to forcefully object if this project is submitted to the planning commission without those findings. The Landmarks Board, Planning Commission, and City Council went through a long process to write, revise, and pass this ordinance. It should be used.	This comment does not specifically address the adequacy of the EIR. Proposed demolition findings will be included in the Staff Report that will be provided to the Planning Commission for its consideration when the project is on its agenda for approval. See response to comment B3-15.
B3-17	Under the demolition findings ordinance, in this API the project would have to meet these requirements: a. The design quality of the replacement structure is equal/superior to that of the existing structure; and b. The design of the replacement project is compatible with the character of the district, and there is no erosion of design quality at the replacement project site and in the surrounding area. This includes, but is not necessarily limited to, the following additional findings: i. The replacement project is compatible with the district in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing; ii. New street frontage includes forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street; iii. The replacement project provides high visual interest that either reflects the level and quality of visual interest of the district	No portion of the project site falls within an API. As explained in the revisions to the Draft EIR reflected below, although Block A of the project site is included in the WWD as listed in the National Register, Block A was never included in the City's WWD API. The WWD API boundaries remain the same as identified in the 1985 OCHS survey, which did not include the existing warehouse on Block A. Therefore, the demolition findings cited by the commenter do not apply to the proposed project. Category III Demolition Findings will need to be approved by the City prior to implementation of the proposed project. **Page 69, under 1. Setting, is revised as follows:** …The property served initially as S & W Fine Foods, Inc.'s warehouse and is presently occupied by the Cost Plus World Market's International Headquarters. By virtue of its listing in the National Register, the WWD and its contributors are ~~is~~ also listed in the California Register of Historical Resources (California Register). ~~It is also in an Oakland Cultural Heritage Survey Area of Primary Importance (API).~~ Although the WWD as listed in the National Register includes Block A, the Area of Primary Importance (API) for the WWD, as defined by the City of Oakland Cultural Heritage Survey (OCHS), was never updated to include Block A…

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	contributors or otherwise enhances the visual interest of the district; iv. If the design contrasts the new to the historic character, the replacement project enriches the historic character of the district; v. The replacement project is consistent with the visual cohesiveness of the district. For the purpose of this item, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the district. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When a combination of some of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results; and vi. The replacement project will not cause the district to lose its current historic status.	**Page 77 is revised as follows:** Properties with conditions or circumstances that could change substantially in the future are assigned both an "existing" and a "contingency" rating. The existing rating is denoted by an upper case letter, and the contingency rating, if any, is denoted in lower case. Properties are also given a Multiple Property Rating (1, 2, or 3) based on an assessment of the significance of the area in which the property is located: properties within an Area of Primary Importance (an area that appears eligible for the National Register) are rated "1;" those in an Area of Secondary Importance are rated "2;" and those outside an identified district are rated "3." A plus (+) or minus (-) sign indicates whether the property contributes or not to the API or ASI. An Area of Primary Importance (API) is a historically or visually cohesive area that contains a "high proportion of individual properties with ratings of 'C' or higher and appears eligible for the National Register of Historic Places either as a district or as a historically-related complex." At least two-thirds of the properties must be "contributors" to the API, reflecting the API's principal historical or architectural themes, and must not have undergone major alterations. An Area of Secondary Importance (ASI) is "similar" to an API, however "potential contributors to the ASI are counted for purposes of the two-thirds threshold as well as contributors; [and] ASIs do not appear eligible for the National Register." Block A of the project site was assessed by the OCHS, a project of the Oakland City Planning Department, in March 1983. It was given a rating of D at that time, indicating a property of "Minor Importance," and was not included in the City's WWD API as defined by the OCHS. The City's API for the WWD was not updated after the Block A property's inclusion in the National Register District. As a result, the Block A property remains outside the WWD API and now holds a rating of Dc3. The additional contingency rating of "c" indicates that the property has sufficient historical or visual/architectural value to warrant limited recognition, and a Multiple Property Rating of "3" indicates that it is located in neither an API nor ASI as designed by the City. **Page 77 is revised as follows:** ~~Under OCHS criteria, at least two-thirds of the properties within the Area of Primary Importance must be contributors to the Area of Primary Importance and reflect the historical or architectural themes of the area and have not~~

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		~~undergone major alterations.~~[24] ~~[24] *Oakland General Plan, Historic Preservation Element.*~~
B3-18	We appreciate the developers' efforts, but believe that this project requires further consideration of alternatives, stronger mitigation if demolition is contemplated, fulfillment of the Demolition Findings studies, and additional design refinement.	These concluding remarks summarize the commenter's prior comments, all of which have been addressed specifically in responses to comments B3-1 to B3-16 above. No further response is necessary.
B4 SoNiC (September 22)		
B4-1	The header on each page of the draft EIR says "Jack London Square 4th & Madison Project EIR". This project is not in Jack London Square. Jack London Square is south of the Union Pacific Railroad tracks (Embarcadero) and closer to the foot of Broadway. Most of the "Square" is on land owned by the Port of Oakland. The header should be corrected on every page to remove "Square". Replacing it with "District" would work as would also removing "Jack London".	See response to comment B2-13.
B4-2	1) Page 69; 1. Setting; line 6: … single warehouse <u>and office</u> building …	**Page 69, third paragraph under 1. Setting, is revised**: The project site, as described in *Chapter III, Project Description,* is comprised of two areas designated as Block A and Block B. Block A of the project site is situated within the boundaries of the Oakland Waterfront Warehouse District (WWD or District), which is listed in the National Register of Historic Places (National Register). The block is bounded by 4th, Madison, 5th, and Jackson Streets and contains two connected buildings that function as a single warehouse building<u>, currently used for offices,</u> covering the entire block with a current address of 180 4th Street….
B4-3	2) Page 70; Figure IV.B-1: Lake Merritt BART station is not correctly located. Correct location is on block bounded by Madison, 9th, Oak, and 8th Streets.	Figure IV.B-1 has been updated to reflect accurate location of Lake Merritt BART station and the revised figure is included in Chapter IV, Text Revisions.
B4-4	3) Page 71; (2) Project Vicinity; 2nd paragraph; last sentence: development near project site included many <u>warehouses</u>. In the past 33 years I never saw a brewery, much less breweries. What did I miss?	**Page 71, second paragraph, last sentence, under (2) Project Vicinity, is revised:** Until recent years, development near the project site remained primarily industrial and included scrap metal operations, ~~breweries,~~ a paper company, surface parking lots, and wholesale food distributors.
B4-5	4) Page 72; (3) WWD; 2nd paragraph; 2nd sentence: please add the year of the OCHS form for WWD (1983 or 1984 as I recall). Also add the year when the boundaries were revised (by OCHS?) and the year the building at 2nd & Harrison was demolished (and replaced	**Page 72, second paragraph under (3) Waterfront Warehouse District, is revised:** The District was placed on the National Register of Historic Places and on the California Register ~~of Historical Resources~~ in April 2000 ~~with revisions to the~~

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	by Jerry Brown's "We The People Compound").	~~boundaries as originally identified by the Oakland Cultural Heritage Survey. The District boundaries were revised to include the block bounded by 4th Street, 5th Street, Jackson and Madison Streets (on which the building had become 50 years old) and to exclude the southernmost property at 2nd and Harrison Streets (the building on which had been demolished).~~ The National Register-listed historic district boundaries are almost identical to the OCHS WWD boundaries identified in 1985. Two modifications were made to the boundaries of the National Register District upon its listing in comparison to the original OCHS boundaries. First, the block bounded by 4th Street, 5th Street, Jackson and Madison Streets (on which the building had become 50 years old) was included in the National Register-listed historic district. Second, the National Register boundary excluded the southernmost property at 2nd and Harrison Streets. The existing building was demolished in 1994 and a new one constructed in 1995.[3] The District qualified for listing on the National Register under two criteria of the Register, Criterion A and Criterion C. [3] Elaine Louie, "Communing After All These Years," *New York Times*, August 10, 1995, accessed October 27, 2015, http://www.nytimes.com/1995/08/10/garden/communing-after-all-these-years.html.
B4-6	5) Page 73; b. Resource Description: Isn't the WWD the "historic resource" (described on previous page)? Shouldn't this be called something like "District Contributor Description"? Throughout this chapter the whole district and the district contributor(s) get mixed up.	**Page 73, the heading for b. Resource Description, is revised:** b. **Contributing Resource Description** Moderne style warehouse at 180 4th Street,[4] on Block A of the project site, is a one-story, rectangular plan building that covers a full city block.[5] The building….
B4-7	This would be a good place to explain the difference between the whole district and the individual buildings (contributors and non-contributors) that comprise that district.	The WWD is a group of properties that has been listed in the National Register. Buildings, structures, objects, and sites within a historic district are normally divided into two categories: contributing and non-contributing. A contributing resource is any building, structure, or object that adds to the historical integrity or architectural qualities that render the district historic. The Narrative Description in the National Register registration for the WWD presents information about the contributing and non-contributing properties in the historic district: "Of the 31 structures and buildings that make up the District, 24 are contributing buildings, one is a contributing structure, five are non-contributing buildings, and one is already listed on the National Register. Three contributing buildings and one contributing structure are both prominent visual landmarks in the District and are considered individually eligible for listing on the National Register. They

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		include the Posey Tube, 415 4th Street (26); Safeway Stores Corporate Headquarters, 201 4th Street (7); Western States Grocery warehouse, 247 4th Street (9); and the fanciful three-story brick and concrete C. L. Greeno building, 255 4th Street (10). The richly textured, polychrome brick American Bag Building, 299 3rd Street (5) was placed on the National Register on August 13, 1999. Both the Posey Tube and the American Bag Building are designated City Landmarks. "All the contributing buildings were built as warehouses or processing facilities for a variety of products including produce, poultry, paint, paper and burlap bags, groceries, plumbing supplies, and machine bearings. Although some of the larger warehouses have been converted to offices and live-work lofts, many of the District's historical industrial activities endure and the District's visual integrity is strong. "Fifteen of the District's 24 contributing buildings were constructed between 1917 and 1937 and share a similar scale, massing, height, textures, and materials. The buildings are simple and utilitarian. Ornamentation is achieved through an economy of means and materials. Nearly all the buildings possess flat roofs with stepped or decorative parapets, industrial sash, multi-color surfaces of brick or painted stucco, and prominent truck doors and loading bays. "One contributing building was constructed in 1940 (308 4th Street (17)). The remaining eight contributing buildings were constructed between 1945 and 1954 during Oakland's post-World War II building boom. Six of the post-World War II District contributors form a cluster of one-story, brick warehouses situated on truncated lots adjacent to the Posey Tube Oakland Portal. Each has identical American common bond brickwork. While the six warehouses form their own coherent subgroup, in their setting, size, style, uses, and materials, they relate to the District's older warehouses and with the older warehouses form a distinctive, cohesive, recognizable group. "Of the five non-contributing buildings, two are non-contributors because of their ages and dissimilar architecture (19 and 21). Three (1, 8, and 25) have become non-contributors because their character-defining elements were materially altered during adaptive reuse."
B4-8	6) Page 74; 3rd line: Why mention "217 Alice St"? Is it still there? Is it in the WWD? I realize city directories gave it as their address, but why not say "… occupied a nearby warehouse on Alice Street for ten years …"? How do we know they leased it?	This narrative of the subject property is intended to provide a sense of historical detail to the reader, which is strengthened by the detail referred to in the comment. As referenced in the footnote on page 74 of the Draft EIR, the information comes from a primary source document, R. L. Polk & Co., *Polk's Oakland, Berkeley, Alameda Directory 1938-1941.*

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B4-9	Is any of this important or relevant to the description of the district contributor on Block A of the proposed project?	The referenced paragraph provides background information about the former owner of 180 4th Street. As such, it adds to the public's knowledge of the people and companies associated with the site of the proposed project.
B4-10	7) Page 78; mid-page: Policy 3.5 is quoted as a policy "particularly relevant to proposed project."	This comment does not specifically address the adequacy of the analysis in the Draft EIR. It is noted. Additionally, in response to comment B4-11, a discussion of the relationship of the project to the policies listed in this section has been added to the Draft EIR. See responses to comments B3-11, B4-11 and B4-15.
B4-11	Where is this relevance discussed in the draft EIR? Which, if any, of these findings can be made?	The City's Historic Preservation Element policies, including Policy 3.5, offer insight into the City's overall objectives for protecting historic properties and the proposed project's consistency with those objectives and is thus relevant to the impact analysis. However, the official threshold for a significant historic impact under CEQA is a project that would "cause a substantial adverse change in the significance of an historical resource…" A discussion of the proposed project's consistency with and/or relationship to these policies has been added to the Setting section of *Section IV.B, Historic Resources*, of the Draft EIR in order to supplement and inform the analysis therein. See Chapter IV, Text Revisions, of this RTC document for full text revisions, and response to comment B3-11 and B4-15.
B4-12	8) Page 78; bottom of page: nine measures that could be appropriate "to mitigate significant effects to a Historical Resource" are listed but their source is not identified. They are Action 3.8.1 under Policy 3.8 and should be identified as such either by formatting like Policy 3.8 is formatted or by footnote. As presented it is unclear how this list relates to the Historic Preservation Element.	*Section IV.B, Historic Resources*, of the Draft EIR has been revised as follows. Additionally, text revisions have been made to the Draft EIR to generally clarify how this policy and action relates to the proposed project. (See responses to comment B4-15.) **Page 78, text under (1) Historic Preservation Element Policies is revised:** Policies in the Historic Preservation Element of the General Plan provide the basis for preservation, restoration, and protection of historic properties and other cultural resources. The following objectives, ~~and~~ policies and actions are particularly relevant to proposed project… ▪ **Policy 3.8**… ▪ **Action 3.8.1.** Measures appropriate to mitigate significant effects to a Historical Resource may include one or more of the following measures depending on the extent of the proposed addition or alterations:
B4-13	9) Page 79; (6) Estuary Policy Plan: there are two policies (not just one) relevant to the proposed project: Policy JL-5 (quoted at the bottom of the page) is relevant only to Block B of the proposed project (not Block A), but this is not made clear.	As noted in response to comment B4-11, an analysis of consistency with relevant policies has been added to the Setting subsection of *Section IV.B, Historic Resources.* Both Block A and Block B of the proposed project fall within the Mixed Use District as defined by the *Estuary Policy Plan*; it follows that Policy JL-5, which

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		is applicable to the *Estuary Policy Plan's* designated Mixed Use District, is applicable to both Block A and Block B, contrary to the statement made in this comment.
B4-14	10) Page 80; Estuary Policy Plan (continued): Policy JL-6 (Waterfront Warehouse District) is omitted completely. This is a serious oversight that is very difficult to understand or excuse.	The project site is located within the Mixed Use District as designated by the *Estuary Policy Plan* and General Plan (see Figure III-3 of the Estuary Policy Plan). Policy JL-5 is applicable to the *Estuary Policy Plan's* designated Mixed Use District and is included in the Draft EIR. Policy JL-6 is applicable to the "Waterfront Warehouse District" as defined in the *Estuary Policy* Plan, the boundaries of which were established by the City in June 1999 and are different than the boundaries of the historic "Waterfront Warehouse District" established by the National Park Service's National Register of Historic Places in April 2000. No part of the project site falls within the area defined by *Estuary Policy Plan's* as the Waterfront Warehouse District. As a result, Policy JL-6 was not included in the Draft EIR because it is not applicable to the project site, which falls completely within the area defined by the *Estuary Policy Plan* as the Mixed Use District. Clarification to the discussion of Policy JL-5 has been added to the Draft EIR. **Page 59, 2nd paragraph is revised:** The project also generally meets the ~~aspect~~ intent of Policy JL-5, which ~~that~~ encourage~~s~~ new infill developments that provide a mix of uses, including residential use, as it would construct housing with retail and leasing/resident amenity space on the ground floor in the Mixed Use District. Policy JL-5 encourages this development "in areas outside the existing boundaries of the historic district (API) and east to the Lake Merritt channel…" The existing boundaries of the historic district (API) as defined by the *Estuary Policy Plan* do not include any portion of the project site.[9] As a result, the intent of Policy JL-5 to "encourage the development of a mix of uses, including housing, within a context of commercial, light industrial/manufacturing uses, and ancillary parking" is applicable to the entire project site. It is noted (and is further discussed in *Section IV.B, Historic Resources*), that Block A of the project site was included in the National Register —designated WWD. However, it remains outside of the City's WWD API. ~~The project does not appear to meet the preservation intent of Policy JL-5 as the project entails demolition of the existing warehouse on-site that lies within the existing boundaries of the historic district (API). (See *Section IV.B, Historic Resources,* for discussion of potential project effects on historic resources.) However, a~~As ensured by the City's design review process, the project would be designed to reflect an industrial character with elements of the neighborhood's industrial past by building to the street, as required by *the Estuary Policy Plan*; providing active,

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		habitable spaces on the ground floor; and incorporating the use architectural features reflective of the District's industrial heritage and building materials that would include metal accents and other industrial materials. Additionally, on-site parking and loading would be screened and visually concealed within the buildings by the ground floor retail and amenity spaces. _____ [9] City of Oakland and Port of Oakland, 1999. *Estuary Policy Plan*, Section IV: Appendix, page 141, June. **Page 66 of the Draft EIR is revised as follows:** As noted above in the Setting section, specifically in the discussions of the Land Use and Transportation Element and the Open Space, Conservation and Recreational Element, the project would be consistent with ~~generally meet~~ the applicable General Plan policies in that the project would provide for residential and retail uses in the Jack London District. Also noted above in the discussion of the *Estuary Policy Plan*, the project would generally meet the intent of policies that encourage new infill developments to construct residential units in the Mixed-Use District~~; however, the project does not appear to meet the preservation and reuse intent of the policy as the project entails demolition of the existing warehouse on-site~~. The General Plan contains many competing policies, which may in some cases address different goals.
B4-15	11) Page 81; d. Evaluation: this brief section on "evaluation" is totally inadequate. It follows nearly 8 pages describing the "regulatory setting" of "federal, state, and local criteria used to assess historic significance." Seven different sets of regulations are discussed on pages 74-81, but only three are "evaluated" on pages 81 and 82. Where are the other four?	As noted in response to comment B4-11, an analysis of consistency with relevant policies under each of the seven categories has been added to the Setting subsection of *Section IV.B, Historic Resources*, and subsection d. Evaluation, is stricken from the Draft EIR, as reflected below. **Page 81 through 82 is revised:** ~~**d. Evaluation**~~ ~~**(1) National Register of Historic Places**~~ ~~Block A of the proposed project site is identified as a contributing resource to the Oakland Waterfront Warehouse District, which was listed in the National Register of Historic Places on April 24, 2000.~~ ~~**(2) California Register of Historical Resources**~~ ~~All resources listed in the National Register are also listed in the California Register of Historical Resources (California Register). As such, the Oakland Waterfront Warehouse District and all its contributors are also listed on the~~

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		~~California Register~~. **~~(3) City of Oakland, Local Register of Historical Resources~~** ~~The Oakland Waterfront Warehouse District was listed in the National Register on April 24, 2000, and the project site was identified as contributing resource to the District at that time. The National Register listing was noted on the City of Oakland Landmarks Preservation Advisory Board's Evaluation Tally Sheet with a handwritten note: *Evaluation Tally Sheet for Landmark Eligibility*. The Tally Sheet is composed of a series of historic characteristics that are used to score a structure. It includes the following handwritten note on the details of the National Register listing: "On NR [National Register] as part of: "On NR [National Register] as part of Wf. W'h Dist [Waterfront Warehouse District], as 200 4th St. – listed 4/24/00." If API contributor, it's Dc."[19] Based on Policy 3.8 (noted above), these registrations make the property is a Potential Designated Historic Property within an Area of Primary Importance and is an historic resource under CEQA.~~ ~~[19] Handwritten note on Oakland Cultural Heritage Survey Evaluation Tally Sheet, 400-430 Jackson Street/175 5th Street, page1, undated.~~ Text has been revised within the Setting subsection of *Section IV.B, Historic Resources*, under c. Regulatory Setting, to include a consistency analysis within the discussion of each of the seven categories of federal, state and local criteria used to assess historic significance. **Page 74 is revised:** **c. Regulatory Setting** The regulatory background provided below offers an overview of federal, state and local criteria used to assess historic significance. The various policies and criteria applicable to the project are described below. Although a discussion of the project is not typically included in the setting subsections for each environmental topic, such a discussion is provided here for ease of reference relative to the applicable policies discussed. **Page 75 is revised:** Since integrity is based on a property's significance within a specific historic context, an evaluation of a property's integrity can only occur after historic

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		significance has been established.[12] Block A of the proposed project site is identified as a contributing resource to the Oakland Waterfront Warehouse District, which was listed in the National Register of Historic Places on April 24, 2000. As a contributing resource, the existing warehouse on Block A is historically significant. An evaluation of the property's integrity in the context of the project's cumulative impact to the District is provided in d. Cumulative Impacts, (1) Discussion of Integrity below. **Page 76 is revised:** In addition to separate evaluations for eligibility to the California Register, the state will automatically list resources if they are listed or determined eligible for the NRHP through a complete evaluation process.[15] All resources listed in the National Register are also listed in the California Register. As such, the Oakland Waterfront Warehouse District and all its contributors, including the warehouse at Block A, are also listed on the California Register. **Page 76 is revised:** 7. Not evaluated for National Register or California Register or needs revaluation. Using the status codes above, 180 4th Street would have a code of 1 since it is listed in both the National Register and California Register. **Page 77 is revised:** The Element provides the following definition of the City's Local Register of Historical Resources, or properties considered significant for purposes of environmental review under CEQA. For purposes of environmental review under CEQA, the following properties will constitute the City of Oakland's Local Register of Historical Resources:[17] 2. Those Potential Designated Historic Properties that have an existing rating of "A" or "B" or are located within an Area of Primary Importance. The Oakland Waterfront Warehouse District was listed in the National Register on April 24, 2000, and the existing warehouse on Block A of the project site was identified as contributing resource to the District at that time as part of the nomination of the District prepared by Wilda L. White, President of the Jack

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		London Neighborhood Association. Although the S & W building is undistinguished, it is a contributing element to a National Register-listed historic district; the National Register listing automatically lists the District in the California Register. Per the regulations at CCR Section 4851.(c)(1)(2) and Section 4852.(a)(5), the S & W Building is automatically listed in the California Register as an "individual resource contributing to the significance of the historic district" and thus qualifies as a "historical resource" under CEQA as defined at PRC Section 21084.1. _____ [17] Any property listed on the California Register of Historical Resources (California Register) officially determined to be eligible for listing on the California Register is also considered a "Historical Resource" pursuant to Section 21084.1 of CEQA. **(4) Oakland Cultural Heritage Survey (OCHS)** ~~Block A of the project site was assessed by the OCHS, a project of the Oakland City Planning Department, in March 1983.~~ The Oakland Cultural Heritage Survey (OCHS) is intended to provide an inventory of historic resources throughout the city. The OCHS's Individual Property Rating system . . . contributors; [and] ASIs do not appear eligible for the National Register." Block A of the project site was assessed by the OCHS, a project of the Oakland City Planning Department, in March 1983. It was given a rating of D at that time, indicating a property of "Minor Importance," and was not included in the City's WWD API as defined by the OCHS. The City's API for the WWD was not updated after the Block A property's inclusion in the National Register District. As a result, the Block A property remains outside the WWD API and now holds a rating of Dc3. The additional contingency rating of "c" indicates that the property has sufficient historical or visual/architectural value to warrant limited recognition, and a Multiple Property Rating of "3" indicates that it is located in neither an API nor ASI as designed by the City. **Page 78 is revised to add Policy 1.2, as follows:** ▪ **Policy 1.2. Potential Designated Historic Properties.** The City considers any property receiving an existing or contingency rating from the Reconnaissance or Intensive Surveys of "A" (highest importance), "B" (major importance), or "C" (secondary importance) and all properties determined by the Surveys to contribute or potentially contribute to an Area of Primary or

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		Secondary Importance to warrant consideration for possible preservation. Unless already designated as Landmarks, Preservation Districts, or Heritage properties pursuant to Policy 1.3, such properties will be called "Potential Designated Historic Properties." **Page 78, text under (1) Historic Preservation Element Policies is updated and Action 3.8.1 is moved to the end of the bulleted list after Policy 3.8.** This revision is shown in response to comment B4-12. **Pages 78 to 79 are further revised by the following text added after Action 3.8.1:** The project would be generally consistent with the Historic Preservation objectives, policies and actions above. An evaluation of each of the nine measures identified in Action 3.8.1 with respect to the project is provided below in Section 2.c. Significant Impacts, following Impact HIST-1. See response to comment B3-11 for the consistency discussion. **Pages 80, under (6) Estuary Policy Plan (Estuary Plan), is revised as follows:** The project generally meets the land use objectives of the *Estuary Policy Plan* as described in *Section IV.A, Land Use*. Oakland Estuary plan in Land Use and Transportation Element. The project also generally meets the intent of Policy JL-5, which encourages development of a mix of uses and infill with residential uses within the *Estuary Policy Plan*'s Mixed Use District, in which the project site is located.
B4-16	12) Page 82; (3) City of Oakland, Local Register…: this "evaluation" is very confusing. What is an "Evaluation Tally Sheet" and why is it relevant? The quote from the Evaluation Tally Sheet should be explained (why is it even needed?).	See response to comment B4-15, text revisions to pages 81 to 82 and to page 77 of the Draft EIR.

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B4-17	The last sentence of this "evaluation" refers to Policy 3.8, which is quoted on page 78, but that policy says nothing about "Potential Designated Historic Property" or "Area of Primary Importance".	**Page 78, Policy 3.8, is revised as follows:** ▪ **Policy 3.8.** "Definition of "'Local Register of Historic Resources"' and historic preservation "'Significant Effects"' for environmental review purposes." According to this policy, the following properties will constitute the City's local Register of Historic Resources: "1) All Designated Historic Properties, and 2) Those Potential Designated Historic Properties that have an existing rating of 'A' or 'B' or are located within an area of Primary Importance." Further, according to this policy, properties listed on the California Register are also considered a historical resource under CEQA. By virtue of being a contributing element to a National Register District, the Block A property is also listed on the California Register, and is thus a historical resource under CEQA per this policy. In addition, t~~T~~his policy states that ~~defines the minimum set of historical resources that require consideration in environmental review:~~ "Complete demolition of a Historical Resource will normally be considered a significant effect that cannot be mitigated to a level less than significant and will, in most cases, require preparation of an Environmental Impact Report." ~~Properties included on the National Register and in an API are included in this definition.~~
B4-18	The building on Block A is, in fact, a "Designated [existing] Historic Property" and, in accordance with Policy 8 (on page 78), its proposed demolition requires preparation of an EIR. This paragraph should be completely rewritten.	See response to comment B4-15, text revisions to pages 81 to 82 and to page 77 of the Draft EIR.
B4-19	13) Pages 83-84; (1) Impacts of Demolition: This section needs to be expanded and clarified. The conclusion that that the demolition of S&W Fine Foods headquarters would have a *Less-than Significant Impact* on the Waterfront Warehouse District because its loss "would not destroy the District's character such that it would be likely to be removed from the National Register of Historic Places" seems inconsistent with the statement on page 95 that "the proposed project will add to this cumulative loss of integrity and loss of historic resources and as a result the integrity and significance [of the] National Register District will be materially affected." And inconsistent with the conclusion on page 96 that "the effect of the proposed project in combination with effects of other the past projects would be cumulatively significant and unavoidable."	The Draft EIR conclusions highlighted in this comment are not inconsistent. Rather, they represent two different environmental impacts: (1) the project's individual impact on historic resources; and (2) the project's cumulative impact on historic resources, which includes impacts of the proposed project "created as a result of the combination of the project… together with other projects causing related impacts." (CEQA Section 15130(a)1). As noted on page 83 of the Draft EIR, "demolition of a single, contributing building, among 23 others and located in the northeast corner of the WWD, would not significantly affect the overall historic character of the District," and thus would result in a less-than-significant project impact. The conclusions on pages 95 and 96 are from an analysis of the potential cumulative impacts of the proposed project together with numerous recent development projects within the District, "including the Allegro, 288 3rd Street, and 428 Alice Street together with the loss of a contributing resource as the result of the latter project" (page 95). The potential for historic erosion increases

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		with the number of uncoordinated development projects, thus driving different Draft EIR conclusions for two different impact categories. **Page 84 of the Draft EIR, under b. Less-than-Significant Impacts, is revised to clarify the discussion of project-level impacts:** **(2) Impacts of Demolition to Significance of Historic District** The proposed project would demolish 180 4th Street property, a contributor to ~~both~~ the National Register-listed WWD~~and to an API~~. However, the demolition of a single, contributing building, among 23 others and located in the northeast corner of the WWD, would not significantly affect the overall historic character of the District. The WWD would retain the valuable sense of place—the Oakland estuary waterfront area, and time—the early-mid 20th century. The removal of this building would not in and of itself materially alter the District's integrity or eligibility for the National Register. ~~Following the removal of 180 4th Street warehouse, the total number of contributing resources in the District would remain above the two-thirds of the total resources, as a general measure for recognition as an API.~~ Demolition of the 180 4th Street warehouse would result in only a 4 percent reduction of the National Register District's total number of contributing elements. Given that the property is not located within the WWD API, demolition would not affect the API, and the WWD API would retain 100 percent of its contributing resources. Additionally, the warehouse does not appear to be primary "keystone" contributing element that is essential to the viability of the WWD as a historical resource. ~~as the~~The warehouse is out of scale and proportion with the prevailing character-defining features of the large resource, namely that the building is twice the size of the largest typical contributing element as described in the National Register nomination documents and is the sole contributor that covers and entire city block. All the other WWD contributors have smaller building footprints with multiple buildings on the same block. Moreover, the 180 4th Street warehouse is located at the district's far northeastern boundary approximately 660 feet northeast of the WWD core. The warehouse portion of the building was constructed in 1937 toward the later period of the WWD's industrial development and was the second home of S & W Fine Foods within the WWD. Moreover, significant alterations to each building façade have diminished its original subdued Moderne architectural qualities and the two facades of the building observable from vantage points from within the WWD—which form the "face" of the building to the District—are heavily modified. This compromised integrity minimizes the building's

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		contribution to the District . Therefore, ~~is located at the very northeastern corner of the District,~~ the loss of this building would not materially alter the integrity of the cohesiveness of contributor resources or relationships of those resources to one another within the District and demolition would not materially impair the significance of the WWD as whole. For the reasons described above, the~~The~~ loss of 180 4th Street would not destroy the District's character such that it would be likely to be removed from the National Register. Thus, it would not result in a significant project-level impact~~effect~~ upon the District. **(3) Impacts of New Construction to the Historic District** The proposed project would result in the construction of two new buildings: one on Block A that is within the District (Building A) and the other on Block B which is immediately adjacent to the historic ~~District~~district (Building B). As explained below, construction of these two buildings would result in a less-than-significant impact to the District. **Page 85, beginning at the 2nd paragraph is revised:** ~~Given t~~The location of the proposed project at the far northeast corner of the District, its height in relationship to both nearby contributing resources and newer developments, and the use of varied industrially-themed materials to achieve elements of visual coordination and prevent overall visual impact all contribute to a project that is compatible with the characteristics of the District., ~~t~~The proposed project would not ~~result in~~create effects that would result in substantial adverse changes, demolition, destruction, relocation or alteration to the District and the District would ~~impair the historic district's eligibility~~ remain eligible for listing in the National Register, California Register, local register, or historical resource survey.[25] ~~The construction of Building A, in and of itself, would not significantly alter the physical characteristics of the Historic District that convey its historic significance.~~ Thus, construction of Building A would have a less-than-significant effect to the ~~Historic~~ historic ~~District~~district. [25] CEQA Guidelines 15064.5(b).
B4-20	Perhaps the "Discussion of Integrity" that begins on page 90 and addresses location, design, setting, materials, workmanship, feeling, and association could be moved to this section to support	The National Register "Discussion of Integrity" is appropriately located in Section d. Cumulative Impacts. As explained in the section, the concept of historic district "integrity" is rooted in a series of individual elements, and for a

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	the statement that the demolition of the S&W Fine Foods headquarters would "not result in a significant effect on the district". And just the "reasonably foreseeable demolition, new construction and other alterations" could be discussed in the section on Cumulative Impacts that starts on page 88."	district to retain integrity as a whole, "the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished." This framework relates directly to the potential impact of multiple, separate development projects within the same district, and facilitates an analysis of the cumulative historic impact of the proposed project on the WWD.
B4-21	14) Page 85; last paragraph: because the proposed new building on Block A would be located in the Waterfront Warehouse District (policy JL-6) rather than the Mixed Use District (policy JL-5), this paragraph (and much of this section) needs correction and revision.	The project site is not located in the Waterfront Warehouse District designated by the *Estuary Policy Plan*. Accordingly, Policy JL-6 of the *Estuary Policy Plan* does not apply to the project site. See response to comment B4-14.
B4-22	15) Pages 85-86; Building B: The proposed new building on Block B is incorrectly located in this discussion. The parking lot (Block B) is directly across 4th Street from the Waterfront Warehouse District. Unless the boundaries of the WWD are changed with the approval of the Keeper of the National Register, Block B will always be directly across the street from the WWD. It will never be "half a block outside…" and the proposed new building will never be "'set back' about 190 feet from the Historic District boundary (middle of Jackson Street)." Please make corrections.	**Pages 85 to 86, text under "Building B" is revised:** **Building B** The project will construct another building directly across 4th Street to the south at 431 Madison Street. The three external facades of the U-shaped building will face 4th Street, Madison Street and 3rd Street. The building's internal courtyard On the west it will abut the Allegro at Jack London Square, located on the same block to the west. Building B is located across 4th Street from a half a block outside the Oakland Waterfront Warehouse District, and is separated from the eastern boundary of the District by the Allegro. ~~The Allegro at Jack London Square is located between Building B and the eastern boundary of the historic district.~~ ~~Any effects related to the height of Building B would be mitigated by the presence of the Allegro project which, at five stories and approximately 60 feet high, would visually obscure Building B. In effect, Building B would be "set back" about 190 feet from the Historic District boundary (middle of Jackson Street).~~ The construction of Building B, in and of itself, would not significantly alter the physical characteristics of the Historic District that convey its historic significance. Thus, construction of Building B would have a less-than-significant effect on the Historic District. Any arguable effects related to the height of Building B would be offset by the presence of the Allegro project which, at five stories and approximately 60 feet high, would visually obscure Building B.
B4-23	16) Page 87; HIST-1a: HABS documentation is appropriate for individual landmarks but seems like overkill for a district contributor. The whole Waterfront Warehouse District is the historical resource that should be documented. Rather than a HABS survey report, we suggest another "appropriate format" be	See response to comment B2-4.

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	proposed and be focused on the WWD.	
B4-24	Because it will be less expensive, leftover funds could be used for the Historic District Signage Program (HIST-1c), which should be expanded.	The cost of the HABS documentation required by Mitigation Measure HIST-1a would be borne entirely by the project sponsor and paid for with private monies. There would thus be no "leftover funds" that could be used by the City for other purposes. However, Mitigation Measure HIST-1d has been modified to provide more flexibility regarding the use of funds generated thereunder within the Historic District, which may include future funding for signage programs that benefit the District. See responses to comments B1-2 and B2-4.
B4-25	17) Page 87; HIST---1c: The Historic District Signage Program involves trash receptacle signs and street marker signs. In addition to paying for one year (why just one year?) of maintenance we recommend making urgently needed repairs and providing replacements for several units destroyed by cars. We suggest that a survey be done and costs be estimated. Enhancing and expanding the signage program throughout the WWD would be a much more appropriate mitigation for the demolition of a contributing building.	Mitigation Measure HIST-1c has been revised based on a survey and cost estimate for the repair and replacement of trash receptacles and historic signs that comprise the Historic District Signage Program, as prepared and provided by the Jack London Improvement District. to The mitigation measure has also been revised to provide more flexibility for the use funds that exceed repair and replacement costs. See responses to comments B2-6, B1-2, and B1-8.
B4-26	18) Page 88; HIST-1d: Contribution should be to a "program appropriate to the character of the resource". As noted above, the historical resource is the Waterfront Warehouse District in which the S&W Fine Foods headquarters is a contributing property. Funds should be used to benefit and enhance the entire Waterfront Warehouse District; they should not be deposited in the Façade Improvement Fund as there are few if any facades in the WWD that need "improvement". The Jack London Improvement District and members of the community have suggested many viable uses for this contribution. What's needed is a program and decision-making process that benefits and enhances the WWD.	See responses to comments B2-6, B1-2, and B1-8.
B4-27	19) Page 88; Impact HIST-2: This whole discussion is less than adequate and needs to be revised. Among other things, it should specify where "reasonably foreseeable demolition, new construction and other alterations" may take place that could "materially impair the significance of the historic district…".	Based on the history of the area, including the WWD (see Waterfront Warehouse District: 1985-2000-2015, included as Appendix F to the Draft EIR, as reflected in Chapter IV, Text Revisions of the Draft EIR), and the future development of the area contemplated by the Estuary Policy Plan, it is reasonable for the EIR to conservatively assume that future changes within the historic district could take place that could have an effect on the historic significance of the historic district. The Draft EIR has been revised to clarify this; see response to comment B2-12 for revisions.
B4-28	What is the reason for including the paragraph at the bottom of the page? How are changes that occurred prior to 1999 relevant to the historic resource that was listed on the National Register in	The paragraph provides background information on the National Register registration and the evaluation of the integrity of the historic district, which concluded "that the District appeared in 1999 much as the same as it did in

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	2000?	1954, the end of the District's period of significance." Therefore, the changes that took place up until 1999 are relevant in describing how the district appeared in that year and because the cumulative analysis considers past, present, and reasonably foreseeable future projects.
B4-29	20) Page 90; first line: there are many more than two "adaptive use" projects in the WWD. Either list each and its relevance to the discussion of cumulative impacts, or omit this section.	The adaptive reuse projects referenced are buildings that were significantly rehabilitated and adapted for reuse consistent with the Secretary of the Interior's Standards and as such they both maintain their status as a contributor to the District. The text has been revised to clarify this. **Page 90, first paragraph is revised:** There are two buildings that were rehabilitated for ~~adaptive~~ reuse ~~projects~~ consistent with the Secretary of the Interior's Standards within the District. These are the Safeway Building at 201 4th Street and Allied Paper Company Warehouse at 283 4th Street; both maintain their contributors to the National Register District. The discussion of cumulative impacts does not rely on exhaustive lists of all representative projects types, but rather a "list of past, present, and probable future projects producing related or cumulative impacts" that considers factors such as project location, type, and nature of resource. As such, the identified adaptive reuse projects, in combination with the other projects presented in Section d., comprise an appropriate list of past projects that are relevant to the cumulative analysis. See response to comment B4-27.
B4-30	21) Page 90; … three new developments: three new buildings have been constructed as stated. It might clarify things to say that two were built on vacant parcels previously owned by the railroad (Allegro 1 at 240 3rd Street [2001] and 288 3rd Street [2007] and the other, 428 Alice [2006], involved the demolition of a district contributor.	This informational comment has been noted; however, the additional information does not directly benefit the cumulative analysis of historic resources in the Draft EIR. The EIR, page 95, discloses and considers the prior demolition of a district contributor at the 428 Alice site. No text changes have been made and no further response is necessary.
B4-31	22) Page 91; middle of page: "The steps in assessing integrity in properties are:" needs to be clarified. Are these the National Register's steps for assessing integrity or the California Register's steps? Are these steps for individual buildings within the district or the district as a whole? Or both? Throughout the discussion of location, design, setting, materials, workmanship, feeling, and association that follows, the difference between the district as a whole and individual buildings within the district is often unclear. Some editing would help!	As noted in footnote 27 to the Discussion of Integrity, "This section and definitions of seven aspects of integrity on the following pages are excerpted from United States Department of the Interior, National Park Service, Cultural Resources, *How to Apply the National Register Criteria for Evaluation*, National Register Bulletin, No. 15. http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm, accessed on March 3, 2015. References throughout this section refer to the historic district. A rewrite is not necessary.
B4-32	23) Page 95; Conclusion: Why is the Oakland API criteria for integrity of a district brought up here when it has not been	The discussion of Oakland API criteria has been stricken from the conclusion section on page 95. See response to comment B2-12. As discussed in response to

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	mentioned in the previous section that discusses integrity?	comment B3-17, no part of the project site falls within the city's WWD API; as such the discussion of the API on page 95 is not relevant.
B4-33	Four areas of concern that should be clarified in the EIR even if no mitigation is proposed: -For many years we have wondered why Madison Street is one way between 5th and 4th. Can this be explained in the EIR and possibly changed?	This comment does not specifically address the adequacy of the EIR. The City is currently studying the conversion of one way streets to two way streets throughout downtown, including Jack London area as part of a circulation study and the Downtown Specific Plan. This study is being completed independent of the proposed project and there are no plans to convert Madison Street to a "two-way" street between 5th and 4th Streets at present. No further response is necessary.
B4-34	-Will this project be required to install, repair, and/or replace curb, gutter, and sidewalk where needed around both buildings? Where is this requirement specified in the draft EIR?	**Page 43 of the Draft EIR, under 2. Circulation and Parking, is revised:** The proposed project would provide approximately 365 parking spaces on the first and second levels of Block A and B buildings. Bicycle parking, and electric vehicle parking would be included per City requirements. Sidewalks will be installed and curb and gutter will be preserved or installed along all project street frontages. This will include the installation of curb, gutter and sidewalk at Block A along 4th Street where parking currently exists. Accessible curb ramps will remain at each corner of Block A, and at the corners of Madison Street and 3rd Street and Madison Street and 4th Street on Block B. Further, the project will be required to comply with SCA TRA-3 (SCA 19) which requires the project applicant to submit Public Improvement Plans to the City's Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements (including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, street lighting, on-street parking and accessibility improvements , etc.).
B4-35	-The angle parking on Jackson between 5th and 4th narrows both driving lanes on a busy street and creates unsafe conditions that can cause unreported fender benders, near misses, and road rage. Additional traffic heading to the proposed project can only exacerbate these problems. Does parking on this block of Jackson Street meet normal City standards? If not, might this not be a good time to replace the angle parking with parallel parking?	The angled parking on Jackson between 4th and 5th Streets is located on the northwest side of Jackson Street The street parking on southeast side of Jackson, which is immediately adjacent to the project site is parallel. Although the proposed project would increase traffic volumes on Jackson Street between 4th and 5th Streets, it would not physically modify the street or provide direct access on Jackson Street. Based on application of City of Oakland's Significance Criteria (see page 120 of the Draft EIR), the proposed project would not under CEQA cause a significant impact at this location; therefore, no mitigation measures are required.
B4-36	--If asked, employees and residents of the Jack London District will tell you that a left turn signal is needed northbound on Jackson at the 6th Street/I---880 onramp. Currently Jackson and 6th is a	See Response A1-2 regarding updated traffic analysis with 2015 counts. The updated analysis identifies a significant impact at the Jackson Street/6th Street intersection. The significant impact at this intersection can be mitigated to a less-

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	signalized intersection. At various times there is heavy traffic exiting the Jack London District that wants to turn left into the freeway onramp. This can be difficult when there is southbound thru traffic on Jackson Street or when there are pedestrians in the crosswalk. Traffic sometimes backs up under the freeway to 5th Street, blocking vehicles exiting from I--- 880, and occasionally as far as 4th Street. Adding a carefully timed left turn arrow to the traffic signals at this intersection to allow a protected left turn into the freeway onramp might alleviate the problem until more traffic is generated by additional development in the Jack London District. At that time, it might help to add roadway sensors for traffic signals and pedestrian actuated signal devices.	than-significant level by implementing Mitigation Measure TRANS-1, which would primarily provide a protected left-turn phase for the northbound approach (The northbound left-turn movement would have a left-turn arrow and all other conflicting vehicle and pedestrian movements would be prohibited) at the intersection.
B4-37	Counts for this intersection were collected in Jan/Feb 2013. Since then, new employees have occupied previously vacant office space throughout the Jack London District. We think the counts at this intersection should be updated to reflect current realities.	See response A1-2 regarding updated traffic analysis with 2015 counts. The updated counts were taken in April 2015 following much of the office space in the area becoming occupied.
B5 Brickhouse Lofts HOA		
B5-1	The Home Owners Association (HOA) of Brickhouse Lofts, located at 201 Third Street, Oakland, CA 94607, completed in 1998 and one of the pioneering structures in our Jack London Historic District, is in favor of new development that retains our unique warehouse heritage, brings vitality to our community, enhances public safety, creates an environment for needed services, and encourages population diversity. The draft EIR correctly defines this project as a maximum density project. But it ignores the impact of that density on traffic congestion and danger of accidents and the need for basic services for JLD residents, the tiny allotment of commercial space would not provide. Accordingly, the Brickhouse Lofts Homeowners Association objects to the following aspects of the Draft EIR: (A.) the EIR should include a traffic study based upon contemporary data concerning the level of usage and re-adjusted to remove credits mistakenly awarded; and (B.) the amount of retail space should be part of the EIR, not left to design review, because it violates land use policies and will impact traffic.	These are introductory comments that are described in more detail below in subsequent comments. See response to comments B5-2 to B5-21, below. Also see response to comments A1-2 regarding updated traffic counts and analysis.

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B5-2	(A.) **The EIR Should Rely Upon a New Contemporary Traffic Study to Determine Whether Mitigation Measures Should Be Required.** The conclusion of the DEIR, namely that the current level of usage (including at 6th and Jackson) operates at peak hours with only minimal delays earning a "B" LOS (DEIR, pg. 130) does not jive with the daily experience of our HOA residents. What happens on a daily basis is more consistent with an E or F grade. The intersections frequently overflow, blocking oncoming traffic. The wait time for getting through the traffic signal at 6th & Jackson to the freeway on-ramp is often 15 minutes. Many drivers turn left to the freeway ramp against the light and risk danger to themselves and others.	Since publication of the Draft EIR, an updated traffic analysis using 2015 counts was completed and is provided in Appendix D Revised; the updated traffic counts are provided in Appendix C Revised (see Chapter IV of this RTC Document); Draft EIR Chapter IV.C Traffic and Transportation, is updated in its entirety in Chapter IV, Text Revisions, of this RTC document. See response to comment A1-2 for details regarding the updated analysis. The updated analysis shows that the intersection currently operates at LOS E during the AM peak hour and LOS D during the PM peak hour. The LOS reported for the Jackson Street/ 6th Street intersection is based on the weighted average delay experienced by motorists on all approaches of the intersection throughout the peak hour. As stated in the comment and shown on the LOS calculation sheets in Appendix C Revised, specific movements at the intersection, such as the northbound left-turn, experience high amount of delay throughout parts or for the whole peak hour. Based on the 2015 data, the northbound left-turn movement currently operates at LOS F during both AM and PM peak hours. However, the intersection as a whole operates at LOS E or better due to less delay experienced by motorists on the other approaches of the intersection, which offsets the high delay experienced on the northbound left movement.
B5-3	The DEIR traffic study conclusion was skewed in favor of the developers in several ways: (1) it was based upon stale data captured in two months in 2013 (DEIR, pg. 97) that no amount of theoretical extrapolation can correct to reflect current usage;	Since publication of the Draft EIR, an updated traffic analysis using 2015 counts was completed and is provided in Appendix D Revised; the updated traffic counts are provided in Appendix C Revised (see Chapter IV of this RTC Document); Draft EIR Chapter IV.C Traffic and Transportation, is updated in its entirety in Chapter IV, Text Revisions, of this RTC document. See response to comment A1-2 for details regarding the updated analysis. See also Response to Comment B4-36.
B5-4	(2) the study wrongly awarded credits owing to existing employees of Cost Plus even though the traffic created by those workers is in the opposite direction to residents who will be leaving for work at the very same time these workers are arriving (DEIR pg. 123);	As correctly stated in the comment, and shown in Table IV.C-4 on page 124 of the Draft EIR, the project trip generation accounts for existing Cost Plus trips that would be eliminated. As described on page 123 of the Draft EIR, the existing trips are based on data collected at the site in February 2015, which are reflected in the directionality of the trips shown in Table IV.C-4. As shown in the table, the existing trips generated by Cost Plus employees are primarily inbound during the AM peak hour and outbound during the PM peak hour, while trips generated by the proposed project residents would be primarily outbound during the AM peak hour and inbound during the PM peak hour. As a result, the net trips shown in Table IV.C-4 have minimal reduction due to existing trips in the peak direction (7 trips for outbound AM peak hour trips and 4 trips for inbound PM peak hour trips).

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B5-5	(3) while it is true not all 365 cars will be leaving at the same time, the traffic study depends too heavily upon the ability of tenants to change their work schedules -- an issue neither the city nor the developers can control; and	The project trip generation estimate presented in the Draft EIR is based on standard transportation planning practices and consistent with City of Oakland's Transportation Impact Study Guidelines (April 2013). As described on page 122 of the Draft EIR, the trip generation is based on data published in Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, which is based on data collected at similar sites throughout the country. Since the ITE *Trip Generation Manual* data is mostly at suburban locations, the trip generation was adjusted to account for the urban setting of the project and proximity to BART, which is consistent with other recent environmental documents in Oakland.
B5-6	(4) the study took no account of the cumulative effect of the planned two Ellis Partners projects and the large Brooklyn Basin project.	As described on page 130 of the Draft EIR, the Cumulative 2035 traffic volumes used in the Draft EIR analysis were obtained from the Jack London Square Redevelopment Project Addendum (JLS Addendum) and are the same as the Cumulative Year 2035 plus Project scenario, which includes the trips generated by the Ellis Partners project, as it is the project analyzed in the JLS Addendum. The Cumulative Plus Project forecasts developed for the JLS Addendum used the Alameda County Transportation Commission's Countywide Travel Demand Model, which includes planned and proposed developments expected by 2035; therefore, it accounts for traffic generated by Brooklyn Basin and other planned and proposed developments in Oakland.
B5-7	As set forth in our previous comments to the NOP, there are simple mitigation measures that would ease these concerns: (1) install a left-hand turn only traffic signal at the Jackson St. & 6th Street freeway entrance and optimize signal timing to alleviate the gridlock;	Since publication of the Draft EIR, an updated traffic analysis using 2015 counts was completed and is provided in Appendix D Revised; the updated traffic counts are provided in Appendix C Revised (see Chapter IV of this RTC Document); Draft EIR Chapter IV.C, Traffic and Transportation, is updated in its entirety in Chapter IV, Text Revisions, of this RTC document. See response to comment A1-2 for details regarding the updated analysis. The updated analysis identifies a significant impact at the Jackson Street/6th Street intersection. The significant impact at this intersection can be mitigated to a less-than-significant level by implementing Mitigation Measure TRANS-1, which would primarily provide a protected left-turn phase for the northbound approach (The northbound left-turn movement would have a left-turn arrow and all other conflicting vehicle and pedestrian movements would be prohibited) at the intersection.
B5-8	(2) change parking on Jackson Street between 4th and 5th Streets -- which is currently angled and makes the exit from the freeway ramp dangerous and congested -- to parallel only and restricted altogether during rush hours;	See response to comment B4-35.
B5-9	(3) extend the current free shuttle bus route to include Jackson Street to and from the Lake Merritt BART station, and/or improve the lighting under the freeway overpasses, to make access to public transit safer and more convenient.	Based on the City's s CEQA significance criteria for transportation, including transit and safety, the proposed project would not result in any significant impacts that warrant the recommendations for the shuttle bus or lighting under the freeway as mitigation measures necessary to ensure less than significant impacts. Recommendation 3 on page 139 of the Draft EIR consists of

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		implementing a TDM program for the project. The specific strategies for the TDM program have not been identified. However, they may include extending the current Free B Shuttle to serve the project site, improving lighting under the freeway overpass, and/or other strategies. These improvements are not necessary to reduce any significant impacts to a less-than-significant level, but they are recommended as an opportunity to further minimize impacts that are already less than significant.
B5-10	A new traffic study with reliable data should be performed, and mitigation measures, such as those suggested here, should be required.	Since publication of the Draft EIR, an updated traffic analysis using 2015 counts was completed and is provided in Appendix D Revised; the updated traffic counts are provided in Appendix C Revised (see Chapter IV of this RTC Document); Draft EIR Chapter IV.C Traffic and Transportation, is updated in its entirety in Chapter IV, Text Revisions, of this RTC document. See response to comment A1-2 for details regarding the updated analysis. See response to Comment B5-7 regarding the mitigation measure at the Jackson Street/6th Street intersection. In addition, while not required to address any significant CEQA impacts, the Draft EIR includes Recommendations 1 through 5 to improve access and circulation for various modes throughout the site.
B5-11	This project will have an adverse impact on traffic during peak hours the developers should be required to ameliorate.	See response to Comment B5-10.
B5-12	(B.) **The Amount of Planned Retail Space Should Be Part of this EIR Since Nearly All Agree the Amount will Increase from the Limited 3000 Square Feet, Requiring a Later-Performed Traffic Study, and the Current Designated Space Fundamentally Conflicts with Land Use Policies -- a Proper Subject for City Planning.** The proposed tiny allotment of commercial space should be addressed here and now by the city planning commission and not put off solely as a design review issue as it impacts both traffic and land use policies.	The Draft EIR covered an analysis for up to 8,000 square feet of retail as stated on page 43 of the Draft EIR. Given the project that was submitted by the project applicant only includes 3,000 square feet of retail, the Draft EIR lists that as the proposed project. To clarify the fact that the EIR analyzes impacts associated with a project that accommodates up to 8,000 square feet of retail, the following text revisions are made to the Draft EIR: **Page 43, third paragraph under 1. Proposed Uses is revised including footnote 4 is revised:** Additionally, ~~3~~up to 8,000 square feet of retail is currently proposed in Buildings A and B, fronting on 4th Street~~ (but up to 8,000 square feet of retail is considered in the analysis presented in this EIR)~~.[4] The above-mentioned project components are summarized in Table III-1. [4] ~~The project is characterized throughout this document as proposing 3,000 square feet of retail. However, the analysis contained within this EIR remains valid for a retail component of up to 8,000 square feet within the structures proposed. If the proposed project were modified to include greater than 8,000 square feet of retail, the project would generate more than 100 trips in the PM peak hour and would thus require an additional Congestion Management Program (CMP) Land Use Analysis Program Transportation Impact Analysis.~~ The current project plans show only approximately

TABLE III-1 RESPONSE TO COMMENTS MATRIX

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4,700 square feet of retail. The City has indicated that they would support additional retail square footage incorporated into the project, and as a result and to be conservative, the proposed project has been analyzed in this EIR as including up to 8,000 square feet of retail.

Page 45, Table III-1 is also revised:

TABLE III-1 PROJECT COMPONENTS

Uses	
Residential Units	+/- 330
Studio (Standard Studios and Jr 1 Bedrooms)	+/- ~~21~~15 (~~10~~5%)
One-Bedroom	+/- ~~185~~190 (~~50~~57%)
Two-Bedroom	+/- ~~120~~116 (~~40~~35%)
Three-Bedroom	+/- 9 (3%)
Ground Floor Uses	
Residential Amenity Spaces	Lobby, Lounge, Fitness and Business Centers
Retail	~~+/- 3~~up to 8,000 sq.ft.
Parking	
Parking Spaces	+/- ~~365~~335
Parking Ratio	1.~~2~~:1

Note: The current project plans (dated November 9, 2015) show approximately 4,700 square feet of retail. The City has indicated that they would like additional retail square footage incorporated into the project, and as a result, the proposed project has been analyzed in this EIR as including up to 8,000 square feet of retail.

Source: CP V JLS, LLC, 2015.

Page 64, first paragraph is revised:

Section 17.117.090 of the Oakland Municipal code requires bicycle parking spaces for non-residential uses at a rate of one long-term space per 12,000 square feet, with a minimum of two spaces and one short-term space per 5,000 square feet, with a minimum of two spaces. The project would add ~~about~~ up to 8,000 ~~3,000~~ square feet of non-residential area, requiring the minimum two long-term and two short-term bicycle parking spaces.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

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Page 122 of the Draft EIR, subsection (1) Project Description is revised:

(4) Project Description

The project would consist of 330 residential units and up to ~~approximately~~ ~~3~~8,000 square feet of retail space, in two buildings as shown on the project site plan on Figure IV.C-6, and described below:

- Building A would occupy the entire block bound by 5th, Madison, 4th, and Jackson Streets. It would replace the existing Cost Plus Headquarters with ~~240~~239 multi-family residential units and ~~635~~up to 4,000 square feet of retail. Building A would provide two levels of parking with ~~256~~242 parking spaces accessed via a full-access driveway on 4th Street.
- Building B would occupy the east half of the block bound by 4th, Madison, 3rd, and Jackson Streets. It would replace the existing parking lot for Cost Plus with ~~90~~91 multi-family residential units and ~~2,229~~up to 4,000 square feet of retail space. Building B would provide two levels of parking with ~~109~~86 parking spaces accessed via a full-access driveway on ~~3rd~~Madison Street.

Page 124, Tables IV.C-4 and IV.C-5 are revised to reflect the analysis with up to 8,000 square feet of retail:

TABLE IV.C-4 TRIP GENERATION SUMMARY – PROJECT

				AM Peak Hour Trips			PM Peak Hour Trips		
Land Use	Size	Unit[a]	Daily Trips	In	Out	Total	In	Out	Total
Proposed Project									
Apartment[b]	330	DU	2,195	34	134	168	133	72	205
Retail[c]	~~2.9~~ 8.0	KSF	~~122~~ 342	~~2~~5	~~1~~3	~~3~~8	~~5~~14	~~6~~16	~~11~~30
ITE Trip Generation Subtotal			~~2,317~~ 2,537	~~36~~ 39	~~135~~ 137	~~171~~ 176	~~138~~ 147	~~78~~ 88	~~216~~ 235
Non-Auto Reduction (-43%)[d]			~~996~~ 1,091	~~15~~ 17	~~58~~ 59	~~74~~ 76	~~59~~ 63	~~34~~ 38	~~93~~ 101
Adjusted Total			~~1,321~~ 1,446	~~21~~ 22	78	100	~~79~~ 84	~~44~~ 50	~~123~~ 134
Existing Land Use									
Total Existing Trips[e]			N/A	-28	-7	-35	-4	-31	-35
Net Trips			~~1,321~~ 1,446	~~7~~ 6	~~70~~ 71	~~62~~ 65	~~75~~ 80	~~13~~ 19	~~88~~ 99

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		TABLE IV.C-5 TRIP GENERATION BY TRAVEL MODE | Mode | Mode Share Adjustment Factors[a] | Daily | AM Peak Hour | PM Peak Hour | | --- | --- | --- | --- | --- | | Automobile | 57.0% | 1,~~321~~446 | ~~97~~100 | ~~123~~134 | | Transit | 30.4% | ~~704~~771 | ~~52~~54 | ~~66~~71 | | Bike | 3.9% | ~~90~~99 | 7 | ~~8~~9 | | Walk | 23.0% | ~~533~~584 | ~~39~~40 | ~~50~~54 | | Total Trips | | 2,~~648~~900 | ~~195~~201 | ~~247~~269 | [a] Based on *City of Oakland Transportation Impact Study Guidelines* assuming project site is in an urban environment within 0.5 miles of a BART Station. Sources: Fehr & Peers, 2015. **Page 140, first paragraph under Parking Considerations is revised:** Section 17.117.090 of the Oakland Municipal code requires bicycle parking spaces for non-residential uses at a rate of one long-term space per 12,000 square feet, with a minimum of two spaces and one short-term space per 5,000 square feet, with a minimum of two spaces. The project would add ~~about~~ up to 8,000 ~~3,000~~ square feet of non-residential area, requiring the minimum two long-term and two short-term bicycle parking spaces.
B5-13	It is a waste of scarce city resources to go forward with the EIR that only contemplates 3000 square feet of retail space, when it has been suggested this amount will increase, as commented by Commissioner Moore on 9/16/15, and informally by others.	See responses to comments B5-12 and B5-14.
B5-14	The DEIR at page 43, footnote 4 suggests increasing the commercial space even just to 8000 sq. ft., would generate 100 additional trips during peak hours requiring an additional traffic analysis.	As per footnote 4 on page 43, "the analysis contained within this EIR remains valid for a retail component of up to 8,000 square feet within the structures proposed. If the proposed project were modified to include greater than 8,000 square feet of retail, the project would generate more than 100 trips in the PM peak hour and would thus require an additional Congestion Management Program (CMP) Land Use Analysis Program Transportation Impact Analysis." However, a project with 8,000 square feet of retail or less would not exceed 100 trips in the PM peak hour. Also see response to comment B5-12 above.
B5-15	Two land use policies are violated if the project is permitted to go forward without an analysis how limited retail space comports with land use policies. Both the General Plan D.1.9 and the Estuary Plan JL-5 require developments to include retail outlets. The EIR must include such an analysis.	Section IV.A, Land Use and Planning of the Draft EIR includes General Plan policy D.1.9 and Estuary Plan policy JL-5 (see pages 55 and 58). The policies are restated here. ▪ **Policy D.1.9: Planning for the Jack London District.** Pedestrian-oriented entertainment, live-work enterprise, moderate-scale retail outlets, and office should be encouraged in the Jack London Waterfront area.

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Comment #	Comment	Response
		▪ **Policy JL-5.** In areas outside the existing boundaries of the historic district (API) and east to the Lake Merritt channel, encourage the development of a mix of uses, including housing, within a context of commercial, light industrial/manufacturing uses, and ancillary parking. While both policies suggest encouragement of development with various uses, including retail, neither requires development to include retail outlets. CEQA Guidelines, Section 15125(d) states that the environmental setting of an EIR must discuss "any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." The project as proposed would develop a mix of uses in a pedestrian-oriented manner with retail. Thus, the project is consistent with both of the above policies. Moreover, an inconsistency with a General Plan or other policy—one that has not been selected by the lead agency to serve as a threshold of significance—does not necessarily cause an environmental impact for purposes of CEQA (*Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 719). Further, the lead agency has some discretion in weighing and balancing the intent of competing policies as applicable to a particular project (*Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 816).
B5-16	The developer of Brickhouse Lofts, Mike Bartlett (resume attached as appendix) has asked us to include his comments here: "While I appreciate that some of the issues relating to commercial storefronts would be addressed in design review, even 8,000 sf would be an inadequate amount of commercial space. The two sites are 90,000 sf and represent the last contiguous large parcels in the neighborhood besides Lakeside Metals. The two sites have 1500 linear feet of sidewalk frontage. Even inadequate 20 foot depth retail specs like the spaces in the Alegro covering 50% of the street frontage would be 15,000 sf.	This comment does not specifically address the adequacy of the analysis in the Draft EIR, but rather land use policy in general. This comment is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary.
B5-17	**As I understand it, almost all of the "commercial" would be devoted to the apartment management and common areas with virtually no retail or publicly accessible space.** I could see nothing on 5th Street due to heavy traffic loads and fronting the raised freeway but this project controls both sides of 4th Street and could help create a feeling of neighborhood.	This comment does not specifically address the adequacy of the analysis in the Draft EIR. However, as described in response to comment B5-12, the project description has been revised to clarify that this EIR analyzes a project that includes up to 8,000 square feet of retail. This larger retail component may result in additional retail frontage. The suggested location of retail frontage is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary.

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Comment #	Comment	Response
B5-18	The neighborhood has some of the widest sidewalks in Oakland and the street should cater to people not cars. The Lakeside Metals site is also contiguous to the south and combined you could get some real synergy and vitality going.	The design of the proposed project enhances the pedestrian experience in the neighborhood. The site is currently a warehouse with long, tall, monolithic unbroken concrete facades, windows that are not transparent, and one small entrance, and a separate surface parking lot surrounded by chain link fence. The proposed project brings significant transparency and activity to the street level with retail and leasing activity on 4 key corners, and many project amenity spaces such as fitness and co-working, which will be active throughout the morning, day and evening. The project will provide concealed on-site parking; however, the project caters to people and creates a vibrant pedestrian-oriented presence at the street level as described above.
B5-19	Think, "The Hive" on Broadway and 4th Street in Berkeley. While not required the three projects I developed in the neighborhood, 4th Street lofts, Tower Lofts and Brickhouse Lofts have over 22,000 sf of commercial and 100% commercial frontage on 3rd and 4th Streets and over 75% of all frontage.	The project description has been updated to clarify that this EIR analyzes a project that includes a retail component of up to 8,000 square feet. See responses to comments B5-12, B5-14 and B5-17.This comment does not specifically address the adequacy of the analysis in the Draft EIR; however, it is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project approval process. No further response is necessary.
B5-20	A modern zoning update is not much good if the major undeveloped sites are allowed to be built to the old out of date C-45 zoning.	The City is reevaluating zoning for the Jack London District through its Downtown Specific Plan process which remains ongoing and is the planning stages. Until the time that new zoning is updated, the current zoning is applicable to any proposed development. The proposed project conforms to the current zoning for the site, and serves an important City need by providing new housing in the area—a need which should still be addressed during the interim time before zoning in the Jack London District is updated. The City, through its discretionary project approval processes, has the authority to determine whether a project is approved. The proposed project would implement a variety of City policies aimed at shaping development in the Jack London District and would provide housing in the downtown in line with what is outlined in the General Plan. Although this comment does not specifically address the adequacy of the analysis in the Draft EIR, it is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project approval process. No further response is necessary.
B5-21	Please do not approve this project as designed. We do not need another abomination like the Alegro with long stretches of parking dead zones. The Alegro was approved at a time when Oakland was desperate to see some development in the area. Oakland is a happening place and does not need to bow to an Apartment Builders distain for commercial space at the expense of losing the last chance to create a real neighborhood. You can't just drop 2000 people (Combined new residents in Jack London Area since	See responses to comments B5-12, B5-14 and B5-15 for a discussion of the retail component of the project. This comment does not specifically address the adequacy of the analysis in the Draft EIR. It is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary.

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Comment #	Comment	Response
	we did the first project in 1991) in a neighborhood without providing services the residents will need."	
B5-22	Appendix: M. Bartlett Resume	Mr. Bartlett's qualifications as a commercial developer are noted.
B6 Adams Broadwell Joseph & Cardozo		
B6-1	We are writing on behalf of Oakland Residents for Responsible Development to provide comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Oakland ("City"), pursuant to CEQA,[1] for the Jack London Square 4th & Madison Project ("Project"). The Project is being proposed by the Carmel Partners ("Applicant"). The Project includes the demolition of existing structures and construction of two buildings with approximately 330 residential apartment units, 3,000 square feet of ground-floor commercial space, and 365 parking spaces on an approximately 2-acre, 1.5-block site in the Jack London District in Oakland.[2] The site is currently occupied by two buildings that function as office space and a paved parking area. The Project requires various approvals from the City, including a Conditional Use Permit ("CUP"), Design Review, grading and encroachment permits, and a Tentative Parcel Map for condominiums.[3] Based upon our review of the DEIR and pertinent agency records, we conclude that the DEIR is inadequate under CEQA and must be withdrawn. The DEIR fails to include a complete, stable, and accurate Project description because it fails to adequately describe important aspects of the Project's design and fails to describe the Project's dewatering requirements. The DEIR also fails to adequately establish the environmental setting for hazards within Project disturbance areas. In addition, the DEIR fails to adequately analyze and mitigate the Project's impacts related to hazards, greenhouse gas ("GHG") emissions, and air quality. Finally, the DEIR proposes measures to reduce significant impacts, including compliance with other laws, that are inadequate and unenforceable. The City must revise the DEIR consistent with these comments, and recirculate the revised DEIR for public review. We prepared these comments with the assistance of hazards and	The statements made in this introductory comment are detailed below in subsequent comments. Please see responses to comments B6-3 to B6-7, which address the adequacy of the project description; responses to comments B6-16 to B6-25, which address the environmental setting for hazards; responses to comments B6-26 to B6-49, which address analysis of the project's impacts related to hazards, greenhouse gas emissions and air quality; and responses to comments B6-50 to B6-55, which addresses the comment that the Draft EIR proposes measures to reduce significant impacts—including compliance with other laws—that are purportedly inadequate and unenforceable. The City has responded to the statements in this comment in the responses noted above, which in some cases, contain text changes to the Draft EIR. Section 15088.5. of the CEQA Guidelines discusses recirculation of an EIR prior to certification. Per Section 15088.5, "A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." None of the revisions to the Draft EIR meet the criteria of "significant" information; thus recirculation is not required. The letter from SWAPE is designated as comments B6-57 through B6-97, and responses to the letter are provided in responses to comments B6-57 through B6-97.

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Comment #	Comment	Response
	air quality experts Matt Hagemann, P.G. C.Hg., and Jessie Jaeger from SWAPE.[4] Their technical comments are attached hereto and submitted in addition to the comments in this letter. Accordingly, the City must address and respond to the comments of Mr. Hagemann and Ms. Jaeger separately. _____ [1] Pub. Resources Code, §§ 21000 et seq. [2] Draft Environmental Impact Report ("DEIFY), Jack London Square 4th & Madison Project, August 2015, pp. 1 - 3. [3] *Id.,* at 45. [4] See Letter from Matt Hagemann and Jessie Jaeger, SWAPE, to Laura Horton re: Draft Environmental Impact Report for the Jack London Square 4th and Madison Project, September 22, 2015 (hereinafter, "SWAPE Comments"), **Attachment A.**	
B6-2	**I. STATEMENT OF INTEREST** Oakland Residents for Responsible Development ("Oakland Residents") is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential impacts associated with Project development. The association includes Alan Guan, Risi Agbabiaka, Peter Lew, Bridgette Hall, Tanya Pitts, the International Brotherhood of Electrical Workers Local 595, Plumbers and Steamfitters Local 342, Sheet Metal Workers Local 104, and their members and their families who live and/or work in the City of Oakland and Contra Costa County. The individual members of Oakland Residents live, work, and raise their families in the City of Oakland. They would be directly affected by the Project's impacts. Individual members may also work on the Project itself. They will therefore be first in line to be exposed to any health and safety hazards that may exist on the Project site. The organizational members of Oakland Residents also have an interest in enforcing the City's planning and zoning laws and the State's environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for	This Statement of Interest does not specifically address the adequacy of the analysis in the Draft EIR. It is noted and will be provided to the Landmarks Preservation Board and Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary.

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Comment #	Comment	Response
	business and industry to expand in the region, and by making it less desirable for businesses to locate and people to live there. Indeed, continued degradation can, and has, caused restrictions on growth that reduce future employment opportunities. Finally, Oakland Residents' members are concerned about projects that present environmental and land use impacts without providing countervailing economic and community benefits.	
B6-3	**II. THE DEIR FAILS TO INCLUDE A COMPLETE PROJECT DESCRIPTION** The DEIR does not meet CEQA's requirements because it fails to include a complete Project description, rendering the entire analysis inadequate. CEQA places the burden of environmental investigation on the government rather than the public. Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.[5] An accurate and complete project description is necessary to perform an adequate evaluation of the potential environmental effects of a proposed project. In contrast, an inaccurate or incomplete project description renders the analysis of environmental impacts inherently unreliable. The environmental analysis under CEQA will be impermissibly narrow, thus minimizing the project's impacts and undercutting public review.[6] The DEIR fails to sufficiently describe the Project by failing to adequately describe aspects of the Project's design features and failing to describe dewatering requirements for the Project, which could lead to potentially significant impacts. The DEIR must be revised to address these deficiencies. _____ [5] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311. [6] *See, e.g., Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376.	According to CEQA Guidelines §15124, the description of the project does not need to supply extensive detail beyond that needed for evaluation and review of the environmental impact. Section 15124, Project Description, of the CEQA Guidelines calls for the following to be included in an EIR project description: *1) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.* 2) *A statement of objectives sought by the proposed project*. 3) *A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities*. 4) *A statement briefly describing the intended uses of the EIR*. The subsection on page 45 details the requested discretionary approvals as the intended use of the EIR. The Project Description detailed in Chapter III of the Draft EIR provides this information. The Project Description includes Figure III-1 of the Draft EIR which shows the project site in the context of the Jack London District and the Bay Area Region and Figure III-2, which shows the locations and boundaries of the project on the first level building plan. The objectives for the proposed project are on page 42 of the Draft EIR. The Draft EIR also adequately describes and illustrates the proposed mixed-use project, including the proposed number of units, size of the parcels, building sizes and heights, site access parking spaces, and surrounding land uses. Proposed uses and an itemized breakdown of project components are also included. This level of information is adequate and typical of what is provided for a project-level analysis of a mixed-use residential development. The information detailed in the Project Description is accurate, stable, and finite

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Comment #	**Comment**	**Response**
		and adequately informs the public and decision makers "what the project is" that the decision makers would consider for approval. See response to comments B6-4 to B6-15. The following revisions are made to the project description to more clearly specify the certain elements of the project such as demolition that are considered in the analysis but were not explicitly stated in the project description. **Page 43, first paragraph, under "Construction Schedule" is revised:** Development of the entire project site, as proposed, is anticipated to last approximately 26 months. Construction would begin after the current occupant has vacated the property. The existing warehouse building at Block A would be demolished and the parking lot at Block B would be removed. The building proposed for Block B is anticipated ~~to be completed by month 19 of the schedule, and construction would be completed in month 26. As mentioned above,~~ to be completed by month 19 of the schedule, and all construction would be completed in month 26. As mentioned above, the project includes two buildings ("Building A" on Block A and "Building B" on Block B) of Type IIIa construction, including five levels of wood frame construction (potentially with an additional mezzanine) over two levels of Type I concrete. It is anticipated that the proposed podium structures can be supported on a mat foundation or shallow spread footings. Pile installation would not be a component of the project's construction as proposed. It is possible that during site preparation and foundation and utility excavation that the project could encounter contaminated soils and/or groundwater. In addition, temporary dewatering for construction may be required, as well as waterproofing of foundation elements. Dewatering activities are typically conducted by either pumping water directly from open excavation or by installing dewatering wells adjacent to the open excavation.
B6-4	**A. The Project Fails to Adequately Describe Project Design Features** Several aspects of the Project's design are not adequately described in the DEIR. First, the Project is inconsistent as to how much retail space would be constructed. The Project description includes 3,000 square feet of retail space.[7] However, the DEIR also states: [The analysis contained within this EIR remains valid for a retail component of up to 8,000 square feet within the structures	Please see response to comment B5-12 regarding the amount of retail space. CEQA does not require the Project Description to provide extensive detail beyond that needed for evaluation and review of the environmental impact. Understanding that the retail space could include up to 8,000 square feet without knowing the exact location of the space within the ground-floor level is adequate for analysis purposes. As one example, the traffic analysis considered up to 8,000 square feet of retail without knowing the specific location of it within the ground-floor of the buildings; knowing the specific location of the retail within the buildings will not alter the findings of the analysis.

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	proposed. If the proposed project were modified to include greater than 8,000 square feet of retail, the project would generate more than 100 trips in the PM peak hour and would thus require an additional Congestion Management Program (CMP) Land Use Analysis Program Transportation Impact Analysis.[8] The DEIR fails to provide decision-makers and the public with an accurate picture of what exactly the Project will entail, and defers the final design with regard to retail space to a later time, thus minimizing the Project's impacts (most clearly with traffic) and undercutting public review. This is counter to CEQA. _____ [7] DEIR, pg. 45. [8] *Id.,* at 43.	
B6-5	Second, the DEIR fails to adequately describe all of the Project's transportation design features. The DEIR states that the current site plan for the Project is merely "conceptual"[9] and there are several aspects of the Project's design that are subject to change. In discussing traffic impacts, the DEIR assumes that Project design will avoid certain impacts and that "the final project design will be reviewed to ensure consistency with applicable design standards...,"[10] The DEIR's failure to adequately describe the Project's transportation design features thwarts public review of transportation hazards that could pose a risk to residents in the area, such as pedestrian safety.[11] Simply assuming that the future design will comply with "applicable design standards" without further analysis is counter to CEQA, as described more fully below. _____ [9] *Id.,* at 135 [10] *Id.* [11] *Id.*	See responses to comments B6-3 and B6-4. The information included in the project description and associated site plan is adequate for evaluation and review of the environmental impacts. It is also typical with the level of information provided in most CEQA documents. Revisions are made to the transportation section of the Draft EIR to provide more detail regarding the City process for reviewing the final design to ensure adequate site distance is provided and all safety issues are addressed in the final project improvement plans. **Page 135 is revised:** **(~~2~~5) Vehicle, Pedestrian, and Bicycle Safety** The discussion of vehicle, pedestrian, and bicycle safety is based on application of Significance Thresholds #10 through #14. The project would result in increased vehicular traffic and pedestrian and bicycle activity in and around the project area. However, the project would not modify the streets serving the project site. Access and circulation for different travel modes are discussed below. **Transportation Hazards** The discussion of transportation hazards is based on application of Significance Threshold #10. The proposed project would eliminate the existing driveway on 4th Street currently used to access the Cost Plus private parking lot. The project would provide a driveway on 4th Street for Building A garage and a driveway on Madison Street for Building B garage. However, the project site plan provides only conceptual drawings and engineering drawings for site

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		improvements are not yet complete as the final building design will be resolved through the City's design review process and such detail is not required until project entitlements are obtained and an application for building and other associated permits is submitted. As part of the standard City practice, the final project ~~design~~ engineering plans will be reviewed by City Engineering staff to ensure ~~consistency~~the design will not result in any significant transportation hazards. In accordance with SCA TRA-3 (SCA 19) and SCA TRA-4 (SCA 20), and the City's design review process, to determine safe ingress and egress, City staff will ensure the final project site plans are consistent with applicable design standards (including but not limited to City of Oakland Planning Code, Caltrans Highway Design Manual, and/or NACTO Urban Street Design Guide), such as adequate sight distance for pedestrians and vehicles at project driveways. Site access and circulation for pedestrians, vehicles, and bicycles is discussed below. ~~The proposed project would eliminate the existing driveway on 4th Street currently used to access the Cost Plus private parking lot. The project would provide a driveway on 4th Street for Building A garage and a driveway to 3rd Street for Building B garage.~~ Madison Street is currently a one-way southbound street adjacent to the project between 4th and 5th Streets and further north. Considering the proposed project driveway locations and the existing street grid, converting this block of Madison Street to two-way operations would not provide much benefit to the proposed project. ~~Therefore, converting this segment of Madison Street,~~ Madison Street would remain one-way southbound north of 5th Street and 5th Street is one-way eastbound. Thus, if northbound travel is allowed on Madison Street between 4th and 5th Streets, all vehicles traveling northbound on Madison Street must turn right at 5th Street, travel eastbound on 5th Street, and turn at Oak Street. Since the project driveways would be located on 4th Street west of Madison Street and on Madison Street south of 4th Street, they can use 4th Street between Madison and Oak Streets and Oak Street between 4th and 5th Streets to travel the same distance under current conditions. Thus, converting this block of Madison Street to two-way would not result in shorter travel distances for project trips and converting this segment to two-way operation is not recommended. The final design for the project is expected to minimize potential conflicts between various modes and provide safe and efficient pedestrian, bicycle, and vehicle circulation within the site and between the project and the surrounding

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		circulation systems. Aside from providing site access on Madison and 4th Streets and a sidewalk along Building A on 4th Street, the project does not propose any changes to the public right-of-way and would not change the physical design of the streets surrounding the site. In addition, the multi-family residential and retail uses proposed by the project are consistent with existing uses in the surrounding neighborhoods. ~~This is a less-than-significant impact, and no mitigation measures are required.~~These modifications/improvements would not directly or indirectly cause or expose roadway users (e.g., motorists, pedestrians, bus riders, bicyclists) to a permanent and substantial transportation hazard due to a new or existing physical design feature or incompatible uses. As a result, this is a less-than-significant impact with implementation of SCA TRA-3 (SCA 19) and SCA TRA-4 (SCA 20). The following recommendation is provided to highlight specifically what improvements in the final engineering drawings will result in the safest conditions, and is also a requirement of SCA TRA-4 (SCA 20). **Recommendation 1:** While not required to address a CEQA impact, consider the following as part of the final project site plan review and the implementation of SCA 20: ▪ Ensure that the ~~both proposed~~ project driveway~~s on 3rd and 4th Streets~~ would provide adequate sight distance between ~~vehicles~~ motorists exiting the driveway and pedestrians on the adjacent sidewalk~~ and vehicles on the adjacent roadway~~. If adequate sight distance cannot be provided, provide audio-visual warning devices at the driveway. ~~necessary, it may require limiting landscaping and/or removing on-street parking spaces adjacent to the project driveways.~~ **Pedestrian Safety** The discussion of pedestrian safety is based on application of Significance Threshold #11. The project does not propose any physical changes to the pedestrian environment. As described in the existing conditions sections, the sidewalks adjacent to the project site are generally 18-feet wide with an effective width ranging from 7 to 12 feet. These facilities are consistent with the City of Oakland Pedestrian Master Plan (PMP) recommendations for sidewalk widths. The project proposes to complete the missing sidewalk along the project's Building A frontage on 4th

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		Street where there is currently employee parking for Cost Plus. As previously shown on Figure IV.C-4, marked crosswalks are not provided on some of the unsignalized intersections surrounding the project. Signalized intersections near the project site include crosswalks on all four approaches, curb ramps, and pedestrian countdown signals. The proposed project would consist of residential uses and neighborhood serving commercial retail and is expected to generate pedestrian demand in the neighborhoods surrounding the site. ~~The~~Since the pedestrian facilities serving the project site are consistent with the PMP recommendations, the existing pedestrian network surrounding the site is adequate to serve the expected increase in pedestrian demand. The implementation of Recommendation 1 would improve safety for pedestrians at project driveways. The proposed project would not propose physical design features that would expose pedestrians to a permanent and substantial hazard. This is a less-than-significant impact, and no mitigation measures are required. **Recommendation 2:** While not required to address a CEQA impact, consider the following pedestrian improvements to improve pedestrian comfort near the project: ▪ Provide marked crosswalks on all approaches at Madison Street/4th Street intersection. In addition, provide a curb extension at the northwest and southwest corners of the intersection. ▪ Provide a marked crosswalk crossing the westbound 4th Street approach at Jackson Street/4th Street intersection. In addition, provide a curb extension at the southeast and northeast corners of the intersection to improve sight distance and minimize the conflict between pedestrians and motorists using the angled parking spaces. ▪ Replace the existing diagonal curb ramps adjacent to the project site with perpendicular curb ramps. The assessment of transportation safety included in the Draft EIR and referenced in the comment, and the resulting recommendation (Recommendation 1, page 136 of the Draft EIR) for improving vehicle, bicycle, and pedestrian safety, is not required under CEQA; it is included beyond what is required by CEQA as to further increase the public's awareness of the transportation-related effects of the proposed project.
B6-6	These are examples of the City's failure to identify relevant information in the DEIR in violation of CEQA's fundamental	As discussed in responses to comments B6-3 to B6-5, the City has not failed to make available reliable and current information in the Draft EIR. The document

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	purpose to "alert the public and its responsible officials to environmental changes..."[12] For the public and policymakers to be informed of the environmental consequences, they must be presented with reliable and current information. _____ [12] *Laurel Heights,* 47 Cal. 3d at 392.	contains analyses of all environmental topic areas and has been subjected to a CEQA-required public review process, including a 45-day public comment period and comment at public hearings.
B6-7	**B. The Project Fails to Describe Dewatering Requirements** The Project description fails to describe dewatering activities that may be associated with excavation and trenching at the Project site. According to the DEIR, and its supporting studies, groundwater at the site was encountered at 5.7 to 10 feet below the ground surface (bgs).[13] The DEIR vaguely states that according to a Preliminary Geotechnical Assessment for the Project site, the Project's underground parking may require construction dewatering and waterproofing of foundation elements.[14] However, the DEIR does not provide any further description of dewatering requirements. The DEIR merely states that "[a]ny groundwater dewatering would limited in duration and would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending if the discharge were to the sanitary or storm sewer system."[15] The DEIR then concludes that the Project "would have no significant impacts on groundwater."[16] _____ [13] DEIR, p. 251. [14] *Id.,* at 251-252. [15] *Id.* [16] *Id.,* at 252.	The comment states that dewatering activities associated with the project have not been fully described. As noted by the commenter, page 251 of the Draft EIR cites the Preliminary Geotechnical Assessment ("geotechnical report") findings that groundwater is encountered at 5.7 to 10 feet below ground surface. The geotechnical report concludes that, based on these findings, "the foundation construction process should be just above the existing static groundwater," suggesting that dewatering during construction likely would not be necessary. However, the geotechnical report qualifies this conclusion by noting that groundwater levels can change as a result of precipitation and other factors, and that utilities supplying the project site may be constructed beneath the foundation and beneath the groundwater level. The geotechnical report thus states that limited construction dewatering and/or foundation waterproofing could be required. The Draft EIR accurately describes groundwater conditions at the project site, including the potential for groundwater to be encountered during construction. As noted by the commenter, page 251-2 of the Draft EIR indicates that dewatering, if required, would be limited in duration and any discharge of groundwater would require permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB). The Draft EIR text is modified to more fully describe the existing requirements of both EBMUD (for sanitary sewer dewatering effluent discharges) and the RWQCB (for discharges to storm drain systems). **Page 251, beginning at the last paragraph, is revised:** Based on field exploration for the Preliminary Geotechnical Assessment, groundwater at the project site is located at 5.7 to 10 feet below the ground surface (bgs). Based on project design, which includes partially sub-grade parking, the Preliminary Geotechnical Assessment concluded that temporary dewatering for construction may be required, as well as waterproofing of foundation elements. Dewatering activities are typically conducted by either pumping water directly from open excavations or by installing dewatering

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		wells adjacent to the open excavation. In either case (but more so with open excavation dewatering), dewatering effluent may contain turbid water (i.e., water that contains sediment). This turbid water, if discharged directly to receiving waters without treatment could cause degradation of the receiving water quality. For a project of this type (i.e., one that does not include extensive subsurface elements), the duration of dewatering would likely be less than a few months. Any groundwater dewatering would limited in duration and would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending on whether ~~if~~ the discharge is made~~were~~ to the sanitary sewer system or the storm sewer system. ~~Therefore the project would have no significant impacts on groundwater.~~ Under existing State law, it is illegal to allow unpermitted non-stormwater discharges to receiving water. As stated in the Construction General Permit:[57] Non-storm water discharges directly connected to receiving waters or the storm drain system have the potential to negatively impact water quality. The discharger must implement measures to control all non stormwater discharges during construction, and from dewatering activities associated with construction. In addition, the Construction General permit states:[58] Discharging any pollutant-laden water that will cause or contribute to an exceedance of the applicable Regional Water Board's Basin Plan from a dewatering site or sediment basin into any receiving water or storm drain is prohibited. The Construction General Permit allows the discharge of dewatering effluent if the water is properly filtered or treated, using appropriate technology that meets regulatory standards. These technologies include, but are not limited to retention in settling ponds (where sediments settle out prior to discharge of water) and filtration using gravel and sand filters (to mechanically remove the sediment). If the dewatering activity is deemed by the RWQCB not to be covered by the Construction General Permit, then the discharger would prepare a Report of Waste Discharge for approval by the RWQCB and be issued site-specific Waste Discharge Requirements under the National Pollutant Discharge Elimination System (NPDES) regulations. Site-specific WDRs contain rigorous monitoring requirements and performance standards that, when implemented,

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		ensure that receiving water quality is not substantially degraded and meets regulatory discharge standards. If the water is not suitable for discharge to the storm drain (receiving water), as discussed above, dewatering effluent may be discharged to EBMUD's sanitary sewer system if special discharge criteria are met. These include, but are not limited to, application of treatment technologies or Best Management Practices (BMPs) which will result in achieving compliance with the wastewater discharge limits. Discharges to EBMUD's facilities must occur under a Special Discharge Permit. Per the EBMUD Wastewater Ordinance, "Wastewater may be discharged into community sewers for interception, treatment, and disposal by the District provided that such wastewater does not contain substances prohibited, or exceed limitations of wastewater strength, set forth in this Ordinance" (Title II, Section 1). In addition, per the EBMUD Wastewater Ordinance "All dischargers, other than residential, whose wastewater requires special regulation or contains industrial wastes requiring source control shall secure a wastewater discharge permit" (Title IV, Section 1). As demonstrated above, EBMUD regulates the inputs into its facilities. EBMUD also operates its wastewater treatment facilities in accordance with Waste Discharge Requirements issued by the RWQCB, which require rigorous monitoring of effluent to ensure discharges do not adversely impact receiving water quality. Based on the information available from on-site soil and groundwater sampling, it is not expected that the dewatering effluent will be highly contaminated, but it may contain trace levels of contamination that may possibly exceed the discharge standards of EBMUD. In this case, the water would likely be treated to the standards required by the Special Discharge Permit program using proven technologies (e.g., filtration to remove sediment and/or advanced treatment technologies to remove other pollutants) to the degree the effluent could be discharged (under permit) to the storm or sanitary sewers. Compliance with permit requirements would ensure that the water is tested prior to discharge to ensure that the treatment technologies are effective. There is essentially no limit on quantity that could be discharged over time to the storm or sanitary sewer. For storm drains, the receiving water is the Bay, which has no quantity limit on the amount of water that can be received. EBMUD treats, on average, 63 million gallons of water a day, but can accommodate up to 415 million gallons per day. Based on the limited nature of subsurface excavation and required dewatering, it is estimated that the project would not likely generate more than 100,000 gallons of dewatering effluent. If all this water was discharged in one day, this represents about 0.02 percent of

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		the total treatment capacity of the EBMUD's treatment facilities. This represents an extremely small quantity for EBMUD to manage and would have no ability to disrupt their treatment processes. Since proper management of dewatering effluent is covered by existing State and local regulations, and implementation of these regulations would protect receiving water quality in accordance with applicable regulatory standards, the project would have no significant impacts on receiving water. The project site is not located in a 100- or 500-year mapped flood hazard zone, and the project site is not in a mapped dam inundation area. The project site location is not located in an area subject to seiche, tsunami, or mudslide hazards. Therefore, flooding hazards for the project site would be considered less than significant. _____ [57] SWRQB, General Construction Activity Storm Water Permit (General Construction Permit), 2009 (as amended 2010 and 2012), page 31. [58] SWRQB, General Construction Activity Storm Water Permit (General Construction Permit), 2009 (as amended 2010 and 2012), page 8. The analysis in the Draft EIR supports the conclusion that project construction would have no significant impacts on groundwater. No additional text changes are warranted based on this comment.
B6-8	The DEIR's conclusion is not supported by substantial evidence because it provides no analysis and mitigation of potentially significant impacts from encountering contaminated groundwater during site excavation, or any other groundwater impacts related to dewatering, according to Mr. Hagemann and Ms. Jaeger. As explained by Mr. Hagemann and Ms. Jaeger, "[g]roundwater is less than 10 feet below ground surface . . . and maximum depths of the excavation of the Project site will likely expose the water table."[17] _____ [17] SWAPE Comments, p. 3.	The commenter states that the Draft EIR does not address potentially significant impacts related to encountering contaminated groundwater during construction. Please refer to response to comment B6-7, which discusses groundwater levels at the project site. Groundwater may not be encountered during construction, and if encountered, construction activities involving potential contact with groundwater will likely be limited to installation of subsurface utilities. For additional discussion of impacts related to the potential presence of contamination in the subsurface, see the updated version of Draft EIR Section V.F, Hazards (see revised section in Chapter IV, Draft EIR Text Revisions), which has been expanded to provided more information on applicable regulations and details regarding the Phase II ESA that was completed since the Draft EIR was published. As discussed in the hazards section, the 2015 Phase II ESA indicates that groundwater samples from the project site exhibited low detectable concentrations of VOCs (benzene and toluene) and TPH-g, and recommended no

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		further studies at this time.[3] The City of Oakland SCA 61 requires that any actions recommended in the Phase I/II ESAs be implemented (after review and approval of Fire Prevention Bureau, Hazardous Materials Unit). To implement SCA 61, the following recommendations from the Phase II ESA would be required: A site management plan (SMP) that includes protocols for the characterization and handling of excavated soil and includes (See page XX of Chapter IV of this document for details about what will be included with each of these items): ▪ Observation during site demolition and soil disturbing activities. ▪ Appropriate sample collection procedures. ▪ Protocols for confirmation sampling. ▪ Segregation of impacted soil from non-impacted soil. ▪ Appropriate stockpile best management practices. ▪ Dust control/air monitoring procedures. ▪ Protocols for offsite waste disposal and protocols for soil re-use. ▪ Construction dewatering and treatment/management procedures, if necessary. ▪ Guidelines for import of fill material (if necessary). ▪ Notifications and response procedures. ▪ Contingency plan. ▪ Health and Safety Plan. Preparation and implementation of a comprehensive SMP would reduce potential risks of exposure to unidentified contamination in soil and groundwater to a less-than-significant level for construction workers, future site occupants, other members of the public, as well environment. Also refer to responses B6-58 to B6-64.
B6-9	In addition, they state that "[e]xposure of the water table will allow for any contamination to partition from water to the atmosphere, potentially putting construction workers at risk who would breathe the fumes."[18] _____ [18] *Id.*	The commenter states that construction workers could be at risk from exposure to "fumes," which the EIR authors believe is intended mean exposure to "vapors," from contaminated groundwater. Please refer to response to comments B6-7 and B6-8, which finds that implementation of the City SCAs, would reduce any potential impacts from exposure to contaminated groundwater to a less-than-significant level. Moreover, as discussed on page 243 of the Draft EIR (and Chapter IV, Draft EIR Text Revisions, of this document), the project would be

[3] ENGEO, 2015. *Phase II Environmental Site Assessment, 430 Jackson Street, Oakland, California*, November, Revised December.

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		required to comply with all applicable Occupational Safety and Health Administration regulations regarding worker safety. Moreover, as discussed on page 246-247 of the Draft EIR (and Chapter IV, Draft EIR Text Revisions, of this document), the project would be required to prepare and implement a health and safety plan that describes potential site hazards, training requirements, personal protective equipment, and safe work practices for site personnel in accordance with Cal/OSHA regulations and standards.
B6-10	Furthermore, construction dewatering has the potential to introduce pollutants into the storm drain systems. For example, groundwater from dewatering could contain sediment that, if not properly managed, could be discharged to the storm drain system.	Please refer to response B6-7.
B6-11	In addition, shallow soil contamination could introduce further contamination to storm drains and other water bodies. The City is required to assess both the discharge quantity and quality based on the Project, the site and groundwater characteristics.	The comment states that shallow soils at the project site could be entrained in stormwater runoff, allowing contaminants in those soils to be introduced to storm drains during construction, which could adversely impact surface water bodies. Existing regulatory requirements and City SCAs would prevent this potential impact from occurring. As discussed on page 249 of the Draft EIR (and Chapter IV, Draft EIR Text Revisions, of this document), SCA 74 requires that the project comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit (General Construction Permit) and requires that a stormwater pollution prevention plan (SWPPP) be prepared and submitted to the City Building Services Division for approval. The SWPPP is required to include site-specific erosion and sedimentation control practices, BMPs to protect stormwater quality, and include inspection and monitoring to ensure compliance. In addition, as discussed on page 242 of the Draft EIR (and Chapter IV, Draft EIR Text Revisions, of this document), SCA 54 would require an erosion and sedimentation control plan as part of grading permit approval. This plan must be designed to prevent sediment-laden stormwater from affecting adjacent properties, public streets, or creeks during earthmoving operations at the project site. The plan must "include, but not be limited to measures such as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins." SCA 54 requires inspection of the storm drains after construction is complete and removal of any debris or sediment. No additional mitigation is required to protect hydrologic resources from contaminants in shallow soils. Please also see responses to comments B6-7 and B6-9.
B6-12	Instead, the DEIR merely assumes permitting processes outside of the CEQA process would mitigate impacts to less than significant levels. CEQA prohibits this approach, as explained further below.	The comment states that relying on permitting requirements to address potential impacts without assessing discharge quantity and quality is in violation of CEQA. The nature and extent of contaminants in site soils and groundwater is described

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		on page 247 of the Draft EIR (and Chapter IV, Draft EIR Text Revisions, of this document) and, as noted, in responses to comments B6-7 and B6-11, Draft EIR Section V.F, Hazards (see revised section in Chapter IV, Draft EIR Text Revisions) describes the elements of existing regulatory requirements and the City's SCAs that would prevent potential impacts to water quality from migration of these contaminants during construction activities.
B6-13	Without additional information and analysis, the Project's impacts to workers, the public, and hydrological resources cannot be determined. The City must describe potential dewatering activities so the public and decision makers can fully assess the Project's impacts on the environment.	Please refer to responses to comments B6-7 (dewatering and impact to hydrological resources), B6-58 to B6-64 (impacts to workers and the public). As noted in those responses, the Draft EIR Section V.F, Hazards (see revised section in Chapter IV, Draft EIR Text Revisions) adequately describes the potential nature and extent of construction dewatering at the project site, and existing permit requirements and City SCAs would reduce any potential impacts from construction dewatering to a less-than-significant level.
B6-14	Because the DEIR does not include an adequate description of dewatering activities, Mr. Hagemann and Ms. Jaeger conclude that the City failed to provide a stable Project description, and failed to "disclose, analyze, and mitigate a potentially significant impact regarding exposure to contaminated groundwater. . ."[19] _____ [19] *Id.*	See responses to comments B6-7.
B6-15	The DEIR must be revised and recirculated to include a more stable Project description.	As described in responses to comments B6-3 to B6-14, the Draft EIR contains a stable, finite project description. See response B6-1, the Draft EIR does not require recirculation.
B6-16	**III. THE DEIR FAILS TO PROVIDE AN ADEQUATE DESCRIPTION OF THE ENVIRONMENTAL SETTING** CEQA requires the lead agency to include a description of the physical environmental conditions in the vicinity of a project as they exist at the time environmental review commences.[20] The EIR must also describe the existing environmental setting in sufficient detail to enable a proper analysis of project impacts. "The adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project."[21] "A legally adequate EIR . . . must contain sufficient detail to help ensure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug."[22] _____ [20] CEQA Guidelines § 15125(a); *see* also *Communities For A Better Environment v. South Coast Air Quality Management Dist.* (2010)	These are informational and introductory comments that describe CEQA requirements pertaining to the description of the existing environmental setting of a project. Comments specific to the adequacy of the Draft EIR in relation to these requirements are made in B6-17 to B-25. Although no particular issue is raised in this introductory comment regarding the adequacy of the Draft EIR analysis, it should be noted that the Draft EIR provides a description of the environmental setting that is consistent with CEQA Guidelines. The project description includes the existing uses, significant site features, surrounding land use classifications and zoning designations, and major transportation nodes in the area. See responses to comments B6-17 to B6-25 for detailed responses.

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	48 Cal.4th 310, 321. [21] CEQA Guidelines § 15024(a). [22] Kings County Farm Bureau v. City of Handford (1990) 221 Cal.App.3d 692, 733.	
B6-17	Specifically, the City failed to conduct the requisite due diligence to investigate and disclose in the DEIR the presence and character of contamination within the Project impact area. According to the DEIR, the Project site has a history of industrial uses dating to the early 1900s, including an engine manufacturing company, a plywood company, a pipe yard, a machine shop, warehouses, and offices.[23] As explained by Mr. Hagemann and Ms. Jaeger, "[t]hese activities have led to soil contamination of the Project site, which has not been adequately evaluated given the proposed residential land use."[24] _____ [23] DEIR, p. 245. [24] SWAPE Comments, p. 2.	See responses B6-8 and B6-61 through B6-63.
B6-18	Furthermore, as discussed above, "[g]roundwater contamination is also present beneath the Project site and may pose a health risk to construction workers and to future occupants of commercial buildings."[25] _____ [25] *Id.*	See responses B6-8 and B6-61 through B6-63
B6-19	The DEIR states that an additional evaluation of the Project site is to be conducted in order to fully assess hazardous site conditions; however, this assessment is improperly deferred and impacts that may result from any necessary cleanup activities are not disclosed. A 2014 Phase I Environmental Site Assessment ("ESA")[26] found soil contamination with detected concentrations of semi-volatile organic compounds, total petroleum hydrocarbons, and metals, in the soil and groundwater on the site. The Phase I ESA also found the potential that "more pervasive soil impacts may exist across the Property. These soil impacts, if present, could affect soil management options and costs."[27] The Phase I ESA also found the potential for sources of groundwater contamination upgradient of the Project site, stating that "if the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction."[28] Finally, the Phase I ESA found that review of available CAL-EPA database information indicates there are comingled gasoline	See responses B6-8 and B6-61 through B6-63.

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	plumes in the vicinity of the Property. The Phase I ESA states that the plumes may have migrated beneath the Property and could pose issues with respect to vapor intrusion, although it downplays that issue based on the "proposed design of the future residential development."[29] In addition, a 2006 Phase I ESA, which was referenced in the 2014 Phase I ESA, documented soil and groundwater contamination found in a 1996 investigation.[30] Detected soil contaminants included phenol, chlorobenzene, and total petroleum hydrocarbons as diesel. Contaminants detected in groundwater included barium, molybdenum and nickel. The Project site was "closed by the Alameda County Department of Public Health in 1996," but as Mr. Hagemann and Ms. Jaeger note, "the closure letter did not consider that land use would change to a residential setting."[31] Mr. Hagemann and Ms. Jaeger explain that on the basis of these findings, the 2014 ESA recommended that a risk management plan ("RMP") should be developed prior to demolition and construction to address potential unknown environmental issues, and contamination sampling be conducted to address potential developmental constraints and construction dewatering issues.[32] _____ [26] Phase I Environmental Site Assessment, Engeo, December 2014, 430 Jackson Street, Oakland, California, **Attachment B** (without attachments). [27] *Id.,* at 1. [28] *Id.,* at 2. [29] *Id.* [30] Phase *I* Environmental Site Assessment, AEI, February 2006, 430 Jackson Street, Oakland, California, **Attachment C** (without attachments). [31] SWAPE Comments, p. 3. [32] *Id.*	

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B6-20	The City has not conducted further sampling to establish the current site conditions and has not developed an RMP as recommended in the Phase I ESA. Thus, Mr. Hagemann and Ms. Jaeger conclude that "the DEIR fails to adequately disclose environmental conditions at the Project site that may affect the health of construction workers and adjacent residents."[33] _____ [33] *Id.*	See responses B6-8 and B6-61 through B6-63.
B6-21	The DEIR acknowledges the potential for harm, stating that "[s]oil and groundwater contamination could adversely affect construction workers who may come into direct contact with those materials. In addition, if these materials are improperly managed and disposed of during construction, they could be released to the environment and pose a potential risk to future site occupants, other members of the public, and the environment."[34] However, the DEIR vaguely states that a Phase II ESA, which would "include further investigation of soil and groundwater conditions," is "currently planned," without providing further information.[35] The DEIR also defers the development of an RMP, and even then the RMP development is dependent on the results of the Phase II ESA, despite the clear need for the RMP. The DEIR also states that "[c]ompliance with applicable regulations and the City's SCAs would ensure that the proposed project would not 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."[36] This is counter to CEQA, as explained further below. _____ [34] DEIR, p. 247. [35] *Id.* [36] *Id.,* at 248.	Please see response to comment B6-58 to B-64.
B6-22	Mr. Hagemann and Ms. Jaeger find that "a revised EIR needs to be prepared to include and disclose the results of soil and groundwater sampling under a Phase 1 ESA investigation completed prior to Project certification ... Impacts of any necessary mitigation should also be disclosed, including dust emissions from construction equipment needed to excavate contaminated soil and emissions from trucks hauling contaminated soil from the site."[37] _____	See responses B6-8 and B6-61 through B6-63.

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	[37] SWAPE Comments, p. 3.	
B6-23	Mr. Hagemann and Ms. Jaeger further state: The DEIR must ensure the RMP addresses any contaminants that may affect the health and safety of workers or the health and safety of adjacent residents. Exposure pathways, including the inhalation of dust generated from contaminated soil and soil contact by workers, should be evaluated. Numerous residents are located in the Allegro apartments, some as close as 20 feet away, so the risk to those neighbors should be assessed from the inhalation pathway.[38] _____ [38] *id.*	See responses B6-8 and B6-61 through B6-63.
B6-24	Mr. Hagemann and Ms. Jaeger then conclude that a "revised DEIR should be prepared to include an updated evaluation of environmental conditions at the Project site and to provide for mitigation prior to Project certification."[39] _____ [39] *id.,* at 2.	Please see response to comment B6-58 to B-63.
B6-25	At a minimum, the City is required to conduct an investigation and characterize potential contamination in a revised DEIR in sufficient detail to enable meaningful public review. The City's failure to fully disclose, analyze, and mitigate potential hazards on the Project site renders the DEIR inadequate as an informational document under CEQA. The DEIR must be revised to include all information necessary for the public to evaluate impacts from site hazards.	The City has not failed to fully disclose, analyze, and mitigate potential hazards on the project site, as discussed in response to comments B6-58 to B-63.
B6-26	**IV. THE DEIR FAILS TO ADEQUATELY ANALYZE AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS** CEQA has two basic purposes, neither of which the DEIR satisfies. First, CEQA is designed to inform decision-makers and the public about the potential, significant environmental effects of a project.[40] CEQA requires that an agency analyze potentially significant environmental impacts in an EIR.[41] The EIR should not rely on scientifically outdated information to assess the significance of impacts, and should result from "extensive research and information gathering," including consultation with state and federal agencies, local officials, and the interested public.[42] To be adequate, the EIR should evidence the lead agency's good faith effort at full disclosure.[43] Its purpose is to	These are informational and introductory comments that are detailed below in subsequent comments. The City has used up-to-date information to assess significance of impacts in the Draft EIR. The commenter incorrectly states that the average household size used in the Draft EIR analysis of CO_2e emissions was based on 1990 census data for the City of Oakland. As described on page 198 of the Draft EIR, the average annual CO_2e emissions per service population were determined based on the 2013 United States Census for the City of Oakland. Further, the commenter incorrectly assumed that the number of tenants reported per room in the ACS census data referred only to bedrooms. Moreover, the EIR does identify alternatives, as well as measures to reduce project impacts to the extent feasible. See additional details in responses to comments B6-27 to B6-49, and responses

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	inform the public and responsible officials of the environmental consequences of their decisions *before* they are made. For this reason, the EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.44 Thus, the EIR protects not only the environment but also informed self-government."[45] Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures.[46] The EIR serves to provide public agencies, and the public in general, with information about the effect that a proposed project is likely to have on the environment and to "identify ways that environmental damage can be avoided or significantly reduced."[47] If a project has a significant effect on the environment, the agency may approve the project only upon a finding that it has "eliminated or substantially lessened all significant effects on the environment where feasible," and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns" specified in CEQA section 21081.[48] The DEIR fails to satisfy the basic purposes of CEQA. Specifically, the DEIR fails to reflect a good faith effort at public disclosure by failing to adequately analyze and mitigate the Project's potentially significant impacts related to greenhouse gas emissions and air quality (in addition to hazards discussed above). The DEIR also fails to propose measures that could reduce these Project impacts to a less than significant level. In sum, the DEIR fails to inform decision-makers and the public of the Project's potentially significant environmental effects and to reduce damage to the environment *before* it occurs. _____ [40] CEQA Guidelines § 15002(a)(1). [41] See Pub. Resources Code 5 21000; CEQA Guidelines § 15002. [42] *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm.* (2001) 91 Cal. App.4th 1344, 1367 and *Schaeffer Land Trust v. San Jose City Council,* 215 Cal.App.3d 612, 620. [43] CEQA Guidelines § 15151; *see also Laurel Heights I* (1998) 47 Cal.3d 376, 406.	to comments B6-50 through B6-55.

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	[44] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810. [45] *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 564 (citations omitted). [46] CEQA Guidelines § 15002(a)(2)-(3); Berkeley Keep Jets Over the Bay Comm., 91 Cal.App.4th at 1354. [47] CEQA Guidelines § 15002(a)(2). [48] CEQA Guidelines § 15092(b)(2)(A)-(B).	
B6-27	**A. The DEIR Fails to Adequately Analyze and Mitigate Significant Impacts From Greenhouse Gas Emissions** The Project will generate GHGs during its construction and operational phases. The City's significance criteria for GHG emissions states that a project would have a significant impact if it produces "total emissions of more than 1,100 metric tons of CO_2e annually **AND** more than 4.6 metric tons of CO_2e per service population annually."[49] Therefore, in order for the Project's GHG impact to be considered as significant, both of these thresholds must be exceeded. Based upon these thresholds, the DEIR concludes that the Project would result in less than significant impacts because the Project's GHG emissions would not exceed both of the applicable significant thresholds and thus "no mitigation measures are necessary for these less-than-significant impacts, and the City's SCA-F requiring a Greenhouse Gas Reduction Plan would not apply."[50] The DEIR justifies its conclusion by stating that, "[tlhe Project's estimated CO_2e emissions exceed the City's annual emissions threshold, but were below the efficiency-based threshold in terms of annual emissions per service population."[51] The DEIR further states that because the Project is below the City of Oakland's efficiency-based threshold for GHG emissions, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by Assembly Bill 32 ("AB32"), the Project would comply with AB32. _____ [49] DEIR, pg. 196. [50] *Id.,* at 197. [51] *Id.,* at 198.	See response to comment B6-28.
B6-28	However, Mr. Hagemann and Ms. Jaeger found that "the DEIR's analysis of the Project's potential GHG impacts is flawed."[52] They explain that the City used incorrect parameters to calculate the	The commenter incorrectly states that the average household size used in the Draft EIR analysis of CO_2e emissions was based on 1990 census data for the City of Oakland. As described on page 198 of the Draft EIR, the average annual CO_2e

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	Project's emissions, and that when those parameters are corrected, "the Project's GHG emissions will result in a significant impact."[53] Thus, "[a]n updated DEIR should be prepared to assess the Project's GHG emissions using the correct assumptions, and should implement additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan in accordance with the City's Standard Conditions of Approval."[54] According to Mr. Hagemann and Ms. Jaeger, the primary problem with the City's GHG analysis is that the DEIR overestimates the service population generated by the Project.[55] To calculate the Project's service population, the DEIR uses a value of 2.52 persons per household.[56] Based on the Project's construction of 330 residential units, the service population was estimated to be approximately 831.6 residents.[57] Using this service population, the DEIR estimates that the Project will generate 3.8 metric tons of carbon dioxide equivalents per person per year (MTCO2e/sp/year) during operation.58 Therefore, even though the Project's annual emissions (3,099 MTCO$_2$e/year) exceed the 1,100 MTCO$_2$e/year significance threshold, the DEIR concludes that the Project does not exceed the 4.6 MTC0$_2$e/sp/year significance threshold.59 As a result, because only one of the thresholds was exceeded, the Project was deemed to have a less than significant GHG impact. However, Mr. Hagemann and Ms. Jaeger found that the 2.52 persons per household value relied upon in the DEIR to estimate the service population "is incorrect and greatly overestimates the number of residents the Project will generate."[60] As a result, "the significance determination made in the DEIR is incorrect, and does not adequately represent the Project's impacts on global climate change."[61] As Mr. Hagemann and Ms. Jaeger note, according to the December 9, 2014 *City of Oakland Housing Element 2015-2023*, the 2.52 persons per household value relied upon by the DEIR is in reference to the average household size in Oakland in 1990, which takes into account multi-family households, and single family households with children." The DEIR describes the Project as including 21 studios, 185 one-bedroom, and 120 two-bedroom apartments, totaling to approximately 330 units.[63] Mr. Hagemann and Ms. Jaeger find that the DEIR's assumption that 2.52 people will occupy each of the studio and single bedroom apartments "is	emissions per service population were determined based on the 2013 United States Census for the City of Oakland. According to the census, there was an average of 2.52 persons per household over the 5-year time span from 2009 to 2013. The commenter recommends using older census data summarized in the City of Oakland Housing Element 2015-2023, which was collected by the American Community Survey (ACS) over the 5-year time span from 2006 to 2010. The commenter also recommends using the average number of persons per room (instead of persons per household) to provide a more accurate estimate of the project's service population. Based on the 2006-2010 ACS census data summarized in the *City of Oakland Housing Element 2015-2023*, the commenter estimated an average of 1.03 persons per room in the City of Oakland. The commenter then multiplied the total number of proposed bedrooms for the project (446 bedrooms) by the average occupancy rate of 1.03 persons per room to get an estimated service population of about 459 residents. However, the commenter incorrectly assumed that the number of tenants reported per room in the ACS census data referred only to bedrooms. As described on page 69 of the *American Community Survey Design and Methodology* (January 2014), ACS's definition of "room" includes living rooms, dining rooms, kitchens, bedrooms, finished recreation rooms, enclosed porches suitable for year-round use, and lodger's rooms. The project's one- and two-bedroom units would include a kitchen room and a living/dining room. Some units would also include a den room. Excluding units with additional den rooms, the project would include at least 1,056 rooms (21 studios x 1 room/studio + 185 one-bedroom units x 3 rooms/one-bedroom unit + 120 two-bedroom units x 4 rooms/two-bedroom unit). Multiplying the commenter's estimated average of 1.03 persons per room by 1,056 rooms would results in an estimated population of about 1,088 residents, which is greater than the service population of about 813.6 used in the Draft EIR (note the 831.6 cited in the comment is not the service population number included in the Draft EIR, see page 198 of the Draft EIR). Since the service population used in the Draft EIR is more conservative (i.e., lower) than the corrected value estimated using the commenter's recommended approach and is based on more recent census data, substantial evidence exists to support use of the estimated service population in the Draft EIR. See response B6-49, the project's CO_2e emissions were recalculated and the values reported in Table IV.E-4 on page 199 of the Draft EIR were revised.

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<table>
<tr><th>Comment #</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td>absurd, and results in a drastic overestimation of the number of people likely to occupy these apartments."[64] The City has not provided substantial evidence supporting its use of this value.
_____
[52] SWAPE Comments, p.11.
[53] Id.
[54] Id.
[55] Id., at 12 - 13.
[56] DEIR, p. 198.
[57] Id.
[53] Id., at 199.
[59] Id.
[60] SWAPE Comments, p. 12.
[61] Id.
[62] Id.
[63] DEIR, p. 43
[64] SWAPE Comments, p. 12.</td><td>Page 199, Table IV.E-4, is revised:
TABLE IV.E-4 SUMMARY OF AVERAGE GREENHOUSE GAS EMISSIONS
<table><tr><th>Pollutant</th><th colspan="2">GHGs</th></tr><tr><td>Units</td><td>Metric Tons CO2e/year</td><td>Metric Tons CO2e/year/ Service Population</td></tr><tr><td>Construction Emissions[a]</td><td>18</td><td>0.02</td></tr><tr><td>Operation Emissions</td><td>3,0992,818</td><td>3.83.46</td></tr><tr><td>Total Emissions</td><td>2,836</td><td>3.48</td></tr><tr><td>Thresholds</td><td>1,100</td><td>4.6</td></tr><tr><td>Exceedance</td><td>Yes</td><td>No</td></tr></table>Notes: The emissions reported in the DEIR assumed the operational year was 2014 (a default parameter in CalEEMOD). These emissions have been updated in response to public comments and to account for reduced vehicle emissions that would result for the expected operational year of 2017.
[a] Construction emissions were annualized over 40 years.
Source: CalEEMod (Appendix E).

Based on the revised estimate of CO_2e emissions and the service population of 813.6 residents estimated in the Draft EIR, the project's CO_2e emissions would be 3.3 metric tons per service population per year, which is below the City of Oakland's efficiency-based threshold of 4.6 metric tons CO_2e per service population per year. Therefore, there would be no change in the project's determination of a less-than-significant impact and additional mitigation measures, and a Greenhouse Gas Reduction Plan would not be required.</td></tr>
<tr><td>B6-29</td><td>Rather, Mr. Hagemann and Ms. Jaeger find that a "more reasonable value" can be calculated using values disclosed in Table 3-40 of the City of Oakland Housing Element 2015-2023, which is the same document relied upon by the DEIR to derive the initial service population value of 2.52 persons per household.[65] Table 3-40 provides a breakdown of "persons per room" for all occupied rented units in the City in 2010. According to this table, 92% of occupied units have less than 1.00 persons per room, 5% have 1.01 to 1.50 persons per room, and 3% have 1.51 or more persons per room.66 Mr. Hagemann and Ms. Jaeger took the weighted average of this data, which results in an average of 1.03 persons per room.[67] They then use this weighted average to calculate "a more realistic service population."[68] Assuming that the 21 studio</td><td>As described in response to comment B6-28, the commenter's estimated service population is incorrect. The service population used in the Draft EIR is more conservative (i.e., lower) than the corrected value estimated using the commenter's recommended approach.</td></tr>
</table>

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	and 185 one-bedroom apartments would have an occupancy rate of 1.03 persons, and the remaining 120 two-bedroom apartments would have 2.06 persons occupying them (2 bedrooms x 1.03 persons), Mr. Hagemann and Ms. Jaeger estimate a service population of approximately 459 residents. _____ [65] *Id.* [66] "City of Oakland Housing Element 2015-2023." City of Oakland, December 9, 2014, Table 3-40, available *at:* http://www.hcd.ca.nov/housinc-policy-development/housing-resource-center/plan/he/housing-element-documents/Oakland_5th adopted013015.pdf, **Attachment D** (selected pages). [67] SWAPE Comments, p. 12. [68] *Id.,* at 13.	
B6-30	Mr. Hagemann and Ms. Jaeger then conclude that based on the more accurate service population calculation, the Project's GHG emissions exceed ***both*** the emissions and service population thresholds.	As described in response to comment B6-28, the service population used in the Draft EIR is supported by substantial evidence and the project's revised CO_2e emissions are below the City of Oakland's efficiency-based threshold.
B6-31	They further note that their analysis "is most likely still an underestimation of the Project's GHG emissions" because, as explained more fully in the air quality section below, the model used to determine the Project's construction and operational emissions "relies upon incorrect input parameters that result in an underestimation of Project emissions."[69] Mr. Hagemann and Ms. Jaeger's findings are summarized in the table below. **SWAPE Estimates** / **Metric Tons CO_2e/year** / **Metric Tons CO_2e/sp/year** Emissions: 3,099 / 6.75 Thresholds: 1,100 / 4.6 ***Exceedance*** / ***Yes*** / ***Yes*** _____ [69] *Id.*	As described in response to comment B6-28, the project's revised CO_2e emissions are below the City of Oakland's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-32	Because the Project's GHG emissions exceed both of the City's thresholds, the Project would result in a significant GHG impact. Thus, the City's Standard Conditions of Approval requiring the development of a Greenhouse Gas Reduction Plan would be triggered. Furthermore, "because the Project exceeds the GHG thresholds set forth by the City of Oakland, and because the City's	As described in response to comment B6-28, the project's revised CO_2e emissions are below the City of Oakland's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact, and preparation of a Greenhouse Gas Reduction Plan would not be required. In addition, the project would be consistent with the goals set forth in AB 32.

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	thresholds were designed to ensure compliance with the GHG reduction goals set forth by AB32, the Project is also inconsistent with AB32."[70] _____ [70] *id.*	
B6-33	Mr. Hagemann and Ms. Jaeger conclude that "[a]n updated analysis of the Project's GHG emissions using correct values should be included in an updated DEIR, and additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan, should be identified and implemented in an effort to reduce the Project's impacts to a less-than-significant level."[71] The DEIR must be revised and recirculated to reflect these findings. _____ [71] *id.*	As described in response to comment B6-28, the project's revised CO_2e emissions are below the City of Oakland's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact and recirculation of the Draft EIR is not warranted. In addition, inclusion of additional mitigation measures and a Greenhouse Gas Reduction Plan would not be required. Also see response B6-1 related to recirculation.
B6-34	The DEIR's air quality analysis and conclusions rely on emissions calculated from the *California Emissions Estimator Model* Version CalEEMod.2013.2.2 ("CalEEMod").72 As explained by Mr. Hagemann and Ms. Jaeger, CalEEMod provides recommended default values based on site specific information, such as land use type and total lot acreage. If specific project information is known, the user can change the default values and input project-specific values, "but CEQA requires that such changes be justified by substantial evidence."[73] _____ [72] CalEEMod website, available *at* http://www.caleemod.com/. [73] SWAPE Comments, p. 4.	See response B6-44; the project's emissions were recalculated using CalEEMod's default construction durations to determine if the different input values would have any effect on the significance determination. This change in input values did not change the Draft EIR's finding of less than significant.
B6-35	After reviewing the Project's CalEEMod output files in Appendix E, Mr. Hagemann and Ms. Jaeger found that "several of the values inputted into the model were not consistent with information disclosed in the DEIR," thus underestimating the Project's air quality impacts.[74] _____ [74] *Id.*	As stated in response to comment B6-44, information described on pages 168-170 of the Draft EIR was revised to be consistent with model parameters used for recalculating the project's emissions.
B6-36	In addition, when Mr. Hagemann and Ms. Jaeger attempted to correct those values and conduct their own assessment of the Project's impacts, they found that "the DEIR failed to provide enough information to conduct a full assessment of the Project's true impacts."[75] Thus, the DEIR's conclusions are not supported by substantial evidence and "the City must prepare a revised DEIR to adequately assess the air quality impacts that the Project will have	As stated in response to comment B6-44, information described on pages 168-170 of the Draft EIR was revised to be consistent with model parameters used for recalculating the project's emissions. All of the parameters used in CalEEMod are summarized in the Draft EIR and the CalEEMod output file is included in Appendix E. Therefore, there is substantial evidence to support the air quality analysis.

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	during construction and operation."[76] _____ [75] *Id.* [76] *Id.*	
B6-37	*1. Architectural Coating Emissions are Underestimated* The DEIR states that "the concentration of volatile organic compounds (VOCs) in architectural coatings were reduced from 250 gram per liter (g/L) to 150 g/L based on the regulatory requirements for non-flat high-gloss coatings described in BAAQMD Regulation 8, Rule 3: Architectural Coatings."[77] However, Mr. Hagemann and Ms. Jaeger explain that this value "is inconsistent with the values inputted into the CalEEMod model."[78] For nonresidential interior and residential exterior area coating, the values in CalEEMod were actually changed from the default value of 250 g/L to 15 g/L.[79] As noted by Mr. Hagemann and Ms. Jaeger, "[t]his value is approximately 90 percent lower than the 150 g/L value stated in the DEIR."[80] Thus, by reducing the values for nonresidential interior and residential exterior area coating to 15 g/L, Mr. Hagemann and Ms. Jaeger conclude that "the DEIR greatly underestimates the Project's volatile organic compound (VOC) emissions from architectural coating activities."[81] _____ [77] DEIR, pp. 168 - 169. [78] SWAPE Comments, p. 4. [79] DEIR, Appendix E, p. 138. [80] SWAPE Comments, p. 4. [81] *Id.*	Emissions of the project's criteria pollutants were recalculated after changing the concentration of volatile organic compounds (VOCs) in architectural coatings to the Bay Area Air Quality Management District's (BAAQMD) 150 grams per liter (g/L) value described in the Draft EIR. The revised criteria pollutant emissions reported are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact. An updated CalEEMod output file is included in Revised Appendix E, included in Chapter IV, Draft EIR Text Revisions. See response to B6-44 for revised Draft EIR text.
B6-38	*2. The DEIR Fails to Include Demolition of Existing Buildings* The DEIR states that approximately 60,000 square feet of existing buildings would be demolished during Project construction.[82] Mr. Hagemann and Ms. Jaeger explain that the material produced from demolition, as well as trash and additional materials produced from other construction activities, will result in a significant amount of construction waste and debris.[83] They further state that this material, if not completely or partially used elsewhere on site, will most likely be transported off-site for disposal.[84] Thus, Mr. Hagemann and Ms. Jaeger find that "in order to accurately estimate the emissions that would be released during transport of this construction material, the total amount of waste hauled off-site would need to be inputted into the CalEEMod model."[85]	The Draft EIR did consider all construction activities associated with site preparation and building demolition as stated on page 168 of the Draft EIR and shown on pages 9 through 13 of the CalEEMod output file in Appendix E, (both Appendix E included in the Draft EIR and the Revised Appendix E included in Chapter IV, Draft EIR Text Revisions) emissions of fugitive dust, criteria pollutants, and greenhouse gases from demolition of the existing 60,000-square-foot building on the project site were estimated and accounted for in the Draft EIR air quality analysis. Estimated emissions of criteria pollutants and greenhouse gases during demolition were based on vehicle exhaust emissions from on-site construction equipment, off-site hauling trips, and worker trips. Estimated emissions of fugitive dust during demolition were based on the mechanical or explosive dismemberment of the existing building, loading the debris onto trucks for off-site disposal, and on-site truck traffic. See response to comment B6-44 for

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	However, the emissions estimates in the DEIR do not include the transportation of this demolished material during construction of the Project.[86] _____ [82] DEIR, p. 168 [83] SWAPE Comments, p. 5. [84] *Id.* [85] *Id.* [86] DEIR, Appendix E, pp. 138 - 140.	text revisions to the Draft EIR text.
B6-39	As a result, Mr. Hagemann and Ms. Jaeger conclude that "the CalEEMod model greatly underestimates the total emissions released during the demolition phase of construction, only accounting for emissions from off-road equipment."[87] As a result, the DEIR fails to account for "the fugitive dust from material movement, specifically truck loading and unloading. . ."[88] According to Mr. Hagemann and Ms. Jaeger, "[t]his dust contributes to PMlO and PM2.5 emissions, and by omitting this information from the air analysis, the PMlO and PM2.5 emissions during Project construction are underestimated."[89] Furthermore, they note that "transportation of this material will produce additional mobile-source pollutant emissions."[90] Therefore, the total emissions during Project construction are greatly underestimated. _____ [87] SWAPE Comments, p. 5. [88] *Id.* [89] *Id.* [90] *Id.*	See response B6-38, emissions associated with hauling demolition waste (including PM_{10}, $PM_{2.5}$, and other mobile-source pollutants) were estimated in CalEEMod and are accounted for in the Draft EIR air quality analysis.
B6-40	*3. Artificially Low Percent Reduction Applied to Daily Trip Rate* The DEIR indicates that the average residential daily trip rate was reduced from the CalEEMod default value of 6.59 trips per dwelling unit to 4.01 trips per dwelling unit.[91] This adjusted trip rate is based on information disclosed in a March 3, 2015 *Memorandum: 200 4th Street - Preliminary Transportation Analysis* ("Memorandum") prepared by Fehr & Peers.[92] The Memorandum suggests that because the Project site is located approximately 0.25 miles away from the Lake Merritt BART Station, the number of automobile trips generated by the Project would decrease by approximately 43 percent. This reduction, according to the DEIR, "is based on the Bay Area Travel Survey ("BATS") 2000 which shows	Since the project is within three blocks (0.25 mile) of the Lake Merritt BART Station, automobile trips generated by the project were reduced by 43 percent to account for the non-automobile trips. This reduction is consistent with City of Oakland *Transportation Impact Study Guidelines* and is based on the Bay Area Travel Survey (BATS) 2000. The trip generation data presented in the Institute of Transportation Engineers (ITE) *Trip Generation* is based on mostly urban sites. Thus, the City of Oakland *Transportation Impact Study Guidelines* set the ITE base trip generation rate to 100 percent for low-density suburban areas more than 1 mile from a BART Station and then adjusted rates within all other categories based on mode share data in Alameda County presented in Table K9 of the BATS 2000 Final Report.

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	that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent."[93] However, Mr. Hagemann and Ms. Jaeger reviewed the BATS 2000 report and were unable to verify the origin of the 43 percent reduction, and as they explain, "the DEIR fails to provide any insight as to where, within the BATS 2000 report, this percentage was taken from."[94] Indeed, Mr. Hagemann and Ms. Jaeger found in the BATS 2000 report "a much lower percent decrease in daily vehicle trips from use of alternate modes of transportation. . ."[95] Thus, they conclude that "this 43 [percent] value should not be relied upon to estimate emissions."[96] _____ [91] DEIR, Appendix E, p. 140 [92] Fehr & Peers, Memorandum: 200 4th Street - Preliminary Transportation Analysis, March 3, 2015, p. 2. [93] DEIR, p. 123. [94] SWAPE Comments, p. **5.** [95] *Id.,* at 6. [96] *Id.*	Specifically, the following BATS 2000 data were used to estimate the 43 percent reduction: ▪ Automobile mode share for low-density suburban areas more than 1-mile from a BART Station = 84.6% ▪ Automobile mode share for areas within one-half mile of a BART Station = 48.2% ▪ Adjustment to ITE rate = 100% *(1-(48.2/84.6) = 43.0% As noted on page 123 of the Draft EIR, a 2011 research study shows that reducing ITE based trip generation using BATS data results in a more accurate estimation of trip generation for mixed-use developments than just using ITE based trip generation. Therefore, the 43 percent reduction in automobile trips generated by the project is supported by substantial evidence.
B6-41	Furthermore, Mr. Hagemann and Ms. Jaeger found that an additional mitigation measure was applied to the model, on top of the 43 percent reduction, that further decreases the number of automobile trips generated by the Project as a function of the Project's proximity to a transit stop.[97] As a result, the DEIR improperly "double counts the reduction in total vehicle miles traveled that would typically occur as a result of the Project's close proximity to a BART station."[98] _____ [97] DEIR, Appendix E, p. 155. [98] SWAPE Comments, p. 5.	The project's emissions were recalculated after removing the 16.2 reduction in CalEEMod. An updated CalEEMod output file is included in Appendix E. The revised criteria pollutant emissions during project operations reported on page 170 of the Draft EIR are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-42	The California Air Pollution Control Officers Association's ("CAPCOA") *Quantifying Greenhouse Gas Mitigation Measures* report discusses the various equations used by CalEEMod to quantify reductions (in emissions and vehicle miles traveled) from each mitigation measure.[99] According to Mr. Hagemann's and Ms. Jaeger's reading of the CAPCOA report, they calculate that the Project's proximity to the transit stop would result in a 16.2 percent reduction in total vehicle miles traveled.[100] _____	See response B6-40; there is substantial evidence supporting the use of a 43 percent reduction in automobile trips generated by the project.

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	[99] Quantifying Greenhouse Gas Mitigation Measures, California Air Pollution Control Officers Association (CAPCOA), August 2010, available at: http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf [100] SWAPE Comments, pp 6 - 7.	
B6-43	Mr. Hagemann and Ms. Jaeger conclude that "[t]he City does not provide substantial evidence in the DEIR to support the use of the 43 [percent] reduction value," but rather substantial evidence supports a 16.2 percent reduction.[101] Therefore, "by applying both the CalEEMod mitigation measure (16.2 percent reduction) as well as the 43 [percent] reduction to the vehicle trip rate, the DEIR double counts the reductions that would occur as a result of the Project's close proximity to a BART station, thus greatly underestimating the Project's mobile-source emissions."[102] The City must revise and recirculate the DEIR to address these deficiencies and provide a corrected air quality analysis. _____ [101] *Id.* [102] *Id.,* at 7.	See response B6-40; there is substantial evidence supporting the use of a 43 percent reduction in automobile trips generated by the project. As described in response to comment B6-41, emissions were recalculated after removing the 16.2 transit reduction in CalEEMod. The revised criteria pollutant emissions during project operations are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact and recirculation of the Draft EIR is not warranted. Also see response B6-1 related to recirculation.
B6-44	*4. Use of Incorrect Construction Duration* The DEIR relies upon the default values provided by CalEEMod to determine the number of construction days necessary for the Project. The DEIR states that "[b]ased on the size and type of development, CalEEMod estimated that Project construction would likely last 266 working days."[103] However, Mr. Hagemann and Ms. Jaeger find that when remodeling the Project's emissions, "CalEEMod estimates that construction of this Project, based on the size and type of development, will occur over a 310 day period."[104] Mr. Hagemann and Ms. Jaeger state that "[n]ot only does the DEIR fail to use the default construction duration provided by CalEEMod for each construction phase, the DEIR completely omits the 20 day 'Paving' construction phase, and does not provide any reason as to why this phase was omitted from the model."[105] _____ [103] DEIR, p. 198 [104] SWAPE Comments, p. 7 [105] *Id.*	The project's emissions were recalculated using CalEEMod's default construction durations, which include a paving phase, to determine if the different input values would have any effect on the significance determination. Based on the default construction durations, there would still be a total of 266 days as described in the Draft EIR. The revised criteria pollutant emissions are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact and recirculation of the Draft EIR is not warranted. This change in input values did not change the Draft EIR's finding of less than significant. Information described in Section IV.D, Air Quality, and IV.E, Greenhouse Gas Emissions, was revised to be consistent with model parameters used for recalculating the project's emissions. The text revisions are shown below and in Chapter IV, Text Revision of this document. An updated CalEEMod output file is included in Revised Appendix E (see Chapter IV, Text Revisions, of this RTC document. **Page 168, Construction Emissions, is revised:** *Construction-Phase Emissions* Common pollutant emissions of concern during construction and demolition include ROG, NO_x and exhaust $PM_{2.5}$ and PM_{10} from construction equipment.

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Because the proposed project consists of more than 240 multi-family units and would require a demolition permit, the City's enhanced construction standard conditions for approval apply. Therefore, the evaluation assumed that ~~all construction equipment, diesel trucks, and generators would be equipped with Best Available Control Technology for emission reductions of NO_x and PM [SCA-19A(u)], and~~ all off-road heavy diesel engines would meet the CARB's most recent certification standard (currently Tier 4) [SCA-A(x)]. While emissions of fugitive dust $PM_{2.5}$ and PM_{10} are also a common concern, these emissions would be controlled by implementation of the dust control measures required as part of the project design under SCA-A. Emissions of ozone precursors and exhaust $PM_{2.5}$ and PM_{10} above the City's thresholds of significance could substantially contribute to existing violations of CAAQSs and/or NAAQSs in the SFBAAB. Potential emission sources for the project would include demolition, grading, building construction, paving, and architectural coatings. Unmitigated pollutant emissions during project construction, both before and after applying the dust control measures and Tier 4 engine requirements described under SCA-A, were estimated using the CalEEMod default values, except as noted below.

Page 169, Table IV.D-5 is revised:

TABLE IV.D-5 SUMMARY OF AVERAGE UNMITIGATED CRITERIA POLLUTANT EMISSIONS DURING PROJECT CONSTRUCTION

Pollutant	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Units	lb/day	lb/day	lb/day	lb/day
Emissions without SCA-A	~~31~~39	~~29~~31	~~1.60~~1.7	1.6~~0~~
Emissions with SCA-A	36	10	0.13	0.13
Thresholds	54	54	82	54
Exceedance	No	No	No	No

Notes: lb/day = pounds per day
Estimated emissions of particulate matter are from vehicle exhaust.
The emissions without SCA-A were originally reported in the DEIR. These emissions have been updated in response to public comments and the emissions with SCA-A have been added to the table.
~~Assumes a 20 percent NO_x and 45 percent particulate matter reduction compared to the most recent CARB fleet average as required by SCA-A.~~

Source: CalEEMod (Appendix E).

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response

Page 170, first bullet, is revised:

- Based on the findings of the ~~preliminary~~ transportation analysis conducted for the project, the average weekday vehicle trip rate was changed from 6.59 to ~~3.99~~ 4.38 trips/dwelling unit/day (see *Section IV.C, Traffic and Transportation*).~~[24]~~

~~[24] Fehr & Peers, 2015. *Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

Page 170, Table IV.D-6, is revised:

TABLE IV.D-6 SUMMARY OF AVERAGE UNMITIGATED CRITERIA POLLUTANT EMISSIONS DURING PROJECT OPERATION

Pollutant	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Units	lb/day	lb/day	lb/day	lb/day	ton/yr	ton/yr	ton/yr	ton/yr
Emissions	~~21~~ 26	20	~~0.41~~ 0.38	~~0.39~~ 0.36	~~3.8~~ 4.8	~~3.6~~ 3.7	~~0.075~~ 0.069	~~0.071~~ 0.065
Thresholds	54	54	82	54	10	10	15	10
Exceedance	No	No	No	No	No	No	No	No

Notes: lb/day = pounds per day
ton/yr = tons per year
Estimated emissions of particulate matter are from vehicle exhaust.
The emissions reported in the DEIR assumed the operational year was 2014 (a default parameter in CalEEMOD). These emissions have been updated in response to public comments and to account for reduced vehicle emissions that would result for the expected operational year of 2017.
Source: CalEEMod (Appendix E).

Pages 198, first bullet, is revised:

- The average weekday vehicle trip rate was changed to ~~4.01~~ 4.00 trips/dwelling unit/day, based on the assumptions of the transportation analysis conducted for the project (see *Section IV.C, Traffic and Transportation*).~~[19]~~

~~[19] Fehr & Peers, 2015. *Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

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Comment #	Comment	Response

Page 170, beginning at the Carbon Monoxide paragraph is revised, including footnotes:

(1) Carbon Monoxide Concentrations

The Alameda County Transportation Commission.... The proposed project is expected to generate ~~88~~ 99 PM-peak-hour vehicle trips during the weekdays.[25] Since the project would generate less than 100 PM peak-hour vehicle trips, the project is consistent with the current CMP.

The *Jack London Square Redevelopment Project Addendum to the 2004 EIR*, approved in 2014, included analysis of traffic operations at four intersections immediately north of the project (Table IV.D-7).[26] These intersections are located near the I-880 overpass, where vertical mixing of CO emissions from vehicle exhausts could be substantially limited. The ~~preliminary~~ traffic analysis prepared for the project estimates that the project would add ~~25 or more~~ about 7 to 37 vehicle trips per hour to these intersections during peak morning (AM) and PM hours.[27] Existing traffic counts from 2013 and the estimated trips that would be generated by the project at each intersection are summarized in Table IV.D-7. Based on these traffic analyses, the project would not increase the traffic volumes at nearby intersections above the City's CO screening criteria of 24,000 vehicles per hours. Since the project meets the City's thresholds, the project would have a less-than-significant air quality impact related to CO emissions.

TABLE IV.D-7 SUMMARY OF TRAFFIC COUNTS AND PROJECT TRIP GENERATIONS AT NEARBY INTERSECTIONS

	2013 Traffic Count[a]		Project Trips[b]	
Intersection	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Jackson Street/5th Street	1,290	1,585	~~58~~26	~~70~~37
Jackson Street/6th Street	2,204	1,615	~~33~~26	~~39~~15
Oak Street/5th Street	1,252	1,645	~~29~~32	~~18~~18
Oak Street/6th Street	1,150	1,191	~~10~~7	~~31~~32

[a] ESA, 2014. *Jack London Square Redevelopment Project Addendum to the 2004 EIR,* May 9.

~~[b]~~ Fehr & Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis.* December 1. ~~Memorandum: 200 4th Street – Preliminary Transportation Analysis, March 3.~~

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Comment #	Comment	Response
		_____ [25] Fehr & Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis.* December 1. ~~*Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~ [26] ESA, 2014. *Jack London Square Redevelopment Project Addendum to the 2004 EIR,* May 9. [27] Fehr & Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis.* December 1. ~~*Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~ **Page 172, 2nd paragraph, is revised:** The total on-site emissions of DPM were assumed to equal the total on-site PM_{10} emissions estimated by CalEEMod over 266 days of construction. Based on the area of each block, it was assumed that two thirds of the total emissions were associated with Block A and one-third of the total emissions were associated with Block B. It was also assumed that construction of each block would occur ~~sequentially (i.e., not at the same time) and the duration of construction would also be proportional to the area of each block~~ simultaneously to provide a conservative estimate of PM_{10} and $PM_{2.5}$ concentrations for the MEIR. The dispersion…. **Page 173, 4th paragraph, is revised:** Estimates of the health risks posed by the project to MEIR from on-site construction DPM and total increase in exhaust $PM_{2.5}$ concentration, both before and after applying the Tier 4 engine requirements described under SCA-19, are summarized and compared to the City's thresholds in Table IV.D-8. The unmitigated estimated excess cancer risk and chronic health hazard (HI) for DPM from construction, as well as the increase in annual average $PM_{2.5}$ concentration associated with construction were above the City's thresholds, and therefore could result in a significant air quality impact. However, ~~The~~ with implementation of the SCAs, the estimated excess cancer risk and chronic health hazard (HI) for DPM from construction, as well as the increase in annual average $PM_{2.5}$ concentration associated with construction were below the City's thresholds. Therefore, this impact would be less than significant.

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Comment #	Comment	Response

Page 175, Table IV.D-8, is revised:

TABLE IV.D-8 SUMMARY OF THE HEALTH RISK ASSESSMENT FOR DPM AND $PM_{2.5}$ EMISSIONS DURING PROJECT CONSTRUCTION

	Diesel Particulate Matter			
	Annual Average Concentration	Child <2 Excess Cancer Risk	Chronic Hazard Index	Exhaust $PM_{2.5}$ Annual Average Concentration
Units	($\mu g/m^3$)	$(10^6)^{-1}$	---	($\mu g/m^3$)
MEIR without SCA-A[a]	2.61	87.8	5.2	2.61
MEIR with SCA-A	~~0.078~~ 0.064	~~1.9~~ 2.1	~~0.16~~ 0.13	~~0.079~~ 0.064
Thresholds	---	10	1.0	0.3
Exceedance without SCA-A	---[b]	Yes	No	Yes
Exceedance with SCA-A	---	No	No	No

[a] MEIR = maximally exposed individual resident
[b] "---" = not applicable.
Source: Appendix E.

Page 176, 2nd paragraph, is revised:

Based on the screening-level analysis of nearby TAC sources, the unmitigated cumulative increase in cancer risk at the project site would be about 162 in a million, which exceeds the City's threshold (Table IV.D-9), and therefore could result in a significant air quality impact. The unmitigated cumulative concentration of $PM_{2.5}$ at the project site would be about 4.8 micrograms per cubic meter, which also exceeds the City's threshold (Table IV.D-9). ~~However, it should be noted that this screening-level analysis does not account for air dispersion from permitted stationary sources, such as the Peerless Coffee Company facility, that would be expected to reduce the $PM_{2.5}$ concentrations at the project site.~~

Under SCA-B, the project applicant would be required to either a) prepare a HRA demonstrating that the future users of the site are not exposed to a health risk above the City's thresholds or b) incorporate health risk reduction measures into the project design that would reduce the cancer and hazard risks associated with nearby TAC emissions (SCA-B option ab). For example,

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Comment #	Comment	Response
		under SCA-B option a(ii) b), the project would be required to install and maintain high efficiency filtration systems with a Minimum Efficiency Reporting Value rating of 13 (MERV-13). CARB has identified high efficiency filtration as the most effective method for residences to reduce incoming DPM and other contaminants from outdoor air.[40] The project applicant has indicted that the project design will include air filters with a MERV-13 rating, which will reduce levels of indoor DPM and $PM_{2.5}$ by at least 85 percent relative to the incoming outdoor air.[41] An 85 percent reduction in the level of indoor DPM would reduce the cumulative incremental cancer risk at the project site to about 24 in a million, which is below the City's threshold of 100 in a million. An 85 percent reduction in the level of indoor $PM_{2.5}$ would reduce the cumulative concentration at the project site to about 0.72 micrograms per cubic meter, which is below the City's threshold of 0.8 micrograms per cubic meter. Therefore, implementation of the health risk reduction measures described under SCA-B option b) would reduce the potential health impacts to new receptors at the project site through project design features to a less-than-significant level. See response B6-28 for associated greenhouse gas emission revisions.
B6-45	The DEIR does explain that the Project will not require any site preparation, and as a result, the "Site Preparation" construction phase was omitted from the CalEEMod model. However, according to Mr. Hagemann and Ms. Jaeger, the DEIR fails to provide a reason for the omission of the "Paving" phase.[106] Thus, under the default construction schedule provided by CalEEMod, the total construction duration should be equal to 310 days, not 266 days as is indicated by the DEIR.[107] Furthermore, Mr. Hagemann and Ms. Jaeger find that "by shortening the construction schedule without manually adjusting the total equipment quantities for each phase, the DEIR not only underestimates the amount of equipment needed to complete Project construction, but also underestimates the emissions released by the off-road equipment used during construction."[108] Thus, this is another example of where the DEIR has underestimated emissions. The DEIR must be revised to include the correct CalEEMod estimates and recirculated for further public review. _____ [106] *Id.* [107] *Id.* [108] *Id.,* at 7 - 8.	See response B6-44; the project's emissions were recalculated using CalEEMod's default construction durations, which include a paving phase. Also see response B6-1 related to recirculation.

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Comment #	Comment	Response
B6-46	5. *Incorrectly Presumed the Use of Tier 4 Final Engines* The DEIR states that the Project intends for all off-road heavy diesel engines to meet the California Air Resources Board's ("CARB) "Tier 4 Final" emission standards.[109] However, Mr. Hagemann and Ms. Jaeger find that the City has failed to provide substantial evidence "to support the feasibility of obtaining an entirely Tier 4 fleet."[110] Although off-road Tier 4 equipment is available for purchase, it is not required that off-road construction fleets are comprised solely of Tier 4 Final engines. Furthermore, according to Mr. Hagemann and Ms. Jaeger, it is unrealistic to presume that all of the construction equipment utilized for the Project will have Tier 4 engines based on availability and cost.[111] As a result, Mr. Hagemann and Ms. Jaeger conclude that "this mitigation measure should not be relied upon to reduce the Project's construction emissions to below levels of significance ... Rather, the Project should pursue additional mitigation measures that are more technically feasible to implement."[112] _____ [109] DEIR, p. 168 [110] SWAPE Comments, p. 8. [111] *Id.* [112] *Id.*	As described under City SCA A(x), all off-road heavy diesel engines are required to meet the California Air Resources Board's (CARB) most recent certification standard, which is currently Tier 4. This measure is derived from the BAAQMD's 2012 *CEQA Air Quality guidelines* (Table 8-2, *Additional Construction Mitigation Measures*). The BAAQMD has confirmed that this measure requires all construction equipment to meet the Tier 4 emission standards (BAAQMD, 2015, personal communication between Alison Kirk, BAAQMD and James McCarty, BASELINE Environmental Consulting, October 7). Tier 4 engines are available and currently comprise a substantial portion of many contractor's fleets. To ensure that the use of Tier 4 engines, SCA A(x) would be included in an enforceable Mitigation Monitoring and Reporting Program if the project is approved.
B6-47	Mr. Hagemann and Ms. Jaeger provide background information in their comments on the United States Environmental Protection Agency's ("EPA") non-road engine emission standards and how those standards would apply to this Project.[113] Although Tier 4 is certainly a desirable level for non-road equipment, most construction equipment do not achieve Tier 4 standards and those that do are extremely expensive. Although we encourage the use of Tier 4 whenever possible to reduce Project emissions, Mr. Hagemann and Ms. Jaeger find that it would be "completely unrealistic" to assume that all 18 pieces of equipment would be Tier 4.[114] Therefore, they find that "it is more realistic to assume that the fleet will include a mix of Tier 2, 3, and 4 engines, rather than just Tier 4 Final equipment exclusively."[115] _____ [113] *Id., at* 8 - 9. [114] *Id.,* at 9. [115] *Id.*	Refer to response to comment B6-46.

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Comment #	Comment	Response
B6-48	Mr. Hagemann and Ms. Jaeger conclude that "[u]nless the Project applicant can demonstrate to the public, either through budget or through a preliminary agreement with a contractor or supplier, that they will purchase/rent exclusively Tier 4 construction equipment, the use of Tier 2 equipment should be conservatively assumed, and an updated air quality analysis should be conducted to reflect this more realistic scenario."[116] _____ [116] *Id.*	Refer to response to comment B6-46.
B6-49	*6. Updated Analysis Indicates Increase in Pollutant Emissions* Mr. Hagemann and Ms. Jaeger provide new emissions estimate using corrected parameters and values, which shows that the DEIR greatly underestimates Project emissions for NOx, ROGs, and GHGs.[117] They further explain that their new estimate itself underestimates Project emissions because "they were unable to adjust several parameters, such as the number of hauling trips during demolition, due to a lack of data provided by the DEIR." Thus, the City has not provided substantial evidence to support its analysis, and Mr. Hagemann and Ms. Jaeger conclude, assuming a revised DEIR will provide a more accurate analysis accounting for the missing information, that "based on our independent emissions modeling and analysis we conclude that the Project may have a potentially significant air quality impact that has not been disclosed, analyzed, or adequately mitigated in the DEIR."[118] As a result, an updated DEIR should be prepared to include an air quality analysis that uses correct input parameters and feasible mitigation measures. _____ [117] *Id.,* at 10. [118] *Id.,* at 14.	See response B6-38; emissions from hauling demolition waste were estimated and accounted for in the Draft EIR air quality analysis. Project emissions of criteria pollutants and GHGs were recalculated to adjust the CalEEMod parameters discussed in response to comments B6-37, B6-41, and B6-44 (and no change in impact significance resulted). In addition, the traffic analysis estimate of trips generated for the project was updated. Information described on pages 168-170 and page 198 of the Draft EIR was revised to be consistent with the model parameters used for recalculating the project's emissions. The revised criteria pollutant emissions reported on pages 169 and 170 of the Draft EIR are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact. An updated CalEEMod output file is included in Appendix E. Based on the revised emissions, the annual average concentrations of diesel particulate matter (represented by PM_{10}) and $PM_{2.5}$ during construction were estimated for the maximally exposed individual resident using the U.S. Environmental Protection Agency ISCST3 air dispersion model. The modeling assumptions described on page 172 of the Draft EIR were revised for clarification (see response B6-44). The revised concentrations and health risks associated with diesel particulate matter and $PM_{2.5}$ reported on page 175 of the Draft EIR (see response B6-44) are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact. The updated results of the ISCST3 model and health risk assessment are included in Appendix E (see Chapter IV, Text Revisions, for the Appendix).

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Comment #	Comment	Response
B6-50	V. THE DEIR DOES NOT ADEQUATELY INCORPORATE COMPLIANCE WITH LAW AS ENFORCEABLE MITIGATION Courts have imposed several parameters for the adequacy of mitigation measures. First, the lead agency may not defer the formulation of mitigation measures until a future time, unless the EIR also specifies the specific performance standards capable of mitigating the project's impacts to a less than significant level.[119] Deferral is impermissible where an agency "simply requires a project applicant to obtain a ... report and then comply with any recommendations that may be made in the report."[120] Second, a public agency may not rely on mitigation measures of uncertain efficacy or feasibility.[121] Third, "[m]itigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments."[122] Fourth, mitigation measures that are vague or so undefined that it is impossible to evaluate their effectiveness are legally inadequate.[123] _____ [119] CEQA Guidelines, 5 15126.4(a)(l)(B); Endangered Habitats League v. County of Orange (2005) 131 Cal.App.4th 777, 793-94; Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261, 1275. [120] Defend the Bay v. City of Irvine (2004) 119 Cal.App.4th 1261, 1275. [121] Kings County Farm Bureau u. City of Hanford (1990) 221 Cal.App.3d 692, 727 (finding groundwater purchase agreement inadequate mitigation measure because no record evidence existed that replacement water was available). [122] CEQA Guidelines $ 15126.4(a)(2). [123] San Franciscans for Reasonable Growth v. City & County of San Francisco (1984) 151 Cal.App.3d 61,79.	These are informational introductory comments that do not raise significant environmental issues regarding the EIR. Please see Responses B6-51 through B6-55, below.
B6-51	The DEIR concludes in several sections, including hazards, GHGs, groundwater, and transportation as discussed above, that the Project's compliance with laws and regulations are sufficient to mitigate potentially significant impacts to a level of insignificance.	To the extent that the EIR determines that some potentially significant project impacts will be mitigated through compliance with laws and/or regulations, applicable caselaw has long established that such determinations are appropriate under CEQA. As explained in *Oakland Heritage Alliance v. City of Oakland*, "a condition requiring compliance with regulations is a common and reasonable mitigation measure and may be proper where it is reasonable to expect compliance." (2011) 195 Cal.App.4th 884, 906; *see also*, *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 934 (upholding lead agency determination that compliance with California Building Energy Efficiency Standards would reduce project energy impacts); *Leonoff v. Monterey County* (1990) 222 Cal.App.3d

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Comment #	Comment	Response
		1337, 1355 (upholding lead agency determination that compliance with environmental laws on hazardous material registration and underground tank monitoring would adequately mitigate project hazardous material impacts); *Sunstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308 (upholding mitigation measures requiring compliance with state and federal water and air quality standards). Here, the SCAs identified in the EIR will be included in an enforceable mitigation monitoring and reporting program approved by the City, as explained in Response B6-55. Accordingly, it is reasonable for the City to expect project compliance with such SCAs, and by extension compliance with the applicable local, state and federal laws and regulations mandated by such SCAs. Per *Oakland Heritage Alliance*, the EIR may therefore rely on project compliance with applicable laws and regulations as reasonable mitigation in this case. No further response is required.
B6-52	In some cases, such as groundwater, the DEIR simply concludes that impacts are less than significant by assuming compliance with laws. However, compliance with a regulation or law is not automatically an indication of the sufficiency of mitigation measures where there is substantial evidence that the project may result in significant impacts.124 CEQA requires a lead agency to fully assess the significance of a Project's impacts in light of substantial evidence "notwithstanding compliance with the adopted regulations or requirements."[125] Furthermore, the DEIR may not simply assert "a bare conclusion ... not supported by facts or analysis."[126] In Communities for a Better Env't v. California Res. Agency, the court struck down a CEQA Guideline because it "impermissibly allow[ed] an agency to find a cumulative effect insignificant based on a project's compliance with some generalized plan rather than on the project's actual environmental impacts."[127] The court concluded that "[i]f there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project."[128] Thus, the ruling supports the notion that compliance with an applicable standard outside of the CEQA process does not automatically obviate a lead agency's obligation to consider substantial evidence and analyze and mitigate potentially significant impacts.	This comment is general in nature, and does not identify the specific groundwater impact to which it vaguely refers. This response assumes the comment intends to refer to potential impacts related to the management and disposal of potentially contaminated groundwater that may be exposed during project construction, as discussed on page 247 of the Draft EIR. As an initial matter, the commenter's assertion that the EIR "simply concludes" that groundwater impacts are less than significant by assuming compliance with laws is inaccurate and misleading. As explained on Draft EIR page 245, two Phase I Environmental Site Assessments were prepared for the project site in February 2006 and December 2014. These documents explain that prior groundwater testing at the project site detected low concentrations of phenols, TPH-d, TPH-mo, and metals were detected in groundwater, but that all concentrations were below the corresponding screening levels at that time for residential land use. In addition, a Phase II was conducted at the project site in December 2015, which included the collection and testing of groundwater samples at the project site. Laboratory testing of the 2015 groundwater samples indicate low detectable concentrations of oil and grease, TPH-g, VOCs (benzene and toluene) and dissolved metals, but that concentrations of oil and grease and metals were below applicable waste discharge limits (there are no established discharge limits for TPH-g or VOCs). Based on groundwater analytical results, the Phase II concludes that it is unlikely pre-treatment will be required prior to discharging exposed groundwater to the sanitary sewer. Thus, while the EIR relies in part on project compliance with applicable regulations and laws to ensure less than significant impacts related to the management and disposal of groundwater at the project site, the EIR also relies on expert assessments based on scientific fact that indicate that significant groundwater impacts are unlikely, even in the

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Comment #	Comment	Response
	In Keep our Mountains Quiet v. County of Santa Clara, neighbors of a wedding venue sued over the County's failure to prepare an EIR due to significant noise impacts. The court concluded that "a fair argument [exists] that the Project may have a significant environmental noise impact" and reasoned that although the noise levels would likely comply with local noise standards, "compliance with the ordinance does not foreclose the possibility of significant noise impacts."[129] The court ordered the County to prepare an EIR. _____ [124] Keep our Mountains Quiet v. County of Santa Clara (2015) Case No. H039707; Communities for a Better Env't v. California Res. Agency (2002) 126 Cal.Rptr.2d 441. [125] CEQA Guidelines § 15064.4. [126] Association of Irritated Residents v. County of Madera (2003) 107 Cal.App.4th 1383, 1390-1391. [127] Communities for a Better Env't v. California Res. Agency (2002) 126 Cal.Rptr.2d 441, 453. [128] Id. [129] Keep our Mountains Quiet v. County of Santa Clara (2015) Case No. H039707, p. 21.	absence of project compliance with applicable law. In no event can the EIR's conclusions regarding groundwater contamination be fairly characterized as "bare conclusions … not supported by facts or analysis[,]" as commenter claims. Moreover, CEQA clearly authorizes the City to determine that potentially significant project impacts related groundwater management and disposal will be mitigated through compliance with laws and/or regulations, as explained in Response B6-51. Commenter's reliance on *Keep Our Mountains Quiet v. County of Santa Clara* (*KOMQ*) is misplaced. That case concerned a CEQA challenge to a negative declaration, not an environmental impact report. Accordingly, in that case, the lead agency's CEQA determinations were subject to the non-deferential "fair argument" standard of judicial review. 236 Cal.App.4th at 731. As commenter correctly notes, the *KOMQ* court held that, under the "fair argument" standard of review, compliance with an ordinance does not foreclose the possibility of significant impacts. This is so, because, under the "fair argument" standard, reviewing courts must invalidate a lead agency's CEQA determinations, and require preparation of an EIR, if substantial evidence supports a fair argument that a project may have a significant environmental effect, even if other substantial evidence indicates the project will have no significant effect. *See Laurel Heights Improvement Ass'n. v. Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112, 1123; CEQA Guidelines Section 15064(f)(1). However, when and EIR *is prepared* for a project, it is not subject to the non-deferential "fair argument" standard of review, but rather the highly deferential "substantial evidence" standard of review. *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 898. Under the substantial evidence standard, reviewing courts are required to uphold a lead agency's determination that an impact is less than significant (or would be mitigated to less than significant), so long as that determination is supported by substantial evidence, even if other substantial evidence indicates that the impact would be significant. *See id.* In this case, an EIR was prepared, not a negative declaration, and the deferential "substantial evidence" standard of review thus applies to this EIR conclusions. Here, substantial evidence supports the EIR's determination that the project will not cause significant impacts related to the management and disposal of groundwater exposed during construction. Expert assessments have concluded that groundwater contamination at the project site is unlikely to exceed applicable regulatory standards, as explained above. Moreover, the EIR requires the project to comply with the regulatory requirements of expert resource agencies specifically designed to protect the public health and safety from the adverse effects of groundwater contamination, as explained on pages 250 to 254

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		of the Final EIR. Since the EIR's conclusions regarding groundwater contamination are supported by substantial evidence, under the "substantial evidence" standard, commenter's assertion that "compliance with a regulation or law is not automatically an indication of the sufficiency of mitigation measures were there is substantial evidence that the project might result in significant impacts" is immaterial. Even if commenter were correct (which it's not), commenter cites no evidence, substantial or otherwise, that the project would in fact result in significant impacts after complying with applicable regulatory mandates. For the same reason, commenter's reliance on *Communities for a Better Environment v. California Resources Agency* (*CBE*) is inapposite. As commenter correctly notes, when considering the legality of CEQA Guidelines Section 15064(i)(3), the court found that "if there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, *an EIR must be prepared for the project*" (emphasis added). But commenter fails to acknowledge that this rule only applies when the lead agency has not prepared an environmental impact and its CEQA determinations are therefore subject to the non-deferential "fair argument" standard of review. Indeed, commenter inaccurately claims that the *CBE* court "struck down" CEQA Guidelines Section 15064(i)(3). In fact, the court upheld the Guideline, expressly finding that Section 15064(i)(3) "is consistent with controlling CEQA law, *so long as it is read to incorporate the fair argument standard for EIR preparation*" (emphasis added). In this case, however, an EIR *was* prepared for the proposed project and it is not subject to the fair argument standard, as explained above. Accordingly, *CBE* is not applicable. Finally, it is noted that commenter misrepresents CEQA Guidelines Section 15064.4(b)(3) when it asserts that CEQA requires a lead agency to fully assess the significance of a project's impacts in light of substantial evidence "notwithstanding compliance with adopted regulations or requirements." First, CEQA Guidelines Section 15064.4(b)(3) is discrete in its application and only specifically applies to the analysis of cumulative greenhouse gas impacts, not to CEQA in general. Second, and more importantly, when quoting Section 15064.4(b)(3), commenter omits key language included in the Guideline. The full *text* of the relevant passage from Section 15064.4(b)(3) reads as follows: "If there is substantial evidence the possible [greenhouse gas] effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, *an EIR must be prepared for the project*" (emphasis added). When the full text of Section 15064.4(b)(3) is read in context, it is clear that this provision applies only to projects for which an EIR has not

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		been prepared and thus is a restatement of the "fair argument" standard discussed above. In this case, however, and EIR was prepared for the project. Therefore, Section 15064.4(b)(3) is inapplicable. No further response is required.
B6-53	In Leonoff v. Monterey County Bd. of Supervisors (1990) 222 Cal.App.3d 1337, 1355, the court held that conditions requiring compliance with regulations are proper "where the public agency had meaningful information reasonably justifying an expectation of mitigation of environmental effects." Furthermore, under CEQA, the City must disclose the significance of all impacts and provide separate and enforceable mitigation. In Lotus v. Department of Transportation, an EIR approved by CalTrans contained several measures "[t]o help minimize potential stress on the redwood trees" during construction of a highway.[130] Although those measures were clearly separate mitigation, the project proponents considered them "part of the project," and the EIR concluded that because of the planned implementation of those measures, no significant impacts were expected.[131] However, the appellate court found that because the EIR had "compress[ed] the analysis of impacts and mitigation measures into a single issue, the EIR disregard[ed] the requirements of CEQA."[132] The Court continued, stating "[albsent a determination regarding the significance of the impacts . .. it is impossible to determine whether mitigation measures are required or to evaluate whether other more effective measures than those proposed should be considered."[133] _____ [130] Lotus v. Department of Transportation, 223 Cal.App.4th at 650. [131] Id., at 651. [132] Id., at 656. [133] Id.	Commenter cites *Leonoff v. Monterey County Board of Supervisors* (*Leonoff*) for the unremarkable proposition that conditions of approval requiring compliance with laws and regulations is proper "where the public agency had meaningful information reasonably justifying an expectation of mitigation of environmental effects." (1990) 222 Cal.App.3d 1337, 1355. However, caselaw has long recognized a lead agency's authority to rely on compliance with laws to adequately reduce or avoid a project's potentially significant effects. *See*, *e.g., City of Maywood v. Los Angeles Unified School District* (2012) 208 Cal.App.4th 362, 412-413 (upholding compliance with hazardous waste laws as adequate mitigation for contamination impacts); *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 945-946 (upholding compliance with state and federal endangered species laws as adequate mitigation for project's biological impacts); *Oakland Heritage Alliance v. City of Oakland (*2011) 195 Cal.App.4th 884, 906 (upholding compliance with Building Code as adequate mitigation for seismic impacts); *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 236-237 (upholding compliance with state and federal endangered species laws as adequate mitigation for project's biological impacts). Moreover, this comment fails to identify any specific EIR conclusions it feels are not reasonably justified. Commenter next cites *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645 (*Lotus*) to support its argument that the EIR impermissibly compresses the analysis of impacts and mitigation measure into a single issue and thereby disregards the requirements of CEQA. Commenter's reliance on *Lotus* is misplaced. At issue in *Lotus* was an EIR prepared by Caltrans to analyze the impacts of a roadway improvement project in close proximity to redwood trees and their root system. The *Lotus* EIR acknowledged that the roadway project could have adverse impacts on nearby trees, but it entirely failed to establish any criteria for determining the significance of these impacts, nor did it apply any such criteria to an analysis of predictable project impacts. 223 Cal.App.4th at 655. To compound this problem, the *Lotus* EIR incorporated a series of mitigation and avoidance measures into its project description and simply concluded that any potential impacts would be less than significant. *Id*. at 656. Accordingly, the *Lotus* EIR entirely failed to discuss the significance of the project impacts apart from the mitigation and avoidance measures, and it did not explain how the mitigation and avoidance measures would reduce impacts to a less than significant level. *Id*. at 656-657. Most importantly, the lead agency in *Lotus* failed

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		to include the mitigation and avoidance measures in an enforceable mitigation monitoring and reporting program, thus providing no assurance that the mitigation and avoidance measures would be implemented. *Id*. This EIR suffers none of these flaws, as explained below. Unlike the *Lotus* EIR, this EIR discloses all of the project's potential adverse impacts and assesses them against relevant thresholds of significance apart from mitigation and avoidance measures. To the extent project impacts are determined to potentially exceed applicable thresholds, this EIR identifies standard conditions of approval and other measures to minimize such effects. This EIR also explains how implementation of the identified standard conditions and measures will reduce project impacts and evaluates their effectiveness. Moreover, if the project is ultimately approved, the standard conditions of approval and other measures identified in this EIR will be the subject of an enforceable project-specific mitigation monitoring and reporting program adopted by the lead agency, unlike the mitigation and avoidance measures described in the *Lotus* EIR. In short, this EIR does not take any of the impermissible analytical and procedural shortcuts the court identified in *Lotus*. Moreover, *Lotus* is also distinguishable on the basis that the subject of the *Lotus* EIR was a roadway improvement project, whereas this EIR evaluates an infill development project. Unlike roadway improvement projects, infill projects are eligible for streamlined environmental review through application of uniformly applicable development policies and standards, such as the City's Standard Conditions of Approval. Pursuant to CEQA Guidelines Section 15183.3(c), CEQA does not apply to the effects of an eligible infill project under two circumstances. First, if an effect was addressed as a significant effect in a prior EIR for a planning level decision, with some exceptions, that effect need not be analyzed again for an individual infill project, even when that effect was not reduced to a less than significant level in the prior EIR. Second, an effect need not be analyzed, even if it was not analyzed in a prior EIR or is more significant that previously analyzed, if the lead agency makes a finding that uniformly applicable development policies or standards, such as the SCAs, apply to the infill project and would substantially mitigate that effect. Depending on the effects addressed in the prior EIR and the availability of uniformly applicable development policies or standards that apply to the eligible infill project, streamlining under Guidelines Section 15183.3 will range from a complete exemption to an obligation to prepare a narrowed, project-specific environmental review document. Indeed, the proposed project is eligible for limited CEQA streamlining pursuant to CEQA Guidelines Section 15183.3, as explained in the *CEQA Analysis Pursuant to California Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3* included as

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		Appendix B of this Final EIR. See also CEQA Guidelines Section 15183. Despite being eligible for limited CEQA streamlining, the City has instead conducted a full CEQA analysis of all environmental effects of the proposed in this EIR out of an abundance of caution and to ensure full public participation in the project's environmental review process.
B6-54	Here, the City failed to provide any information explaining how compliance with laws would reduce the Project's potentially significant impacts to less than significant. The City relies on compliance with laws for reducing hazards, GHG, and groundwater impacts when there is substantial evidence that the Project will have significant impacts in those areas. The City may not rely solely on compliance with regulations or laws as reducing impacts to less than significant levels without a full analysis of impacts or enforceable mitigation. As the DEIR is currently presented, the City cannot conclude that the Project's impacts have been fully assessed and properly mitigated.	As explained in response to comment B6-51, the EIR may rely on project compliance with applicable laws and regulations as a basis for determining that project impacts will be reduced to less than significant levels. Commenter provides no authority for its assertion that a lead agency may not rely solely on compliance with regulations or laws as reducing impacts to less than significant levels. Indeed, caselaw is to the contrary, as explained in response to comment B6-51. Moreover, as explained in response to comment B6-55, all SCAs and mitigation measures described in the EIR will be included in an enforceable project-specific mitigation monitoring and reporting program. Commenter cites no substantial evidence that, despite compliance with applicable law and the SCAs and mitigation measures described in this EIR, the project will nevertheless cause a significant impact not otherwise analyzed in this EIR.
B6-55	Furthermore, the DEIR improperly relies on compliance with laws as mitigation that cannot be considered separate and enforceable, but is merely part of the Project description. For example, the DEIR states that "[c]ompliance with applicable regulations and the City's SCAs would ensure that the proposed project would not 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."[134] However, the DEIR does not appear to provide any more information regarding which laws it refers to and whether the Applicant can reasonably be expected to comply with them. The DEIR may not merely rely on a vague promise of future compliance with applicable laws and must separately identify and analyze the significance of the Project's impacts and incorporate enforceable mitigation to reduce those significant impacts. If the City's less than significant conclusions rely on compliance with laws, then it should characterize such compliance as mitigation for the significant impact. _____ [134] DEIR, p.248	Contrary to commenter's characterization, the SCAs identified in the EIR are not "merely part of the Project description." Rather, all SCAs will be adopted as enforceable conditions of project approval and included in an enforceable mitigation monitoring and reporting program (MMRP) adopted in accordance with CEQA. The City is entitled to presume that project applicant's will comply with the mandates of local, state and federal law. However, by adopting the SCAs as conditions of project approval and as enforceable mitigation measures under an approved MMRP, noncompliance with any SCA (including those mandating compliance with local, state and federal laws and regulations) can be remedied through stop work orders, permit revocations, nuisance abatement proceedings, injunctive relief, and other civil and administrative remedies available to the City to protect the environmental and the public health and safety. Please also see Responses B6-53 and B6-54.

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B6-56	VI. CONCLUSION The DEIR does not satisfy CEQA's procedural and evidentiary standards for the preparation of an EIR. The DEIR fails to provide a complete Project description and fails to adequately describe the existing environmental setting for hazards on the site. The DEIR also fails adequately disclose, analyze, and mitigate the Project's potentially significant impacts to worker and public health from site hazards, air quality, and GHG emissions. For these reasons, the City must withdraw the DEIR and prepare a revised DEIR that adequately analyzes and proposes all necessary and feasible mitigation to reduce the Project's potentially significant environmental impacts.	These are concluding comments. See response to comment B5-9 (first mention) / B6-53 for additional information. Please also see responses to the prior comments in this letter, B6-1 to B6-55, for detailed responses.
B6-57	We have reviewed the August 2015 Draft Environmental Impact Report (DEIR) for the Jack London Square 4th & Madison Project ("Project"). The Project site comprises approximately 90,169 square feet, or 2.07 acres, in the Jack London District in the City of Oakland. Key elements of the Project include approximately 330 residential apartments (mix of studios, one-bedroom, and two-bedroom units), an interior courtyard in each building, approximately 15,000 square feet of amenity and leasing office space, approximately 3,000 square feet of ground floor commercial space across the two buildings, and approximately 365 parking spaces. Our review concludes that the DEIR fails to adequately evaluate the Project's Hazards and Hazardous Waste, Air Quality, and Greenhouse Gas (GHG) impacts. We found the following issues with the DEIR's analyses: ▪ The DEIR fails to adequately disclose the environmental conditions at the Project site; ▪ The DEIR fails to disclose the potential impacts that would occur when encountering contaminated groundwater during site excavation; ▪ The DEIR relies on incorrect parameters to model the Project's air pollutant emissions, and as a result, the Project's emissions during construction are greatly underestimated; ▪ The DEIR, without assessing the feasibility of this measure, presumes that all off-road construction equipment with greater than 50 horsepower (hp) will adhere to "Tier 4 Final" emission controls;	These concluding remarks have been addressed specifically in responses to comments B6-58 to B6-96. No further response is necessary.

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	▪ The DEIR overestimates the service population (number of residents and employees) that the Project will generate. As a result, the amount of GHG emissions generated by each service person is underestimated, and the Project's impact on global climate change is incorrectly presumed to be less-than-significant. An updated DEIR should be prepared to address these issues, and should include feasible mitigation measures to reduce the Project's impacts to a less-than-significant level.	
B6-58	**Hazards and Hazardous Waste** *Failure to Disclose Environmental Conditions at Project Site* According to the DEIR, the Project site has a history of industrial uses dating to the early 1900s, including an engine manufacturing company, a plywood company, a pipe yard, a machine shop, warehouses, and offices (p. 245). These activities have led to soil contamination of the Project site, which has not been adequately evaluated given the proposed residential land use. Groundwater contamination is also present beneath the Project site and may pose a health risk to construction workers and to future occupants of commercial buildings (p. 247).	See responses B6-7, B6-8, and B6-52.
B6-59	The DEIR states that an additional evaluation of the Project site is to be conducted but, because this assessment is deferred, impacts that may result from any necessary cleanup activities are not disclosed. A revised DEIR should be prepared to include an updated evaluation of environmental conditions at the Project site and to provide for mitigation prior to Project certification.	Based on the findings of the Phase II ESA that was prepared since the Draft EIR was prepared, no further studies or remedial action are recommended for the projects site at this time. As detailed in responses B6-7, B6-8, and B6-52, the Phase II ESA specifies that a SMP is required to address potential unknown environmental issues, and if contamination is encountered unexpectedly during demolition or construction activities, which could pose a potential health risk to construction workers and/or future site, remedial action would be required. The City of Oakland SCA 61 requires that any actions recommended in the Phase I/II ESAs be implemented (after review and approval of Fire Prevention Bureau, Hazardous Materials Unit). To implement SCA 61, the following recommendations from the Phase II ESA would be required: A site management plan (SMP) that includes protocols for the characterization and handling of excavated soil and includes: (See pages 251 to 254 of Chapter IV, Text Revisions, of this document for details about what will be included with each of these items.) ▪ Observation during site demolition and soil disturbing activities. ▪ Appropriate sample collection procedures. ▪ Protocols for confirmation sampling.

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		▪ Segregation of impacted soil from non-impacted soil. ▪ Appropriate stockpile best management practices. ▪ Dust control/air monitoring procedures. ▪ Protocols for offsite waste disposal and protocols for soil re-use. ▪ Construction dewatering and treatment/management procedures, if necessary. ▪ Guidelines for import of fill material (if necessary). ▪ Notifications and response procedures. ▪ Contingency plan. ▪ Health and Safety Plan. As noted above, the Phase I and Phase II reports prepared for the project site conclude that remedial action at the project site is unlikely to be required during the construction phase. At present, additional soil and groundwater testing beyond that conducted as part of the Phase I and Phase II process is infeasible because the project site is currently developed and owned by a third party. Given the small size of the project site and limited amount of grading required by the project, any discovery of previously unknown contamination during construction is likely to affect only relatively small area. Accordingly, any incremental increase in construction-related impacts (i.e., noise, truck traffic, dust, emissions) would be unlikely to cause a substantial adverse effect on the environment with implementation of the SCAs and other measures identified in the EIR to reduce project impacts. While the evidence reasonably available to the City indicates that remediation is unlikely, the City can only speculate as to whether undiscovered contamination may require remediation, and can only speculate as to the extent of environmental effects such remediation may entail. An EIR is required to evaluate environmental impacts only to the extent that it is reasonably feasible to do so. See CEQA Guidelines Section 15151. This EIR meets that standard because the City has used its best efforts to find out and disclose all that it can about potential contamination issues at the project site. Any additional analysis of contamination issues at the project is too speculative for evaluation and is therefore not required by CEQA. See CEQA Guidelines Section 15145. In the event remedial actions are required based on the discovery of previously unknown contamination during construction; the remedial action would be performed pursuant to the SMP and under the oversight of the appropriate regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources. The regulatory oversight agencies would ensure that appropriate mitigation measures are incorporated into plans for remedial activities (e.g., remedial action plan, RMP/SMP, soil management plan,

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		groundwater management plan, air monitoring plan, transportation plan), in accordance with regulatory requirements, and would ensure that the remedial plans and associated mitigation measures are properly implemented.
B6-60	A 2014 Phase I Environmental Site Assessment (ESA)[1], found: ▪ Soil contamination with detected concentrations of semi-volatile organic compounds (SVOCs), total petroleum hydrocarbons (TPHs), and metals, in the soil and groundwater on the Property. ▪ The potential that "more pervasive soil impacts may exist across the Property. These soil impacts, if present, could affect soil management options and costs." ▪ The potential for sources of groundwater contamination upgradient of the Project site, stating "if the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction." ▪ Review of available CAL-EPA database information indicates there are comingled gasoline plumes in the vicinity of the Property. These plumes may have migrated beneath the Property and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern. On the basis of these findings, the Phase I ESA made these recommendations: ▪ A risk management plan (RMP) should be developed prior to demolition and construction to address potential unknown environmental issues. ▪ Groundwater sampling should be considered to address potential developmental constraints and construction dewatering issues. A 2006 Phase I ESA, referenced in the 2014 Phase I ESA, documented soil and groundwater contamination found in a 1996 investigation. Detected soil contaminants included: phenol, chlorobenzene, and total petroleum hydrocarbons as diesel. Contaminants detected in groundwater included: barium, molybdenum and nickel. The Project site was "closed" by the Alameda County Department of Public Health in 1996 but the	Phase II ESA sampling activities were performed at the project site to evaluate soil and groundwater conditions in October 2015, subsequent to the publication of the Draft EIR. A concentration of PCBs which slightly exceeds the applicable residential screening level was detected in one soil sample; however the Phase II ESA concluded that based on the proposed use of the project site as a podium structure with parking in the lower level, the detected level of PCBs is not expected to pose an environmental concern. The Phase II ESA recommended no further studies at this time, and recommended that a SMP should be prepared to address potential unknown environmental issues. If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly at the project site which could pose a potential health risk to construction workers and/or future site occupants, remedial action would be required and the appropriate regulatory oversight agency(ies) would ensure that the remedial action is sufficient to allow for residential use of the project site based on the proposed development plans. See also response to comment B6-59.

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	closure letter did not consider that land use would change to a residential setting (Appendix I, 2014 Phase I ESA). _____ [1] Phase I Environmental Site Assessment, Engeo, December 2014, 430 Jackson Street, Oakland, California, as cited in the DEIR on p. 245	
B6-61	On the basis of the findings and recommendations in the 2014 Phase I ESA, we have concluded that the DEIR fails to adequately disclose environmental conditions at the Project site that may affect the health of construction workers and adjacent residents. The DEIR incorporates the development of an RMP and soil and groundwater sampling into Standard Condition of Approval (SCA) 63 and states that a Phase II ESA is "currently planned" (p. 247). However, the RMP, soil and groundwater sampling, and the Phase II ESA will not be prepared until after certification of the DEIR.	Phase II ESA sampling activities were performed at the project site to evaluate soil and groundwater conditions in October 2015. The Phase II ESA recommends no further studies at this time, and recommended that a SMP should be prepared to address potential unknown environmental issues. The development and implementation of a SMP (which is required based on the recommendations of the Phase II and SCA 61) would ensure that potential soil and groundwater contamination at the project site does not pose a significant health risk to construction workers and adjacent residents. If remedial action is required for the project site, the regulatory oversight agency would ensure that proposed plans for remedial action are made available for public review and comment, regardless of whether the proposed remedial action is subject to CEQA. See response to comment B6-59.
B6-62	Instead, a revised EIR needs to be prepared to include and disclose the results of soil and groundwater sampling under a Phase II ESA investigation completed prior to Project certification. Impacts of any necessary mitigation should also be disclosed, including dust emissions from construction equipment needed to excavate contaminated soil and emissions from trucks hauling contaminated soil from the site.	See response to comments B6-59. Additionally, as discussed in response to comment B6-61, the regulatory oversight agency would ensure that proposed plans for remedial action are made available for public review and comment, regardless of whether the proposed remedial action is subject to CEQA. A revised EIR is not needed as the results of soil and groundwater sampling under the Phase II ESA investigation have been completed and implementations of the Phase II recommendations, which are required to be implemented by SCA 61, would ensure no significant impacts related to soil and groundwater contamination and/or remediation would occur. The findings of the Phase II are consistent with the Draft EIR findings, no significant impacts related to hazards would result from implementation of the proposed project.
B6-63	The DEIR must ensure the RMP addresses any contaminants that may affect the health and safety of workers or the health and safety of adjacent residents. Exposure pathways, including the inhalation of dust generated from contaminated soil and soil contact by workers, should be evaluated. Numerous residents are located in the Allegro apartments, some as close as 20 feet away, so the risk to those neighbors should be assessed from the inhalation pathway.	One of the primary purposes of an RMP is to ensure that contaminants in soil and groundwater do not affect the health and safety of construction workers or adjacent residents. Based on the recommendations of the 2015 Phase II ESA, a SMP (which is equivalent to a RMP) would be prepared for the project site and implemented during demolition and construction activities to reduce potential health and safety risks for construction workers and adjacent residents to a less than significant level. If soil and groundwater contamination is encountered unexpectedly at the project site that could pose a health risk for construction workers, adjacent residents, or future site occupants, remedial action would be required and implemented in accordance with the SMP as required by City's SCA 61. The appropriate regulatory oversight agency(ies) would ensure that all

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		potential exposures pathways (e.g., inhalation, ingestion, direct exposure) for potential receptors (e.g., construction workers, adjacent neighbors, future site occupants) are evaluated and that the proposed remedial activities would adequately mitigate the potential exposure pathways. Also see response to comment B6-8 and B6-59 to B6-63.
B6-64	*Impacts from Dewatering Are Not Disclosed* The DEIR fails to disclose potential impacts from the likelihood of encountering contaminated groundwater during site excavation. The 2014 Phase I discusses the potential for contamination to affect dewatering activities; however, the DEIR is silent on this subject. Groundwater is less than 10 feet below ground surface (DEIR, p. 251) and maximum depths of the excavation of the Project site will likely expose the water table. Exposure of the water table will allow for any contamination to partition from water to the atmosphere, potentially putting construction workers at risk who would breathe the fumes. Therefore, the DEIR has failed to disclose, analyze, and mitigate a potentially significant impact regarding exposure to contaminated groundwater and must be revised.	As discussed in Section V.G. of the Draft EIR, any groundwater dewatering would be limited in duration and would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending if the discharge were to the sanitary or storm sewer system. By obtaining a permit for the discharge of groundwater to sanitary sewer or storm sewer systems, the applicant would be required to demonstrate that contaminant concentrations in the discharged groundwater meets the applicable discharge criteria. This would be demonstrated through testing of the groundwater prior to and during discharging activities, and treating the groundwater prior to discharging, if necessary. See response to comment B6-7. As discussed in Section V.F, Hazards (see revised section in Chapter IV, Draft EIR Text Revisions), the 2015 Phase II ESA found that groundwater samples from the project site exhibited low detectable concentrations of oil and grease and dissolved metals, and recommended that the groundwater analytical results should be provided to EBMUD to determine appropriate discharge requirements during construction dewatering activities. The Phase II ESA also recommends no further studies at this time and recommends that a SMP be prepared. Preparation and implementation of a comprehensive SMP would reduce potential risks of exposure to unidentified contamination in soil and groundwater to a less-than-significant level for construction workers, future site occupants, other members of the public, as well environment. If groundwater contaminants are discovered at concentrations that could pose health risks to construction workers, adjacent neighbors, or future site occupants, remedial action would be implemented as required by the SMP and City SCA 61 to ensure that potential health risks to construction workers, adjacent neighbors, and future site occupants are mitigated to a less-than-significant level. Additionally, as discussed in Section V.F, Hazards (see revised section in Chapter IV, Draft EIR Text Revisions). of the Draft EIR and required by City SCA 34, if groundwater with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining), the applicant

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		will cease work in the vicinity of the suspect material, the area will be secured as necessary, and the applicant will take all appropriate measures to protect human health and the environment. Appropriate measures include notification of regulatory agency(ies) and implementation of the actions described in SCAs, as necessary, to identify the nature and extent of contamination. Work will not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.
B6-65	**Air Quality** *Unsubstantiated Input Parameters Used to Estimate Project Emissions* The DEIR relies on emissions calculated from the *California Emissions Estimator Model* Version CalEEMod.2013.2.2 ("CalEEMod").[2] CalEEMod provides recommended default values based on site specific information, such as land use type, meteorological data, total lot acreage, project type, and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but CEQA requires that such changes be justified by substantial evidence.[3] Once all the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files, which can be found in "Air Quality and Greenhouse Gas Emissions- CalEEMod, Report, HRA Dispersion Model and ISCST3 Model" (Appendix E) of the DEIR, disclose to the reader what parameters were utilized in calculating the Project's air pollution emissions, and make known which default values were changed as well as provide a justification for the values selected.[4] _____ [2] CalEEMod website, *available at*: http://www.caleemod.com/ [3] CalEEMod User Guide, pp. 2, 9, *available at:* http://www.caleemod.com/ [4] CalEEMod User Guide, pp. 7, 13, *available at:* http://www.caleemod.com/ (A key feature of the CalEEMod program is the "remarks" feature, where the user explains why a default setting was replaced by a "user defined" value. These remarks are included in the report.).	This informational comment does not specifically address the adequacy of the EIR; no further response is necessary.
B6-66	When reviewing the Project's CalEEMod output files in Appendix E, we found that several of the values inputted into the model were not consistent with information disclosed in the DEIR. In addition,	See response B6-44; the project's emissions were recalculated using CalEEMod's default construction durations.

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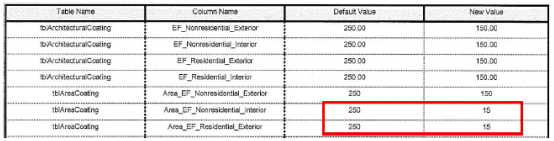
	the DEIR failed to provide enough information to conduct a full assessment of the Project's true impacts. The City must prepare a revised DEIR to adequately assess the air quality impacts that the Project will have during construction and operation.	
B6-67	*Architectural Coating Emissions Underestimated* The DEIR states that, "the concentration of volatile organic compounds (VOCs) in architectural coatings were reduced from 250 gram per liter (g/L) to 150 g/L based on the regulatory requirements for non-flat high-gloss coatings described in BAAQMD Regulation 8, Rule 3: Architectural Coatings" (p. 168-169). This value, however, is inconsistent with the values inputted into the CalEEMod model. For nonresidential interior and residential exterior area coating, the values in CalEEMod were changed from the default value of 250 g/L to 15 g/L (Appendix E, pp. 138) (see excerpt below).  This value is approximately 90 percent lower than the 150 g/L value proposed in the DEIR. By reducing the values for nonresidential interior and residential exterior area coating to 15 g/L, the DEIR greatly underestimates the Project's volatile organic compound (VOC) emissions from architectural coating activities.	See response B6-37; emissions of the project's criteria pollutants were recalculated after changing the concentration of VOCs in architectural coatings to the BAAQMD's 150 g/L value described in the Draft EIR. The revised criteria pollutant emissions reported on pages 169 and 170 of the Draft EIR are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact. An updated CalEEMod output file is included in Appendix E.
B6-68	*Failure to Include Demolition of Existing Buildings in Model* Table IV.D-4 of the DEIR states that, "approximately 60,000 square feet of existing buildings would be demolished" during Project construction (p. 168). The material produced from demolition, as well as trash and additional materials produced from other construction activities, will result in a significant amount of construction waste and debris. This material, if not completely or partially used elsewhere on site, will most likely be transported off-site for disposal. Therefore, in order to accurately estimate the emissions that would be released during transport of this construction material, the total amount of waste hauled off-site would need to be inputted into the CalEEMod model. When reviewing the CalEEMod output files, however, we found that transportation of this demolished material was not included in the emission estimates during construction of the Project (Appendix E,	See response B6-38. Emissions from hauling demolition waste were estimated and accounted for in the Draft EIR air quality analysis.

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Interior	250.00	150.00
tblAreaCoating	Area_EF_Nonresidential_Exterior	250	150
tblAreaCoating	Area_EF_Nonresidential_Interior	250	15
tblAreaCoating	Area_EF_Residential_Exterior	250	15

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	pp. 138-140). As a result, the CalEEMod model greatly underestimates the total emissions released during the demolition phase of construction, only accounting for emissions from off-road equipment. As a result, the fugitive dust from material movement, specifically truck loading and unloading, is not accounted for.[5] This dust contributes to PM10 and PM2.5 emissions, and by omitting this information from the air analysis, the PM10 and PM2.5 emissions during Project construction are underestimated. Furthermore, transportation of this material will produce additional mobile-source pollutant emissions. By omitting this information from the emissions model, the total emissions during Project construction are greatly underestimated. _____ [5] "CalEEMod User's Guide Appendix A Calculation Details for CalEEMod." p. 7, *available at:* http://www.aqmd.gov/ docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2	
B6-69	*Artificially Low Percent Reduction Applied to Daily Trip Rate* According to Appendix E of the DEIR, the average residential daily trip rate was reduced from the CalEEMod default value of 6.59 trips per dwelling unit to 4.01 trips per dwelling unit (p. Appendix E, pp. 140). This adjusted trip rate is based on information disclosed in a March 3, 2015 *Memorandum: 200 4th Street – Preliminary Transportation Analysis* ("Memorandum") prepared by Fehr & Peers. Consistent with what is discussed in the DEIR, the Memorandum suggests that because the Project site is located approximately 0.25 miles away from the Lake Merritt BART Station, the number of automobile trips generated by the Project would decrease by approximately 43% (DEIR, p. 123).[6] This reduction, according to the DEIR, "is based on the Bay Area Travel Survey (BATS) 2000 which shows that the nonautomobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent" (p. 123) _____ [6] "Memorandum: 200 4th Street – Preliminary Transportation Analysis." March 3, 2015, Fehr & Peers.	See response to comment B6-40 through B6-44.
B6-70	When reviewing the BATS 2000 report, however, we were unable to verify the origin of this reduction percentage, and the DEIR fails to provide any insight as to where, within the BATS 2000 report, this percentage was taken from. Furthermore, when we reviewed the BATS 2000 report, we found a different trend in transit ridership.	See response B6-40; there is substantial evidence supporting the use of a 43 percent reduction in automobile trips generated by the project.

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Comment #	Comment	Response
B6-71	According to this report, for the random sample component of the survey, 82% of the reported trips were made by private vehicle, 11% by walking, 2% by bus, 2% by rail, and 1% by bicycle.[7] Furthermore, for the BART rider sample, 11% of the trips were made by rail, and 6% were made by bus. _____ [7] "Bay Area Travel Survey 2000 Final Report Volume I: Methodology, Design, and Analysis of Results." March 2002, *available at:* ftp://ftp.abag.ca.gov/pub/mtc/planning/BATS/BATS2000/BATS%20Final%20Report/Executive%20Summary%20and%20TOC/execsum.pdf	The information provided by the commenter is noted for the record. No further response is necessary.
B6-72	Because it is vague as to where this 43% reduction in number of trips was derived from, and because evidence, taken directly from the referenced report, indicates a much lower percent decrease in daily vehicle trips from use of alternate modes of transportation in San Francisco, this 43% value should not be relied upon to estimate emissions.	See response B6-40 through B6-44, there is substantial evidence supporting the use of a 43 percent reduction in automobile trips generated by the project.
B6-73	Furthermore, when reviewing the rest of the parameters entered into the CalEEMod emissions model, we found that an additional mitigation measure was applied to the model, on top of the 43% reduction, that further decreases the number of automobile trips generated by the Project as a function of the site's proximity to a transit stop (see excerpt below) (Appendix E, pp. 155). **4.0 Operational Detail - Mobile** **4.1 Mitigation Measures Mobile** Increase Density Improve Walkability Design Improve Destination Accessibility Increase Transit Accessibility As a result, the DEIR double counts the reduction in total vehicle miles traveled that would typically occur as a result of the Project's close proximity to a BART station.	As described in response to comment B6-41, emissions were recalculated after removing the 16.2 transit reduction in CalEEMod. The revised criteria pollutant emissions during project operations are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-74	The California Air Pollution Control Officers Association's (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures* report discusses the various equations used by CalEEMod to quantify reductions (in emissions and vehicle miles traveled) from each mitigation measure.[8] According to CAPCOA's report, the percent reduction in vehicle miles traveled (VMT) when the "Increase	As described in response to comment B6-40 through B6-44, emissions were recalculated after removing the 16.2 transit reduction measure in CalEEMod. The revised criteria pollutant emissions during project operations are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

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	Transit Accessibility" mitigation measure (LUT-5) is applied, is calculated using the following equation, where X is equal to the distance of the Project to transit: $\%\ \text{Reduction in VMT} = [(-50 * X + 38) - 1.3\%] * 0.67 = \mathbf{16.2\%}$ This equation is built into the CalEEMod model, so the only input parameter the DEIR is required to enter into the model is the Project's distance to a transit stop (X). Assuming a distance of 0.25 miles, which is consistent with the distance disclosed in the DEIR, we estimate a 16.2% reduction in total vehicle miles traveled. Therefore, by applying both the CalEEMod mitigation measure (16.2% reduction) as well as the 43% reduction to the vehicle trip rate, the DEIR double counts the reductions that would occur as a result of the Project's close proximity to a BART station, thus greatly underestimating the Project's mobile-source emissions. _____ [8] "Quantifying Greenhouse Gas Mitigation Measures." California Air Pollution Control Officers Association (CAPCOA), August 2010, *available at:* http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf	
B6-75	Furthermore, when comparing the 16.2% reduction value to the ridership trends disclosed in the BATS 2000 report, we find that they are generally consistent with each other, and are not at all consistent with the 43% reduction set forth by the DEIR.	See response B6-40, there is substantial evidence supporting the use of a 43 percent reduction in automobile trips generated by the project.
B6-76	The City does not provide substantial evidence in the DEIR to support the use of the 43% reduction value. Thus, this value may not be relied upon in the DEIR to determine the significance of air quality impacts. Using the equations set forth by CAPCOA and the CalEEMod model, we estimated a 16.2% reduction in vehicle miles traveled, which is consistent with the ridership trends disclosed in the BATS 2000 report. By applying both a 43% reduction to the residential daily trips as well as a 16.2% reduction through the "Increase Transit Accessibility" mitigation measure in CalEEMod, the DEIR greatly underestimates the total number of daily trips, and resultant mobile emissions, generated by the Project.	See response B6-40; there is substantial evidence supporting the use of a 43 percent reduction in automobile trips generated by the project. As described in response to comment B6-41, emissions were recalculated after removing the 16.2 transit reduction measure in CalEEMod. The revised criteria pollutant emissions during project operations are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-77	*Use of Incorrect Construction Duration* The DEIR relies upon the default values provided by CalEEMod to determine the number of days that construction of the Project would need. The DEIR states, "Based on the size and type of development, CalEEMod estimated that Project construction would	See response B6-44, the project's emissions were recalculated using CalEEMod's default construction durations, and information described on pages 168 and 170 of the Draft EIR was revised to be consistent with model parameters used for recalculating the project's emissions. Based on the default construction durations, there would still be a total of 266 days as described in the Draft EIR.

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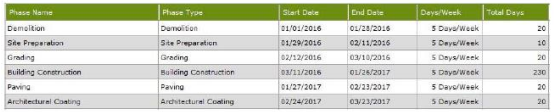
	likely last 266 working days" (p. 198). However, when remodeling the Project's emissions using CalEEMod, we find that CalEEMod estimates that construction of this Project, based on the size and type of development, will occur over a 310 day period (see excerpt below).  Not only does the DEIR fail to use the default construction duration provided by CalEEMod for each construction phase, the DEIR completely omits the 20 day "Paving" construction phase, and does not provide any reason as to why this phase was omitted from the model. The DEIR explains that the Project will not require any site preparation, and as a result, the "Site Preparation" construction phase was omitted from the CalEEMod model. However, the DEIR fails to provide a reason for the omission of the "Paving" phase. Due to the anticipated construction of a 147,000 square foot parking structure, paving activities will most likely occur during Project construction. Therefore, it was assumed that the 20-day paving phase will occur at some point during construction. Furthermore, since the DEIR states that site preparation will not occur during construction, this 10-day phase was not included in the 310 work day construction duration. The table below summarizes the difference in the construction schedule used in the DEIR compared to the CalEEMod default values.	

Construction Phase	CalEEMod Default Duration (Days)	DEIR Phase Duration (Days)	Number of Days Underestimated
Demolition	20	20	-
Grading	20	6	14
Building Construction	230	230	-
Paving	20	-	20
Architectural Coating	20	10	10
Total	**310**	**266**	**44**

If the DEIR were to use the default construction schedule provided by CalEEMod, then the total construction duration would be equal to 310 days, not 266 days as is indicated by the DEIR.

B6-78	The DEIR's emissions model also relies on CalEEMod default values for the type and amount of construction equipment needed during each construction phase. These default values for equipment types and total equipment quantities for each construction phase are based on Project acreage and construction duration. When the	See response B6-44 regarding the recalculation of the project's emissions and construction durations. Also see response B6-1 related to recirculation.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

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	construction schedule is shortened, more equipment is needed to finish construction in that shorter period of time. But changes in the construction schedule do not automatically trigger an equipment list change in the model.[9] Therefore, by shortening the construction schedule without manually adjusting the total equipment quantities for each phase, the DEIR not only underestimates the amount of equipment needed to complete Project construction, but also underestimates the emissions released by the off-road equipment used during construction. _____ [9] "SMAQMD Tips for Using CalEEMod." Sacramento Metropolitan Air Quality Management District, *available at*: http://www.airquality.org/ceqa/UserTipsSMAQMD.pdf	
B6-79	*Incorrectly Presumed the Use of Tier 4 Final Engines* The DEIR states that the Project intends for all off-road heavy diesel engines to meet the California Air Resources Board's (CARB) "Tier 4 Final" emission standards (p. 168). There is no substantial evidence, however, to support the feasibility of obtaining an entirely Tier 4 fleet. Although off-road Tier 4 equipment is available for purchase, it is not required that off-road construction fleets be comprised solely of Tier 4 Final engines.	As described in response to comment B6-46, under the City's SCA A(x), all off-road heavy diesel engines used for project construction are required to meet the CARB's most recent certification standard, which is currently Tier 4. The City will be legally bound to enforce the SCA referenced in the Draft EIR as part of the project MMRP.
B6-80	Furthermore, based on availability and cost, it is unrealistic to presume that all of the construction equipment utilized for the Project will have Tier 4 engines. As a result, this mitigation measure should not be relied upon to reduce the Project's construction emissions to below levels of significance.	Please refer to response to comment B6-46.
B6-81	Rather, the Project should pursue additional mitigation measures that are more technically feasible to implement.	Please refer to response to comment B6-46.
B6-82	The United States Environmental Protection Agency's (USEPA) 1998 nonroad engine emission standards were structured as a three-tiered progression. Tier 1 standards were phased-in from 1996 to 2000 and Tier 2 emission standards were phased in from 2001 to 2006. Tier 3 standards, which applied to engines from 37-560 kilowatts (kW) only, were phased in from 2006 to 2008. The Tier 4 emission standards were introduced in 2004, and were phased in from 2008 – 2015.[10] These tiered emission standards, however, are only applicable to newly manufactured nonroad equipment. According to the United States Environmental Protection Agency (USEPA) "if products were built before EPA emission standards started to apply, they are generally not affected by the standards	Please refer to response to comment B6-46.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	or other regulatory requirements."[11] Therefore, pieces of equipment manufactured prior to 2000 are not required to adhere to Tier 2 emission standards, and pieces of equipment manufactured prior to 2008 are not required to adhere to Tier 4 emission standards. Construction equipment often lasts more than 30 years; as a result, Tier 1 equipment and non-certified equipment are currently still in use.[12] It is estimated that of the two million diesel engines currently used in construction, 31 percent were manufactured before the introduction of emissions regulations.[13] Furthermore, in a 2010 white paper, the California Industry Air Quality Coalition estimated that approximately 7% and less than 1% of all off-road heavy duty diesel equipment in California was equipped with Tier 2 and Tier 3 engines, respectively.[14] It goes on to explain that "cleaner burning Tier 4 engines…are not expected to come online in significant numbers until 2014." Given that significant production activities have only just begun within the last couple of years, it can be presumed that there is limited availability of Tier 4 equipment. Furthermore, due to the complexity of Tier 4 engines, it is very difficult if not nearly impossible, to retrofit older model machinery with this technology.[15] Therefore, available off-road machinery equipped with Tier 4 engines are most likely new. According to a September 20, 2013 EPA Federal Register document, a new Tier 4 scraper or bulldozer would cost over $1,000,000 to purchase.[16] Utilizing the construction equipment list from the CalEEMod output file, it would be completely unrealistic to assume that all 18 pieces of equipment would be purchased at this price Appendix E, pp. 144). It is also relatively expensive to retrofit a piece of old machinery with a Tier 3 engine. For example, replacing a Tier 0 engine with a Tier 3 engine would cost roughly $150,000 or more.[17] Therefore, before applying mitigation measures of this caliber to a Project, the applicant should consider both the cost of the proposed equipment as well as determine the probability of obtaining an entirely Tier 4 construction fleet. It should be noted that there are regulations, currently enforced by the California Air Resources Board (CARB), with regards to construction fleets. According to CARB, large and medium fleets	

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	(fleets with over 2,500 horse power) will not be allowed to add a vehicle with a Tier 1 engine to its fleet starting on January 1, 2014. The engine tier must be Tier 2 or higher.[18] _____ [10] Emission Standards, Nonroad Diesel Engines, *available at:* https://www.dieselnet.com/standards/us/nonroad.php#tier3 [11] "Frequently Asked Questions from Owners and Operators of Nonroad Engines, Vehicles, and Equipment Certified to EPA Standards." United States Environmental Protection Agency, August 2012. *Available at:* http://www.epa.gov/oms/highway-diesel/regs/420f12053.pdf [12] "Best Practices for Clean Diesel Construction." Northeast Diesel Collaborative, August 2012. *Available at:* http://northeastdiesel.org/pdf/BestPractices4CleanDieselConstructionAug2012.pdf [13] Northeast Diesel Collaborative Clean Construction Workgroup, *available at:* http://northeastdiesel.org/construction.html [14] "White Paper: An Industry Perspective on the California Air Resources Board Proposed Off-Road Diesel Regulations. "Construction Industry Air Quality Coalition, *available at:* http://www.agcca.org/uploadedFiles/Member_Services/Regulatory-Advocacy-Page-PDFs/White_Paper_CARB_OffRoad.pdf [15] "Tier 4- How it will affect your equipment, your business and your environment. "Milton CAT, *available at:* http://www.miltoncat.com/News/Documents/Articles/For%20the%20Trenches%20-%20Tier%204.pdf [16] "Federal Register." Environmental Protection Agency, September 20, 2013, *available at:* http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/pdf/2013-22930.pdf [17] "Federal Register." Environmental Protection Agency, September 20, 2013, *available at:* http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/pdf/2013-22930.pdf [18] "Enforcement of the In-Use Off-Road Vehicle Regulations. "California Air Resources Board, February 2014, *available at:* http://www.arb.ca.gov/msprog/mailouts/msc1401/msc1401.pdf	
B6-83	Therefore, it is more realistic to assume that the fleet will include a mix of Tier 2, 3, and 4 engines, rather than just Tier 4 Final equipment exclusively. Unless the Project applicant can demonstrate to the public, either through budget or through a preliminary agreement with a contractor or supplier, that they will	Please refer to response to comment B6-46.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

<table>
<tr><th>Comment #</th><th>Comment</th><th>Response</th></tr>
<tr><td></td><td>purchase/rent exclusively Tier 4 construction equipment, the use of Tier 2 equipment should be conservatively assumed, and an updated air quality analysis should be conducted to reflect this more realistic scenario.</td><td></td></tr>
<tr><td>B6-84</td><td>Updated Analysis Indicates Increase in Pollutant Emissions In an effort to more accurately estimate the Project's emissions, we modeled emissions in CalEEMod using more site specific information and correct modeling parameters. The updated CalEEMod output files are included as an attachment to this letter. The following parameters, summarized in the table below, were adjusted in an effort to more accurately reflect the Project criteria discussed in the DEIR.
<table>
<tr><th>CalEEMod Parameter</th><th>DEIR Model Input</th><th>SWAPE Model Input</th></tr>
<tr><td>Architectural Coating
Nonresidential Interior/Residential Exterior</td><td>15 g/L</td><td>150 g/L</td></tr>
<tr><td>Demolition
Material Exported</td><td>-</td><td>60,000 square feet</td></tr>
<tr><td>Average Daily Residential Trip Rate
(Trips per Dwelling Unit)</td><td>4.01 trips/unit</td><td>6.59 trips/unit</td></tr>
<tr><td>Construction Phase
Grading</td><td>6 Days</td><td>20 Days</td></tr>
<tr><td>Construction Phase
Paving</td><td>-</td><td>20 Days</td></tr>
<tr><td>Construction Phase
Architectural Coating</td><td>10 Days</td><td>20 Days</td></tr>
<tr><td>Use of Cleaner Engines for Construction
Equipment</td><td>Tier 4 Final</td><td>Tier 2</td></tr>
</table></td><td>See response B6-49; the revised criteria pollutant emissions are below the City's thresholds; therefore, there would be no change in the project's determination of a less-than-significant impact.</td></tr>
<tr><td>B6-85</td><td>When the correct input parameters are used, we find that the Project's NOx emissions increase from 21 pounds per day (lbs/day) to 26 lbs/day and ROG emissions increase from 22 lbs/day to 31 lbs per day (see table below).
<table>
<tr><th colspan="3">Summary of Average Unmitigated Criteria Air Pollutant Emissions</th></tr>
<tr><th></th><th>ROG</th><th>NOx</th></tr>
<tr><td>pounds per day:</td><td></td><td></td></tr>
<tr><td>DEIR Model - Construction Emissions</td><td>31</td><td>29</td></tr>
<tr><td>DEIR Model - Operational Emissions</td><td>21</td><td>20</td></tr>
<tr><td>DEIR Model – Total Project Emissions [19]</td><td>22</td><td>21</td></tr>
<tr><td>SWAPE Model - Construction Emissions</td><td>34</td><td>34</td></tr>
<tr><td>SWAPE Model - Operational Emissions</td><td>30</td><td>25</td></tr>
<tr><td>SWAPE Model – Total Project Emissions [20]</td><td>31</td><td>26</td></tr>
</table>
_____
[19] Construction emissions amortized over 40 years.
[20] Construction emissions amortized over 40 years.</td><td>See response B6-49; the revised criteria pollutant emissions are below the City's thresholds. See response B6-28; the revised CO_2e emissions are below the City's efficiency-based threshold. Therefore, there would be no change in the project's determinations of less-than-significant impacts for air quality and climate change.</td></tr>
<tr><td>B6-86</td><td>Furthermore, the Project's greenhouse gas (GHG) emissions during construction and operation also increase from 3,100</td><td>As discussed in response to comment B6-38, emissions from hauling demolition waste were estimated and accounted for in the Draft EIR air quality analysis. See</td></tr>
</table>

TABLE III-1 RESPONSE TO COMMENTS MATRIX

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	MTCO2e/year to 3,931 MTCO2e/year (see table below). **Summary of Greenhouse Gas Emissions - Unmitigated** **Project Activity** / **$MTCO_2e$/year** **DEIR Model** / **SWAPE Model** Construction Emissions (Amortized over 40 years): 18 / 18 Operational Emissions: 3,081 / 3,912 **Total: 3,100 / 3,931** **Threshold: 1,100 / 1,100** ***Exceedance: Yes / Yes*** When correct modeling parameters are used, the Project's construction and operational ROG, NOx, and GHG emissions increase. It should be noted that our model likely still underestimates emissions, as we were unable to adjust several parameters, such as the number of hauling trips during demolition, due to a lack of data provided by the DEIR. Thus, we conclude that a potentially significant air quality impact has not been disclosed or adequately mitigated. As a result, an updated DEIR should be prepared to include an air quality analysis that uses correct input parameters and feasible mitigation measures.	response B6-28; the revised CO_2e emissions are below the City's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact and inclusion of additional mitigation measures would not be required.
B6-87	*Failure to Demonstrate Consistency with Applicable GHG Regulations* The significance criteria for GHG emissions established by the City of Oakland states that a project would have a significant impact if it produces "total emissions of more than 1,100 metric tons of CO2e annually **AND** more than 4.6 metric tons of CO2e per service population annually" (DEIR, p. 196). Therefore, in order for the Project's GHG impact to be considered as significant, both of these thresholds need to be exceeded. In other words, if a project complies with one of the above thresholds, the project is deemed as having a less-than-significant GHG impact. Using these thresholds, the DEIR concludes that there would be no significant impact in relation to GHG emissions that would result from construction or operation of the Project. The DEIR justifies this conclusion by stating that, "The Project's estimated CO_2e emissions exceed the City's annual emissions threshold, but were below the efficiency-based threshold in terms of annual emissions per service population. Since annual CO2e emissions need only to be below one of the thresholds, the Project's GHG emissions would have a less-than-significant impact on global climate change" (DEIR, p. 198). The DEIR further states that because the Project is below the City of Oakland's efficiency-based threshold	The commenter's summary is noted for the record. No further response is necessary.

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Comment #	Comment	Response
	for GHG emissions, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by Assembly Bill 32 (AB32), the Project would comply with AB32.	
B6-88	When reviewing the assumptions and methods used to come to this conclusion, however, we found that the DEIR's analysis of the Project's potential GHG impacts is flawed. When correct parameters are used and the updated GHG emissions are compared to applicable thresholds, we find that the Project's GHG emissions will result in a significant impact.	See response B6-28; the revised CO_2e emissions are below the City's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-89	An updated DEIR should be prepared to assess the Project's GHG emissions using the correct assumptions, and should implement additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan in accordance with the City's Standard Conditions of Approval.	See response B6-28; the revised CO_2e emissions are below the City's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact, and preparation of additional mitigation measures and a Greenhouse Gas Reduction Plan would not be required.
B6-90	*Overestimation of Service Population Generated by Project* To calculate the Project's service population, the DEIR used a value of 2.52 persons per household, which is based on data from the 2013 United States Census for the City of Oakland. Assuming 330 units are to be built for the Project, the service population was estimated to be approximately 831.6 residents (p. 198). Using this service population, the DEIR estimates that the Project will generate 3.8 metric tons of carbon dioxide equivalents per person per year ($MTCO_2e$/sp/year) during operation (p. 199). Therefore, even though the Project's annual emissions (3,099 $MTCO_2e$/year) exceed the 1,100 $MTCO_2e$/year significance threshold, the DEIR concludes that the Project does not exceed the 4.6 $MTCO_2e$/sp/year significance threshold (Table IV.E-4, p. 199). As a result, because only one of the thresholds was exceeded, the Project was deemed to have a less-than-significant GHG impact. However, the 2.52 persons per household value the DEIR relied upon to estimate the service population is incorrect and greatly overestimates the number of residents the Project will generate. As a result, the significance determination made in the DEIR is incorrect, and does not adequately represent the Project's impacts on global climate change.	As described in response to comment B6-28, the service population of 813.6 residents used in the Draft EIR is supported by substantial evidence and the project's revised CO_2e emissions are below the City of Oakland's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-91	According to the December 9, 2014 *City of Oakland Housing Element 2015-2023*, the 2.52 persons per household value relied upon by the DEIR is in reference to the average household size in Oakland in 1990, which takes into account multi-family	As described in response to comment B6-28, the service population of 813.6 residents used in the Draft EIR is supported by substantial evidence, and the project's revised CO_2e emissions are below the City of Oakland's efficiency-based threshold. Therefore, there would be no change in the project's determination of

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
	households, and single family households with children.[21] According to the DEIR, the Project proposes to construct 21 studios, 185 one-bedroom, and 120 two-bedroom apartments, totaling to approximately 330 units (p. 43). Assuming that 2.52 people will occupy each of the studio and single bedroom apartments is absurd, and results in a drastic overestimation of the number of people likely to occupy these apartments. _____ [21] "City of Oakland Housing Element 2015-2023." City of Oakland, December 9, 2014, p. 125, *available at:* http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/housing-element-documents/oakland_5th_adopted013015.pdf	a less-than-significant impact.
B6-92	A more reasonable value can be calculated using values disclosed in Table 3-40 of the *City of Oakland Housing Element 2015-2023*, which is the same document relied upon by the DEIR to derive the initial service population value of 2.52 persons per household. Table 3-40 provides a breakdown of "persons per room" for all occupied rented units in the City of Oakland. According to this table, 92% of occupied units have less than 1.00 persons per room, 5% have 1.01 to 1.50 persons per room, and 3% have 1.51 or more persons per room.[22] The weighted average of this data results in an average of 1.03 persons per room, which is more reasonable than the value used in the DEIR (see table below). Persons Per Room / Number of Rented Units / Percent of Rented Units Less Than 1.00 / 81,813 / 92% 1.01 to 1.50 / 4,390 / 5% 1.51 or More / 3,007 / 3% **Total / 89,210 / 100%** **Average Persons Per Room / 1.03** _____ [22] "City of Oakland Housing Element 2015-2023." City of Oakland, December 9, 2014, Table 3-40, *available at:* http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/housing-elementdocuments/oakland_5th_adopted013015.pdf	As described in response to comment B6-28, the commenter's estimated service population is incorrect. The service population used in the Draft EIR is more conservative (i.e., lower) than the corrected value estimated using the commenter's recommended approach.
B6-93	Using this weighted average, we estimated a more realistic service population. Assuming that the 21 studio and 185 one-bedroom apartments would have an occupancy rate of 1.03 persons, and the remaining 120 two-bedroom apartments would have 2.06	See response B6-28; the commenter's estimated service population is incorrect. The service population used in the Draft EIR is more conservative (i.e., lower) than the corrected value estimated using the commenter's recommended approach.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

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	persons occupying them (2 bedrooms x 1.03 persons), we estimated a service population of approximately 459 residents (see table below). **Land Uses** / **Amount** / **Units** / **Number of Residents** Residential Units / 326 / Dwelling Units (DU) / 459 *Studio* / *21* / *DU* / *22* *One-Bedroom* / *185* / *DU* / *191* *Two-Bedroom* / *120* / *DU* / *247*	
B6-94	To calculate the GHG emissions per person per year, we used the annual Project emissions from the CalEEMod output file and divided it by the new service population. It should be noted that our analysis is most likely still an underestimation of the Project's GHG emissions, as it relies on the emissions estimated by the DEIR. As previously discussed, the CalEEMod model used to determine the Project's construction and operational emissions relies upon incorrect input parameters that result in an underestimation of Project emissions. Therefore, and updated DEIR should be prepared to adequately estimate construction and operational emissions, and should include an updated GHG analysis that uses these updated emissions estimates to determine Project significance.	See response B6-28; the revised CO_2e emissions are below the City's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-95	Dividing the annual Project emissions of 3,099 $MTCO_2e$/yr by the updated service population value of 459 residents, we find that the Project would emit 6.75 $MTCO_2e$/sp/year. This value greatly exceeds the 4.6 $MTCO_2e$/sp/year significance threshold. Additionally, the Project's total annual emissions estimate of 3,099 $MTCO_2e$/yr exceeds the 1,100 $MTCO_2e$/yr threshold (see table below). **SWAPE Estimates** / **Metric Tons CO_2e/year** / **Metric Tons CO_2e/sp/year** Emissions / 3,099 / 6.75 Thresholds / 1,100 / 4.6 ***Exceedance*** / ***Yes*** / ***Yes***	See response B6-28; the commenter's estimated service population is incorrect. The project's revised CO_2e emissions are below the City's efficiency-based threshold based on the service population of 813.6 residents. Therefore, there would be no change in the project's determination of a less-than-significant impact.
B6-96	Since the Project exceeds both thresholds, the Project's GHG emissions would result in a significant GHG impact. Furthermore, because the Project exceeds the GHG thresholds set forth by the City of Oakland, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by AB32, the Project is also inconsistent with AB32. An updated analysis of the Project's GHG emissions using correct values	See response B6-28; the revised CO_2e emissions are below the City's efficiency-based threshold. Therefore, there would be no change in the project's determination of a less-than-significant impact, and inclusion of additional mitigation measures and a Greenhouse Gas Reduction Plan would not be required. In addition, the project would be consistent with the goals set forth in AB 32.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
	should be included in an updated DEIR, and additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan, should be identified and implemented in an effort to reduce the Project's impacts to a less-than-significant level.	
B6-97	**Conclusion** The DEIR fails to adequately evaluate the Project's Hazards and Hazardous Waste, Air Quality, and Greenhouse Gas (GHG) impacts. First, the DEIR fails to adequately disclose the environmental conditions at the Project site, and the potential impacts that would occur when encountering contaminated groundwater during site excavation. Second, the DEIR relied upon incorrect parameters to model the Project's air pollutant and GHG emissions, and as a result, the Project's emissions during construction and operation were greatly underestimated. When we modeled emissions using correct input parameters, we found that the Project's ROG, NOx, and GHG emissions increased substantially. Our updated model, however, may still underestimate Project emissions, as we were unable to change some of the incorrect input parameters used due to lack of information. Thus, based on our independent emissions modeling and analysis, we conclude that the Project may have a potentially significant air quality impact that has not been disclosed, analyzed, or adequately mitigated in the DEIR. Finally, the DEIR overestimates the service population (number of residents and employees) that the Project will generate. As a result, the amount of GHG emissions generated by each service person is underestimated, and the Project's impact on global climate change is incorrectly presumed to be less-than-significant. When a more realistic service population is used, we find that the Project exceeds both of the BAAQMD's GHG thresholds; as a result, the Project will have a significant GHG impact. An updated DEIR should be prepared and recirculated to address these issues, and should include feasible mitigation measures to reduce the Project's impacts to a less-than-significant level.	These concluding remarks have been addressed specifically in responses to comments B6-4 to B6-96, above. Also see response B6-1 related to recirculation.
B7 Oakland Heritage Alliance (September 25)		
B7-1	Oakland Heritage Alliance has already submitted a letter, but would add these notes to our comments on the EIR:	This comment has been noted. Please see Letter B3 for previous Oakland Heritage Alliance comments, and letters B2 and B4 for SoNiC comments.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	We support the detailed comments made by SONIC on the cultural resources section of the EIR.	
B7-2	In addition, we would like a written response to our queries about the Demolition Ordinance, *before* the FEIR comes back.	This comment does not specifically address the adequacy of the EIR. Please see responses to comments B3-15 to B3-17 for a discussion of implementation of the Demolition Ordinance.
B7-3	We urge the staff to review and apply all relevant provisions of the ordinance (not just the excerpts cited in our previous letter) and to encourage the developers to make a more thorough effort at a preservation alternative, seeking in good faith to find a solution that does less damage to the district.	Please see responses to comment B3-1 and comments B3-15 to B3-17.
B7-4	We believe that the full-block reduction in size of a national register district must be addressed more seriously, and that the city must not take lightly a proposal of this kind. Beyond this project, what kind of precedent does it set, and what kind of example does it provide? This endangered district requires the most careful treatment, and should the demolition go forward, more meaningful mitigations.	This comment does not specifically address the adequacy of the EIR. The City does not "take lightly" its responsibilities under CEQA, as demonstrated by the EIR analysis prepared for this project.
B7-5	In the revised alternatives analysis as well as in the main project studied, we request improved renderings showing historic district context. Please seriously analyze an alternative that carries out both the developer's program and the preservation of an important historic district.	Renderings of the proposed project and Partial Preservation Alternative #2 from additional vantage points in the context of the historic district are included as Figures VI-5 through VI-9, in Chapter 6, Alternatives, of the Draft EIR, as reflected in Chapter IV, Text Revisions. These figures were created to illustrate the existing district streetscape surrounding the project site in response to public and LPAB comments requesting analysis of the two within the context of the District and surrounding area. See response to comment B3-1 for further detail on this process. As described on page 83 of the Draft EIR, and in the text revisions to page 85 of the Draft EIR shown in response to comment B4-19, the proposed project would not in and of itself materially alter the District's integrity or eligibility for the National Register. Furthermore, as described throughout Chapter VI, Alternatives, of the Draft EIR, all alternatives would preserve the historic district in regard to project-level impacts.
INDIVIDUALS		
C1 Jim Ryugo		
C1-1	My business office is located at 4th St & Jackson St, and I support the development at the Cost Plus site. However, visitor and employee parking is very challenging from 9 AM to 2 PM, Monday through Friday.	This comment does not specifically address the adequacy of the analysis in the Draft EIR. While parking does not relate to environmental impacts that are required to be evaluated under CEQA, parking is discussed beginning on page 140 of the Draft EIR for informational purposes to aid the public and decision

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
		makers in evaluating and considering the merits of the project. On page 144, the Draft EIR finds that the project would meet both City requirements for automobile parking, and would provide adequate parking supply to meet its estimated peak residential demand. Nonresidential motorists unable to park at the site would most likely park on-street, or use other parking facilities in the vicinity. Since the proposed project is in a dense urban neighborhood with good pedestrian connections, nearby bicycle lanes, and is served by robust local and regional transit service, potential site residents, employees, and visitors can use other travel modes instead of driving. Therefore, motorists shifting to other travel modes can be accommodated and would be consistent with City of Oakland's policies, such as City's Public Transit and Alternative Mode and Complete Streets Policies, promoting non-automobile travel modes. The Draft EIR also includes the following recommendation to reduce demand for parking associated with the project: **Recommendation 5**: While not required to address a CEQA impact, consider one or more of the following strategies to reduce project parking demand and manage the available supply: ▪ Unbundle the residential parking spaces from the residential units, where reserved parking spaces for residents could be leased separately from the housing. ▪ Implement a TDM plan to encourage employees and residents to use other travel modes. ▪ Consider making the unused parking spaces in the project garage available to residential visitors and retail use. The concern related to parking is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project merits and approval process.
C1-2	There is little parking on Saturday and Sunday afternoons due to the Laney flea market, and the Jack London Farmer's Market. Please make sure there is adequate parking for visitors and employees who will be coming to the new development. At first glance, it would appear the developer is not providing enough parking. Working couples typically own two cars but only 1	See response to comment C1-1. The concern related to parking is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project merits and approval process.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	parking space appears to be provided. This will cause parking conflicts throughout the Jack London area as residents and visitors search for parking.	
C1-3	Hydraulic parking lifts should be required to double stack cars on a single parking space especially for couples who own 2 vehicles.	See response to comment C1-1. The project would meet both City requirements for automobile parking, and would provide adequate parking supply to meet its estimated peak residential demand. Proposed lifts are not necessary to mitigate project impacts. This comment does not specifically address the adequacy of the analysis in the Draft EIR. Parking supply is not a topic that is analyzed under CEQA. It is noted and will be provided to the Planning Commission as part of this document for consideration as part of the project approval process.
PUBLIC HEARING COMMENTS – Landmarks Preservation Board Member Questions/Comments (September 14, 2015)		
D1 Eleanor Casson		
	▪ Timing of design review relative to EIR is confusing, like "putting cart before the horse." ▪ Scale of the project seems fine. ▪ We need to be building housing in Oakland (beyond area of responsibility of this board). ▪ Agrees with comments of SoNiC and OHA about features of the district. ▪ Delighted to see something built on surface parking lot. ▪ Lives in West Oakland where a warehouse was demolished and being replaced by apartments. It has an impact on neighborhood feel. The issue is not number of structures we lose, but the feeling we lose. Concerned that more and more of Oakland could start to look this way. ▪ No opposition to boxcar design elements like corrugated steel and references to shipping containers. ▪ Instead of trying to mimic other apartment buildings, should try to reflect warehouse buildings. ▪ Need a more robust exploration of adaptive reuse of existing building.	The City cannot make any decisions on the project until the CEQA process is complete and the EIR certified. Advisory bodies such as the Landmark Preservation Commission and the Design Review Committee may review the project and make initial recommendations to the City's decision making body, but no decisions can be made until the EIR is certified. This process is required to be consistent with the requirements of CEQA. See also response to comment B2-10. Please see responses to comments in B2-1 through B2-13; B3-1 through B3-18; and B4-1 through B4-37. These comments do not specifically address the adequacy of the analysis in the Draft EIR. They are noted and will be provided to the Landmarks Preservation Board and Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary.
	▪ Mitigation funds should go to benefit the District, not façade improvement program.	See responses to comments B1-3, B2-6, B3-12, and B4-25.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	▪ Need to do a better job of completing demolition findings research before the EIR process.	See responses to comments B3-15 to B3-18.
D2 Frank Flores		
	▪ Planning Commission (PC) meeting needs to be pushed back.	See response to comment B1-7.
	▪ Would like to see what LPAB has to say about design to determine whether further design review necessary.	See response to comment B1-7.
D3 Peter Birkholz		
	▪ Boxcar design is too far beyond the District. Any building within the District should more specifically reference the District, and be deferential to the District. ▪ Across street there is a low building, so maybe proposed building needs to step down to reflect that. ▪ There should be a subcommittee to work through design, but not overlap with DRC subcommittee process. ▪ PC should be pushed back to give more time for LPAB subcommittee.	These comments do not specifically address the adequacy of the analysis in the Draft EIR. However, based on these comments and others, a Landmarks Preservation Advisory Board (LPAB) subcommittee was formed. This is discussed in detail in responses to comments B1-7 and B3-1.
	▪ Majority of mitigation funds should go to District, at least 75%, but some should go to City as a whole.	See responses to comments B1-2, B1-3, B2-6, B3-12, and B4-25.
	▪ Agree that demolition findings need to be integrated in to EIR process.	See responses to comments B3-15 to B3-18.
	▪ Agree that as mitigation, HABS doesn't provide much.	See response to comment B2-4.
	▪ Need an alternative that preserves the building and includes a high-rise portion on parking lot that steps down.	Section 15126.6 of the CEQA Guidelines states that "an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible." Constructing the project only on Parcel B, the existing parking lot, would be economically infeasible and legally infeasible. Although the EIR does not consider every adaptive reuse or preservation alternative possible, it provides and analyzes a range of feasible alternatives that lessen and/or avoid significant historic impacts, and identifies a preservation alternative (Partial Preservation Alternative #2) as the environmentally superior alternative. See response to

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
		comment B3-1.
	▪ Need to see numbers showing why this alterative doesn't work.	All project alternatives analyzed in the EIR are potentially feasible, as required by CEQA. However, the City decision-makers retain discretion to reject adoption of a project alternative if it determines on the basis of substantial evidence that such alternative is in fact infeasible. Demolition findings will be provided with the Staff Report for the project when a draft is presented to the Planning Commission for approval which will evaluate the economic feasibility of preserving all or a portion of the existing Block A building.
	▪ Need data that measures progress of District since its creation. Update on historic status of each of the buildings.	A document titled "Waterfront Warehouse District: 1985-2000-2015" has been included as Appendix F to the Draft EIR, as reflected in Chapter IV, Text Revisions of the Response to Comments document. Appendix F includes graphics, text, and photos that document the evolution of the District. This data is provided for three distinct and significant points in the District's history—its inception in 1985, when first defined in the 1985 Oakland Cultural Heritage Survey; 1999, when added to the National Register of Historic Places; and 2015, at the time of the preparation of this EIR. This appendix also includes a table that documents the historic status of each building in the District at these three points in time.
	▪ Need clarification of how façade money is developed.	See responses to comments B1-2, B1-3, B2-6, B3-12, and B4-25.
	▪ Elevations and rendered drawings should show the building within the District.	See response to comment B3-1, and Figures VI-5, VI-7, and VI-9 in Chapter 6, Alternatives, of the Draft EIR, and as reflected in Chapter IV, Text Revisions of the Response to Comments document.
	▪ Agree we should bring more housing into City.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.
D4 Christopher Andrews		
	▪ Is one of the issues with preservation that the façade worth saving is mid-block or not in an ideal location for proposed project?	Two preservation alternatives were presented in the DEIR for the proposed project. See Partial Preservation Alternative #1 and Partial Preservation Alternative #2 for a discussion of these two alternatives. Moreover, a new mitigation measure has been added to the EIR, Mitigation Measure HIST-1e, which would require the project sponsor to salvage at least two of the pilasters from the existing building façade and incorporate them into the proposed building design. See response to comment B1-8.
	▪ Is there a viable way of preserving a portion of the building? Seems as though the possibility was not thoroughly considered.	Please see Chapter VI of the EIR, which evaluates two project alternatives that would preserve a portion of Building A to varying degrees. Also see responses to comments B1-8 and B3-1.
	▪ How do the proposed changes compound to overwhelm the District? The District is slowly being changed, its character	The proposed project's effect on the District is analyzed in *Section IV.B, Historic Resources*, of the Draft EIR. A summary history of the WWD is presented in (1)

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	hidden among new, bigger residential buildings.	Historic Context beginning on page 69 of the Draft EIR and continuing on to page 73. These pages describe the changes that have taken place over time in and around the WWD. Additional discussion about the cumulative effects of the proposed project can be found in d. Cumulative Effects beginning on page 88 of the Draft EIR. Also, see responses to comments B4-27.
	▪ How do these buildings relate to other aspects of the District and other historic buildings that are there?	A description of the existing Block A building at 180 4th Street in the context of the Historic District as a whole is set forth in the Historic Resources chapter of the Draft EIR, along with a comprehensive analysis of the project's potential impact on the Historic District.
	▪ A Google earth aerial sketch showing proposed buildings in larger context is needed to assess impacts.	Additional graphics—Figures VI-5 through VI-9—have been added to Chapter 6, Alternatives. Figure VI-5 specifically shows an aerial view of the proposed project design in the context of the surrounding existing buildings.
	▪ If ground floor is parking, why not keep original façade?	The project proposes demolition of the entire building, but please see Chapter VI of the EIR which evaluates two alternatives to the project, each of which preserve portions of the Building A façade to varying degrees.
	▪ Appreciates the opportunity to comment.	Comment noted. No further response is necessary.
D5 Stafford Buckley		
	▪ People are drawn to the WWD; concerned that this project will decrease what attracts them.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.
	▪ I believe there are alternatives to demolishing the building that need to be explored.	The project proposes demolition of the entire building, but please see Chapter VI of the EIR which evaluates two alternatives to the project, each of which preserve portions of the Building A façade to varying degrees.
	▪ It seems as though the "bus has already moved on" vis-à-vis historic mitigations.	The Planning Commission will consider each of the mitigation measures recommended in the Draft EIR and in additional mitigation measures discussed in this RTC document prior to making a decision on the project. However, several of the mitigation measures related to historic resources that are described in the EIR have been supplemented, and one new measure added, to further reduce the project's impact on historic resources. See responses to comments B1-2, B1-5, B1-8, and B2-4.
	▪ Because we are lacking in demolition findings, we should take a closer look at adaptive reuse possibilities and reuse potential.	See responses to comments B3-1, B3-15 to B3-18, and D4.
	▪ If you fully studied the preservation alternatives, then the work needs to be shown.	See responses to comments B3-1, B3-15 to B3-18, and D4.
	▪ I still need to be convinced this building can't be saved.	See response to comment B3-15.
	▪ Project seems over-scaled for the neighborhood.	As described on page 63 to page 64 of the Draft EIR in *Section IV.A, Land Use and Planning*, the proposed project is consistent with applicable development standards relating to density, floor-area ratio, setback, and open space for the

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
		zoning district, C-45. There is no height limit prescribed by zoning standards. As described in response to comment B1-7, the design of the proposed project in the context of the neighborhood was evaluated by a subcommittee of the Landmarks Preservation Advisory Board (LPAB). The LPAB subcommittee was satisfied with the results of this process, and the applicant submitted revised architectural drawings in November 2015 based on subcommittee input.
PUBLIC HEARING COMMENTS – Public Comments/Questions Landmarks Preservation Board (September 14, 2015)		
D6 Naomi Schiff		
	▪ The City and developers need to continue studying the preservation alternatives. They are not sufficiently considered.	See responses to comments B3-1 D4, and D5.
	▪ Mitigations are inadequate given loss of an entire block of an historic district.	Several of the mitigation measures related to historic resources that are described in the EIR have been supplemented, and one new measure added, to further reduce the project's impact on historic resources. See responses to comments B1-2, B1-5, B1-8, and B2-4.
	▪ The proposed new design doesn't fit. There has never been a stack of containers in the neighborhood, and heavy frames around windows are a design cliché. Design something that reflects historic buildings, not other residential buildings.	As described on page 63 to page 64 of the Draft EIR in *Section IV.A, Land Use and Planning*, the proposed project is consistent with applicable development standards relating to density, floor-area ratio, setback, and open space for the zoning district, C-45. There is no height limit prescribed by zoning standards. As described in response to comment B1-7, the design of the proposed project in the context of the neighborhood was evaluated by a subcommittee of the Landmarks Preservation Advisory Board (LPAB). The LPAB subcommittee was satisfied with the results of this process, and the applicant submitted revised architectural drawings in November 2015 based on subcommittee input.
	▪ There is no mention of demolition findings, how are they being addressed? LPAB spent over a year discussing and developing this process, so it should be applied to this project and incorporate into PC consideration via formal procedure.	See responses to comments B3-15 to B3-18.
D7 Savlan Hauser		
	▪ Jack London District Association is listed in mitigations as the recipient of money for cleaning and maintenance of trash cans, but the Jack London Improvement District delivers these services.	See response to comment B1-5.
	▪ Other potential mitigations that would improve the WWD: enhancing gateways and public spaces in WWD, improved signage, pedestrian amenities, streetscape improvements (e.g.	See responses to comment B1-8.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	streetlights), and funding historic district walking tours.	
	▪ I commend the developer on extensive community input, even before a design was conceived.	These comments do not specifically address the adequacy of the analysis in the Draft EIR. They are noted and will be provided to the Landmarks Preservation Board and Planning Commission as part of this document for consideration as part of the project approval process; no further response is necessary.
D8 Gary Knecht		
	▪ Wish there was more than 2 days to put comments together for PC.	See response to comment B1-7.
	▪ Please urge PC to insist on design review opportunity prior to project going for approval.	See response to comment B2-10.
	▪ Oakland General Plan Historic Preservation Element supports everything I have put in the letter (see comment letter B2) relative to mitigations.	See responses to comments B-11 through B4-15.
	▪ Most important comment: Contribution to façade improvement program does not benefit the existing Waterfront Warehouse District. I urge PC to work with us and staff to develop a program so that contributions can be limited to improvements within the WWD.	See responses to comments B1-2, B1-3, B2-6, B3-12, and B4-25.
	▪ Nowhere in the DEIR are the design review findings PC must make to approve demo of the S&W fine foods. There need to be findings and those findings need to be weighed in on by LPAB.	See responses to comments B2-10, and B3-15 to B3-18
	▪ Make sure this issue comes back before LPAB.	See response to comment B1-7.
	▪ Has lived and worked within a few blocks for 33 years, since 1982. District has grown from 25 residents to about 2000. Transition has been gradual and mostly welcome.	Comment noted. No further response is necessary.
	▪ Happy to welcome 330 apartments as new neighbors. But in order to do that, going to demolish a designated historic structure. Your job as advisors to PC is to give best advice as you can.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.
	▪ Developer has been good at doing outreach, but needs to do better at proposed project.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
PUBLIC HEARING COMMENTS – Planning Commissioner Questions/Comments (September 16, 2015)		
D9 Commissioner Nagraj		
	▪ **P.14**. In order to make more accessible for the average reader, you should clarify which of the potential traffic mitigation measures are actually under consideration by the project applicant.	The Draft EIR transportation section did not include any transportation or traffic mitigation measures. Subsequent to the Draft EIR being published an updated traffic analysis with 2015 counts was prepared. The updated analysis identifies a potentially significant impact at the Jackson Street/6th Street intersection. And recommends Mitigation Measure TRANS-1 to reduce the impact to a less-than-significant level. The mitigation measure would requires the provision of a protected left-turn phase for the northbound approach (The northbound left-turn movement would have a left-turn arrow and all other conflicting vehicle and pedestrian movements would be prohibited).This is the only mitigation measure related to traffic under consideration for the project.
	▪ **P.70**. On Figure IV.B-1, the District has an extremely jagged boundary. Should explain why District formed this way.	A document titled "Waterfront Warehouse District: 1985-2000-2015" has been included as Appendix F to the Draft EIR, as reflected in Chapter IV, Text Revisions, of the Response to Comments document. Appendix F includes graphics, text, and photos that document the evolution of the District. This data is provided for three distinct and significant points in the District's history—its inception in 1985, when first defined in the 1985 Oakland Cultural Heritage Survey; 1999, when added to the National Register of Historic Places; and 2015, at the time of the preparation of this EIR. This appendix also includes a table that documents the historic status of each building in the District at these three points in time.
	▪ **P.72.** In regards to the history of the waterfront district, the EIR's district map is drawn with an uneven line to include the parcel that is subject to demolition. It would be important to know why this one parcel was included in the district and why it formed in this way, because it looks like it was annexed to the district.	Both wholly and in part, the WWD has been the subject of three historic resource evaluations—in 1985, 2000, and 2015. Information on the documentation collected in those evaluations is presented in "Waterfront Warehouse District: 1985-2000-2015," Included as Appendix F to the Draft EIR and reflected in Chapter IV, Text Revisions of the Response to Comments document. "Waterfront Warehouse District: 1985-2000-2015" includes maps that document the evolution of the District. This data is provided for three distinct and significant points in the District's history—273its inception in 1985, when first defined in the 1985 Oakland Cultural Heritage Survey; 1999, when added to the National Register of Historic Places; and 2015, at the time of the preparation of this EIR. See also response to comment D4.
	▪ **P.74-81.** Multiple pages spent on explaining State, local, and Federal regulatory framework, but there is no explanation that ties this info to the evaluation on page 81.	See response to comment B4-15.
	▪ **Pg.83.** There is a statement on page 83 conflicts with a	See response to comment B2-9.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
	statement on page 95. In relation to the impacts of demo: page 83 states that the removal of the building would not alter the district's integrity of being an historic district; yet on page 95 it states that the demolition will alter the district's integrity.	
	▪ **P.87-88**. Mitigation Measure HIST-1c identifies an exact number, $10,786. If project is completed in five years, will this number be adjusted for inflation? Need nod that number might change in time.	See response to comments B1-5 and B2-6. An adjustment for inflation has not been factored into the estimate. Such a factor is not typically incorporated into mitigation fees as the approval will only be valid for typically 2 to 4 years.
	▪ **P.267**. States that there were alternatives identified but not selected because they would not meet basic project objectives or lessen impacts. Is this the standard/threshold by which to determine alternatives to study? To the clarity to the reader, it would be helpful to say that some have been rejected some alternatives will be focused on.	As discussed in response to comment D5, Section 15126.6 of the CEQA Guidelines states an EIR need not consider every conceivable alternative to a project, but shall consider a reasonable range of potentially feasible alternatives. The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. Per CEQA Guidelines Section 15126.6(f), "the alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project, " and, "of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project." Section 15126.6(c) lists factors that may be used to eliminate alternatives from detailed consideration in an EIR are, including: "(i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts." The text on page 267 referenced in this comment discusses alternatives rejected from detailed consideration due to the abovementioned factors. The alternatives presented and studied in the Draft EIR represent a range of potentially feasible alternatives that would substantially lessen or avoid impacts to historic resources, and thus meet the established intent and purpose of the alternatives analysis under CEQA.
	▪ **P.273.** Is purpose of rendering to see the 7-story proposed Building B behind Building A? Would be nice to see that.	The objective of the figure referenced in this comment, Figure VI-2, on page 272 of the Draft EIR, is to demonstrate that visual intrusiveness of Partial Preservation Alternative #1 from a viewpoint within the District looking northeast from the intersection of Jackson and 4th Streets. The remainder of the comment is noted. No further response is necessary.
	▪ **P.274-275**. "…only two of the four facades of the existing Block A warehouse building…would be preserved…As a result, the new construction would partially destroy historic materials…" This explanation has no nod to the value of keeping the two facades, which should be included. We lose the fact that we are preserving some of the building in this scenario.	The retention of two of four facades would contribute to reducing the impact of the Alternative. The text of the Draft EIR has been revised to reflect this, as shown below: **Page 274 is revised as follows:** ~~However, only two~~Two of the four façades of the existing Block A warehouse

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
		building, at Jackson Street and 4th Street, would be preserved under this alternative. ~~The~~The preservation of these two facades would serve to minimize the impact of the proposed alternative on the historic resource. However, given that the two façades at Madison Street and 5th Street would not be preserved~~. As a result~~, the partial demolition of the existing Block A building~~new construction~~ would ~~partially~~ destroy materials that help convey~~characterize~~ the property's significance as a contributing resource to an historic district. As a result, the building~~ therefore~~ would be at risk of losing ~~not retain~~ its status as either a contributing resource to the historic resource or as an individual resource under CEQA, though it would retain features that convey its historic significance that would otherwise be destroyed by the project. Partial Preservation Alternative #1 would therefore reduce historic impacts as compared to the project. If this alternative's destruction of two facades caused its delisting as a contributing resource, however, it would result in a significant unavoidable impact to the individual historic resource, similar to, though not as extensive as, the proposed project. The conclusion that 180 4th Street "would not retain its status as either a contributing resource to the historic resource or as an individual resource under CEQA" remains appropriate.
D10 Commissioner Patillo		
	▪ EIR does not refer to reuse of historic materials, although reused materials are illustrated in the landscape plans (p.L1-30).	See response to comment B3-10.
	▪ Ideally reuse materials should be included in EIR at ground plane so public can appreciate them.	See response to comment B3-10.
	▪ Following the recommendations of the City's demolition ordinance would be a valuable part of the EIR.	See responses to comments B3-15 to B3-18.
	▪ Funding a walking tour (SoNic) might be an appropriate mitigation.	See response to comment B1-2, B1-6 and B1-8.
	▪ Takes exception to the OHA comment that HABS documentation is invalid mitigation. Rather, it is valuable and real.	Comment noted. No further response is necessary.
	▪ District wide HABS report would also be valuable but is a separate effort.	See response to comment B2-4
	▪ Keeping mitigation measure funds within the appropriate District makes sense. This should be consistent City policy.	See responses to comments B1-2 and B1-3.

TABLE III-1 RESPONSE TO COMMENTS MATRIX

Comment #	Comment	Response
D11	***Commissioner Weinstein***	
	▪ Comments from the LPAB are hard to absorb in real time. There should have more time between hearings.	Comment noted. No further response is necessary. See response to comment B1-7.
	▪ Need a more complete visual representation of the alternatives: What would the facades look like? Need to Show Building B.	See response to comment B3-1 and response to comment D4, sixth bullet.
	▪ Agree with Commissioner Patillo that mitigation measure funds should stay within District.	See responses to comments B1-2 and B1-3.
D12	***Commissioner Myres***	
	▪ Need more time between receipt of report and LPAB comments.	See response to comment B1-7.
	▪ I agree that construction should focus on employing local residents.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.
	▪ Air Quality--close to freeway is my concern. Truck traffic and closeness to freeway that results in emissions exposure is concerning.	See responses to comments B6-38 and B6-49.
	▪ **P.22-23**: The project applicant should contract out a health risk assessment (Option1). Option 2 seems inadequate.	Per the City's SCAs, the applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants per one of the methods defined in SCA-B. Compliance with this standard condition will be monitored and approved by the City.
	▪ Mitigations should refer to trucks on site, not those driving by.	See response to comment B6-38 and B6-68.
D13	***Commissioner Bonilla***	
	▪ Should lower parking spaces offered.	See response to comment C1-1.
D14	***Commissioner Moore***	
	▪ Process--not enough LPAB comment review time.	See response to comment B1-7.
	▪ Mitigation money for façade improvements: maintaining citywide funds is a separate issue, but those funds should indeed be maintained.	Comment noted. No further response is necessary. See responses to comments B1-3, B1-3, and B4-26 for further discussion of mitigation involving the City's Façade Improvement Fund.
	▪ Acknowledge demo findings, need to be respected. Understand that it is more part of application than CEQA.	Comment noted. No further response is necessary. See responses to comments B3-15 to B3-18 for further discussion of the City's demolition findings ordinance.
	▪ Show this project in context of existing District--how many buildings in District, give more understanding of District in	See responses to comment B4-7 and D3.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
	general.	
	▪ Underpasses and gateways. This project will help to a degree, so will upcoming Downtown Plan.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.
	▪ Change title to "Jack London District 4th and Madison EIR."	See response to comment B2-14.
	▪ Air, Traffic, Noise, mitigation measures and SCA are dealt with at a pretty robust level, including TDM components.	Comment noted. No further response is necessary.
	▪ 1900 Broadway--parking required for residential lowered to 0.75, gives developer flexibility to reassign commercial parking.	See response to comment C1-1.
	▪ Air, Traffic, Noise, mitigation measures and SCA are dealt with at a pretty robust level, including TDM components.	Comment noted. No further response is necessary.
PUBLIC HEARING COMMENTS – Public Comments/Planning Commission (September 16, 2015)		
D15 Lionel Williams		
	▪ Need to ensure opportunities for local employment throughout project construction. Concerned that developer is not making commitment to hire local.	This comment does not specifically address the adequacy of the EIR. It has been noted, but no further response is necessary.
D16 Judith Ganz		
	▪ Concerned that the traffic study is faulty, as it does not reflect the current reality of peak hour traffic in the area.	See responses to comments A1-2 to A1-5, B5-2 to B5-11.
	▪ Currently, peak hour traffic at 6th & Jackson is bad.	See response to comment A1-2 and B5-2.
	▪ Data collected to determine level of service was from 2013. Why not use newer traffic counts?	See responses to comments A1-2 and B4-37.
	▪ Peak hour usage of 500 Cost Plus employees is different from peak hour for residents' trips, so I'm concerned about the "credit" given for Cost Plus employee trips.	See response to comment B5-4.
	▪ The EIR should look cumulatively at future projects such as the Two Ellis project and Brooklyn Basin.	See response to comment B5-6.
	▪ 6th & Jackson, left hand turn onto freeway from 6th and Jackson is especially problematic.	See response to comment A1-2 and B5-2.
	▪ 3,000 square feet of retail is inadequate.	See response to comment B5-12.

TABLE III-1 RESPONSE TO COMMENTS MATRIX		
Comment #	**Comment**	**Response**
D17 Gavin Gavan		
	▪ Traffic issues have not been adequately addressed.	See responses to comments A1-2 to A1-5, B5-2 to B5-11.
	▪ Soil and water contamination are issues that haven't been investigated enough.	See responses to comments B6-4 to B6-18, and B6-58 to B6-64.
	▪ EIR has not addressed whether workers proximate to the project will be protected from AQ and GHG emissions during project construction.	See responses to comments B6-8, B6-9, B6-23, B6-61, and B6-63 to B6-64.
D18 Savlan Hauser		
	▪ Make sure majority of funds are directed into the WWD – fund walking tours, street lighting and other streetscape improvements.	See responses to comments B1-2, B1-3, B3-4 to B3-7.
	▪ Commends developer on outreach to community.	Comment noted. No further response is necessary.
	▪ Believes development of site offers terrific opportunity for enhancing streetscape and vibrancy, transit-adjacent.	Comment noted. No further response is necessary.
D19 Gary Knecht		
	▪ Reads written letter.	See comments and responses related to Letter B3.
	▪ Has lived in Jack London District for 33 years, and it has grown by about 2000 new residents in that time.	Comment noted. No further response is necessary.
D20 Naomi Schiff		
	▪ The EIR does not make an adequate case for ignoring Partial Preservation Alt #2. It is the best/environmentally superior approach, and document needs to take partial loss of historic district seriously.	See response to comment B3-1. The EIR did not ignore or reject Alternative #2. To the contrary, Alternative #2 was carried forward for analysis in the EIR.
	▪ Talk to staff about rejiggering or renaming the demolition findings. They should be called preservation findings so that the ordinance is tied more directly to historic analysis.	See responses to comments B3-15 to B3-18.
	▪ There is not enough time between LPAB meeting and PC hearing. This is not the first time. How can the LPAB advise you in just 2 days?	See response to comment B1-7.
	▪ I am frustrated that there is no hard copy of the DEIR at this hearing. This seems a violation procedure.	See response to comment B1-7.

IV. TEXT REVISIONS

This chapter presents specific revisions to the text of the Draft EIR that are being made in response to comments, or to amplify and clarify material in the Draft EIR. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with double underlined text. Deletions to text in the Draft EIR are shown with strikeout. Page numbers correspond to the page numbers of the Draft EIR. The revisions to the Draft EIR derive from two sources: (1) comments raised in one or more of the comment letters received by the City of Oakland on the Draft EIR; and (2) staff-initiated changes that correct minor inaccuracies, typographical errors or clarify material found in the Draft EIR subsequent to it publication and circulation. None of the changes or clarifications presented in this chapter significantly alters the conclusions or findings of the Draft EIR.

GLOBAL REVISIONS

All pages of the Draft EIR that reference Jack London District Association (JLDA) are revised:

Jack London Improvement District ~~Association~~ (JLID~~A~~)

All pages of the Draft EIR that reference Jack London Square 4th & Madison Project EIR are revised:

Jack London ~~Square~~ District 4th & Madison Project EIR

All pages of the Draft EIR that reference Jack London Square are revised:

Jack London ~~Square~~ District

I INTRODUCTION

Page 3 is revised:

The proposed project would include construction of two buildings comprised of five levels of wood frame construction (potentially with an additional mezzanine) over two levels of concrete. The project would include approximately 330 residential apartment units, ~~3,000~~up to 8,000 square feet of ground-floor commercial space and ~~365~~335 parking spaces. The unit mix for the proposed project would include approximately ~~30~~15 studio, ~~168~~190 one-bedroom, ~~and 132~~116 two-bedroom, and 9 three-bedroom apartments.

Residential units in both the Block A and Block B buildings would be organized around an interior central courtyard area. The maximum height of each building would be 85 feet.

II SUMMARY

Page 7 is revised:

This EIR has been prepared to evaluate the potential environmental effects of the Jack London District ~~Square~~ 4th & Madison Project (project). The approximately 2-acre project site is located in the Jack London Square District in Oakland. The project site is comprised of two parcels, the northern parcel being a full block ("Block A") with existing office/warehouse buildings, and the southern parcel being a half-block ("Block B") covered by a paved parking lot. The 1.5-block project site is bound by 3rd Street to the north, Madison Street to the east, 5th Street to the south, and Jackson Street to the west, as shown in Figure III-1.

The project seeks to construct a multi-family residential development on this site. The project would include the demolition of existing structures on the site and the construction of two buildings, each a five-level wood-frame building situated on podiums over a two-story concrete parking garage, with a maximum height of 85 feet. Key elements of the project include:

- 330 residential apartment units total, including a mix of studios, one-bedroom, ~~and~~ two-bedroom and three-bedroom units;
- An interior courtyard in each building that would provide easily accessible, private open space for residents;
- Approximately 15,000 square feet of amenity and leasing office space;
- ~~Approximately 3~~Up to 8,000 square feet of ground floor commercial space across the two buildings; and
- Approximately ~~365~~335 parking spaces.

Pages 11 to 39, Table II-1, is revised and shown in its entirety on the following page:

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
A. LAND USE AND PLANNING			
Implementation of the proposed project would not result in any significant land use impacts.			
B. HISTORIC RESOURCES			
HIST-1: The proposed project would demolish a warehouse that is a contributor to a designated National Register Historic District ~~and located within an Area of Primary Importance (API)~~.	S	HIST-1: Implement the following four-part Mitigation Measure: HIST-1a: *HABS Documentation.* Prior to demolition of 180 4th Street warehouse, the project applicant shall provide HABS-Level III Documentation records that follow the specifications set by the Historic American Buildings Survey (HABS). The documentation shall include: ▪ Drawings – sketch floor plans of the buildings and a site plan. ▪ Photographs – digital photographs meeting the Digital Photography Specifications Checklist. ▪ Written data – a historical report with the history of the property, property description and historical significance. The required written data shall incorporate available information contained in previously prepared evaluation documentation of the existing building at 180 4th Street and the Western Waterfront District (WWD) and shall put in context the history of such existing building in relation to the overall historic WWD. A final scope of work for the required HABS-Level III Documentation shall be prepared in consultation with the Oakland Cultural Heritage Survey. A qualified architectural historian meeting the qualifications in the *Secretary of the Interior's Professional Qualification Standards* shall oversee the preparation of the sketch plans, photographs and written data. The documentation shall be printed on archival paper. Digital photographs shall be burned to archival CD or DVD disks. The documentation shall be submitted to and reviewed by the City of Oakland staff and reasonably found to be ~~adequate~~consistent	SU

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		with HABS standard (Federal Register, Vol. 48, No. 190, Thursday, September 29, 1983, pp. 44730-34) prior to issuance of the demolition permit. The documentation shall be deposited with the Oakland History Room in the Public Library, Oakland City Planning Department, and the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. HIST-1b: *Commemoration and Public Interpretation.* The project applicant shall prepare a permanent exhibit/display, with the help of an experienced professional, of the history of the property including, but not limited to, historic and current condition photographs, interpretive text, drawings, video, or interactive media. The exhibit/display shall be placed in a suitable, publicly accessible location on the site~~, or in the lobby~~ of the ~~residential tower~~ project facing toward the interior of the WWD either on 4th Street or on Jackson Street. The visual display should focus on the District and the S & W Company. It should contain a minimum of interpretative text and provide more visual-based interpretation with depictions that may include, but are not limited to: images of S & W Company operations within the Historic District at 200 4th Street or other locations; historic images of street scenes within the Historic District in and around the project site; images or reproductions of the S & W Fine Foods can labels and crate labels to provide context of the project site in terms of S & W Fine Food's operations during 1914-1954 and its role as part of the larger Historic District of which it is part, The applicant is encouraged to contact the public relations department of Del Monte Foods, Inc., the present owner of the S & W brand, for assistance in obtaining archival materials that may assist in development of the visual display required by this mitigation measure. The visual display required by this mitigation measure shall refer	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		the public to a 5- to 10-minute (minimum) podcast or similar audio presentation prepared at the project sponsor's expense that shall be made available on the internet at no cost to the public. Content of the required podcast or audio presentation shall be prepared by a qualified architectural historian meeting the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards, and shall combine discussion regarding the S & W building (i.e., the existing building at 180 4th Street) and its context within the greater Historic District to form the basis of a comprehensive self-guided walking tour of the District. This exhibit/display required by this mitigation measure shall be in addition to the existing historic signage #6, S & W Fine Foods currently mounted on a trash receptacle within the historic district (see Mitigation Measure HIST-1c). HIST-1c: *Historic District Signage Program*. The project applicant shall provide a financial contribution of $25,000 to ~~support~~ fund the repair and replacement of existing trash receptacles and historic signage that comprise the Jack London ~~District Association~~ Improvement District's sidewalk and trash receptacles and historic signage program ("Program"), payable to Jack London Improvement District (JLID) or another organization responsible for the Program upon issuance of the first Certificate of Occupancy. HIST-1d: Contribution to *Façade Improvement Program.* Project applicant shall contribute to the City of Oakland's Facade Improvement Program. In accordance with the City's Façade Improvement Program, t~~T~~he amount of the contribution required to be paid by the project applicant under this mitigation measures shall be ~~based on the following~~: ▪ $10,000 for the first 25 feet of two façades of a building and $2,500 per each additional 10 linear feet of those two same façades beyond 25 feet. ▪ There shall be a 20 percent increase for the buildings designated	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		as Historic Resources under CEQA. ▪ Multiply the total by two times for being located within a~~n API~~National Register District. For purposes of this mitigation, the two façades are along 4th Street and Jackson Street at 300 feet and 200 feet, respectively. The following calculation results in a total contribution of $318,000: 4th Street: $10,000 + $2,500 x 275/10 feet = $78,750 Jackson Street: $10,000 + $2,500 x 175/10 feet = $53,750 $78,750 + $53,750 = $132,500 Increase by 20%: $159,000 Increase by 2x: $318,000 The Façade Improvement Program contribution required hereunder shall be payable upon issuance of the first Certificate of Occupancy to the project and designated for the repair or improvement of facades within the historic WWD for a 2-year period. After that time all remaining funds shall be eligible for citywide Façade Improvement Program expenditures. Notwithstanding the foregoing, if prior to the issuance of the first Certificate of Occupancy for the project, the JLID updates its existing historic signage program ("Program") to enhance, promote, and preserve the integrity of the WWD (e.g., interpretive signage programs, trash receptacle maintenance programs, walking tour programs, and graffiti removal programs) and all plans for the Program are approved by City staff, the project sponsor may contribute up to $100,000 under this mitigation measure towards the Program. City staff's review and approval will be based on the Program's ability to enhance, promote and preserve the integrity of the WWD. The Façade Improvement Program contribution required hereunder shall be reduced in an amount equal to the project applicant's payment to JLID provided that proof of such payment is verified by City staff and shall be subject to further adjustment in accordance with HIST-1e. The above noted payment to JLID shall be in addition to the contribution to the historic	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		signage currently mounted on a trash receptacle within the historic district, as listed in HIST-1c. HIST-1e: *Salvaged Architectural Elements*: The project sponsor shall use commercially reasonable efforts to salvage at least two ribbed vertical pilasters from the façade of the existing Block A building and incorporate such pilasters into the design of the ground-floor 5th Street façade of the Block A building proposed by the project, subject to confirmation by the Planning & Building Department. Up to $100,000 of the $318,000 façade improvement fee required under Mitigation Measure HIST-1d may be used by the project sponsor to pay for such pilaster salvage and incorporation. In addition, the project sponsor shall salvage the segment of railroad spur track along the south facing, 4th Street façade of the existing Block A building for incorporation into the final project design by imbedding them in concrete, subject to confirmation by the Planning & Building Department. No portion of the façade improvement fee required under Mitigation Measure HIST-1d may be used to pay for such rail salvage or incorporation. The impact will remain significant and unavoidable, as this mitigation measure cannot lessen impacts to a less-than-significant level.	
HIST-2: The proposed project would involve construction of a new building within the boundaries of a designated National Register Historic District and an API. This, combined with the other past, current, and reasonably foreseeable new construction and other alterations to the OWWD, has the potential to materially impair the significance of the historic district in a manner that may be cumulatively significant if all of these projects are executed in the near future.	S	*The effect of the proposed project in combination with effects of the other past projects would be cumulatively significant and unavoidable.*	SU

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
C. TRAFFIC AND TRANSPORTATION			
No significant impacts to traffic and transportation would occur with implementation of the City's SCAs listed in this table.	S	**SCA TRA-1: Parking and Transportation Demand Management** *Prior to issuance of a final inspection of the building permit:* The project applicant shall submit a Transportation and Parking Demand Management (TDM) plan for review and approval by the City. The intent of the TDM plan shall be to reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable consistent with the potential traffic and parking impacts of the project. The goal of the TDM shall be to achieve the following project vehicle trip reductions (VTR): ▪ Projects generating 50 to 99 net new AM or PM peak hour vehicle trips: 10 percent VTR. ▪ Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR. The TDM plan shall include strategies to increase pedestrian, bicycle, transit, and carpool use, and reduce parking demand. All four modes of travel shall be considered, as appropriate. VTR strategies to consider include, but are not limited to, the following: a) Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. b) Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping. c) Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.	LTS

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		d) Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. e) Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. f) Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). g) Provision of a transit subsidy to employees or residents, determined by the project sponsor and subject to review by the City, if the employees or residents use transit or commute by other alternative modes. h) Provision of an ongoing contribution to AC Transit service to the area between the development and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle or streetcar service; and 3) Establishment of new shuttle or streetcar service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). i) Guaranteed ride home program for employees, either through 511.org or through separate program. j) Pre-tax commuter benefits (commuter checks) for employees. k) Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. l) On-site carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools. m) Distribution of information concerning alternative transportation options. n) Parking spaces sold/leased separately for residential units. Charge	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties. o) Parking management strategies; including attendant/valet parking and shared parking spaces. p) Requiring tenants to provide opportunities and the ability to work off-site. q) Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). r) Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. The TDM Plan shall indicate the estimated VTR for each strategy proposed based on published research or guidelines. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report. The project applicant shall implement the approved TDM Plan on an ongoing basis. For projects that generate 100 or more net new AM or PM peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR. If deemed necessary, the City may elect to have a peer review consultant, paid for	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved. **SCA TRA-2 (SCA 32): Construction Traffic and Parking** *Prior to issuance of a demolition, grading, or building permit:* The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements: a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. c) Location of construction staging areas for materials, equipment, and vehicles at an approved location. d) A process for responding to, and tracking, complaints pertaining to	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		construction activity, including identification of an on-site complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services. e) Provision for accommodation of pedestrian flow. f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces. g) Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the project sponsor's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the project sponsor's expense, before the issuance of a Certificate of Occupancy. h) Any heavy equipment brought to the construction site shall be transported by truck, where feasible. i) No materials or equipment shall be stored on the traveled roadway at any time. j) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion. k) All equipment shall be equipped with mufflers. l) Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		property, within the public rights-of-way, or properties of adjacent or nearby neighbors.	
		SCA TRA-3 (SCA 19): Improvements in the Public Right-of-Way (General) *Approved prior to the issuance of a P-job or building permit:* a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW. b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations. c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit. d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards. **SCA TRA-4 (SCA 20): Improvements in the Public Right-of-Way (Specific)** *Approved prior to the issuance of a grading or building permit:* Final	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		building and public improvement plans submitted to the Building Services Division shall include the following components: a) Provide a protected left-turn phase for the northbound approach at the Jackson Street/6th Street intersection in accordance with Mitigation Measure TRANS-1. Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group. b) Install or preserve existing sidewalk, curb and gutter along all project street frontages, including the installation of curb, gutter and sidewalk at Block A along 4th Street where parking currently exists. c) Maintain accessible curb ramps at each corner of Block A, and at the corners of Madison Street and 3rd Street and Madison Street and 4th Street on Block B. d) Install additional standard City of Oakland streetlights where necessary. e) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter. f) Reconstruct drainage facility to current City standard. g) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards. h) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards. i) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage per City standards. j) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		standards. k) Ensure that the project driveway would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.	
TRANS-1: Traffic generated by the proposed project would increase the total intersection v/c ratio by 0.03 or more and increase the critical movement v/c ratio by 0.05 or more (Significant Threshold #5) at the Jackson Street/6th Street intersection, which would operate at LOS F regardless of the proposed project under 2035 conditions.	S	TRANS-1: Implement the following measures at the Jackson Street/6th Street intersection: a) Provide a protected left-turn phase for the northbound approach at the intersection. b) Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the project applicant shall submit the following to the City of Oakland's Transportation Services Division for review and approval: ▪ Plans, Specifications, and Estimates (PS&E) to modify intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below: o 2070L Type Controller with cabinet assembly o GPS communications (clock) o Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) o Countdown pedestrian head module switch out	LTS

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		○ City standard ADA wheelchair ramps ○ Video detection on existing (or new, if required) ○ Mast arm poles, full actuation (where applicable) ○ Polara push buttons (full actuation) Bicycle detection (full actuation) ○ Pull boxes ○ Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable)- 600 feet maximum ○ Conduit replacement contingency ○ Fiber Switch ○ PTZ Camera (where applicable) ○ Transit Signal Priority (TSP) equipment consistent with other signals along corridor. ▪ Signal timing plans for the signals in the coordination group.	
D. AIR QUALITY			
No significant impacts to air quality would occur with implementation of the City's SCAs listed in this table.	S	**SCA-A. Construction-Related Air Pollution Controls (Dust and Equipment Emissions)** *Ongoing throughout demolition, grading, and/or construction:* During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the BAAQMD: **Basic Controls (apply to ALL construction sites)** a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the	LTS

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		minimum required space between the top of the load and the top of the trailer). c) 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. d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f) Limit vehicle speeds on unpaved roads to 15 miles per hour. g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points. h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage. **Enhanced** j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph. l) Install sandbags or other erosion control measures to prevent silt runoff to public roadways. m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity. p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. r) All trucks and equipment, including tires, shall be washed off prior to leaving the site. s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. t) Minimize the idling time of diesel-powered construction equipment to two minutes. u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available. v) Use low volatile-organic compound (VOC) (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard. SCA-A is further supplemented by the following additional measure: y) If access to grid power is available, grid power electricity shall be used instead of diesel-powered generators. If grid power is not available, then propane or natural gas generators may be used, as feasible. Only if propane or natural gas generators prove infeasible shall portable diesel engines be allowed.	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		SCA-B: Exposure to Air Pollution (Toxic Air Contaminants) The SCA applies to all projects that meet all of the following criteria: 1) The project involves either of the following sensitive land uses: a) New residential facilities or new dwelling units; or b) New or expanded schools, daycare centers, parks, nursing homes, or medical facilities; and 2) The project is located within 1,000' of one or more of the following sources of air pollution: a) Freeway; b) Roadway with significant traffic (at least 10,000 vehicles/day); c) Rail line (except BART) with over 30 trains per day; d) Distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating Transportation Refrigeration Units (TRU) per day, or where the TRU unit operations exceed 300 hours per week; e) Major rail or truck yard (such as the Union Pacific rail yard adjacent to the Port of Oakland); f) Ferry terminal; g) Port of Oakland; or h) Stationary pollutant source requiring a permit from BAAQMD (such as a diesel generator); and 3) The project exceeds the health risk screening criteria after a screening analysis is conducted in accordance with the BAAQMD CEQA Guidelines. **Health Risk Measures** Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose **one** of the following methods:	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		a) The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with the California Air Resources Board (CARB) and the Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. b) The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: ▪ Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents, and other sensitive populations, in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. ▪ Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. ▪ The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods, if feasible. ▪ Sensitive receptors shall not be located on the ground floor, if feasible. ▪ Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*X Cupressocyparis leylandii*), Hybrid popular (*Populus deltoids X trichocarpa*), and Redwood (*Sequoia sempervirens*). ▪ Within the project site, sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. ▪ Within the project site, existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. ▪ Within the project site, emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: ▪ Installing electrical hook-ups for diesel trucks at loading docks. ▪ Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. ▪ Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. ▪ Prohibiting trucks from idling for more than two minutes. ▪ Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented. When Required: Prior to approval of construction-related permit Initial Approval: Planning and Zoning Division	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		Monitoring/Inspection: Building Services Division **Maintenance of Health Risk Reduction Measures** Requirement: The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter. When Required: Ongoing Initial Approval Authority: N/A Monitoring/Inspection/Enforcement: Building Services Division	
E. GREENHOUSE GAS EMISSIONS			
No significant impacts to greenhouse gas emissions would occur with implementation of the City's SCAs listed in this table.		**SCA-A. Construction-Related Air Pollution Controls (Dust and Equipment Emissions)** *Ongoing throughout demolition, grading, and/or construction:* During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the BAAQMD: **Basic** a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		c) 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. d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f) Limit vehicle speeds on unpaved roads to 15 miles per hour. g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points. h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage. **Enhanced** j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe. k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		l) Install sandbags or other erosion control measures to prevent silt runoff to public roadways. m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more). n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity. p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time. r) All trucks and equipment, including tires, shall be washed off prior to leaving the site. s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. t) Minimize the idling time of diesel-powered construction equipment to two minutes. u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available. v) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard. SCA-A is further supplemented by the following additional measure: y) If access to grid power is available, grid power electricity shall be used instead of diesel-powered generators. If grid power is not available, then propane or natural gas generators may be used, as feasible. Only if propane or natural gas generators prove infeasible shall portable diesel engines be allowed. **SCA-H. Compliance with the Green Building Ordinance, OMC Chapter 18.02** *Prior to issuance of a demolition, grading, or building permit:* The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02. a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit: i. Documentation showing compliance with Title 24 of the 2013	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		California Building Energy Efficiency Standards. ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below. v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. b) The set of plans in subsection (a) shall demonstrate compliance with the following: i. CALGreen mandatory measures. ii. All pre-requisites per the LEED/GreenPoint Rated checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. iii. Insert green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 75 points for residential and	

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Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		LEED Gold for non-residential) per the appropriate checklist approved during the Planning entitlement process. iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plancheck application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted. v. The required green building point minimums in the appropriate credit categories. *During construction:* The applicant shall comply with the applicable requirements CALGreen and the Green Building Ordinance, Chapter 18.02. a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval: i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. **SCA-I. Compliance with the Green Building Ordinance, OMC Chapter 18.02, for Building and Landscape Projects Using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist** This SCA would apply to the projects listed below **AND** that are rated using the Small Commercial or Bay Friendly Basic Landscape Checklists: a) New Construction of Non-Residential Buildings between 5,000 and 25,000 sq. ft. of total floor area.	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		b) Alterations/Alterations 5,000 and 25,000 sq. ft. of total floor area to a Non-Residential Building c) Additions/Alterations (not meeting the Major Alteration Definition) over 25,000 sq. ft. of total floor area to a Non-Residential Building d) Alterations/Alterations 5,000 and 25,000 sq. ft. of total floor area to a Historic Non-Residential Building e) Additions/Alterations (not meeting the Major Alteration Definition) over 25,000 sq. ft. of total floor area to a Historic Non-Residential Building f) Construction projects with over 25,000 sq. ft. of total floor area of new construction requiring a landscape plan. *Prior to issuance of a building permit:* The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.) for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist. a) The following information shall be submitted to the Building Services Division for review and approval with application for a Building permit: i. Documentation showing compliance with the 2013 Title 24, California Building Energy Efficiency Standards. ii. Completed copy of the green building checklist approved during the review of a Planning and Zoning permit. iii. Permit plans that show in general notes, detailed design drawings and specifications as necessary compliance with the items listed in subsection (b) below. iv. Other documentation to prove compliance. b) The set of plans in subsection (a) shall demonstrate compliance with the following: i. CALGreen mandatory measures.	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		ii. All applicable green building measures identified on the StopWaste.Org checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted. *During construction:* The applicant shall comply with the applicable requirements of CALGreen and Green Building Ordinance, Chapter 18.02 for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist. a) The following information shall be submitted to the Building Inspections Division for review and approval: i. Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit. ii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.	
F. NOISE AND VIBRATION			
No significant impacts related to noise would occur with implementation of the City's SCAs listed in this table.		**SCA ~~Noise~~NOISE-1 (SCA 27): Days/Hours of Construction Operation** *Ongoing throughout demolition, grading, and/or construction:* The project applicant shall require construction contractors to limit standard construction activities as follows: a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division. c) Construction activity shall not occur on Saturdays, with the following possible exceptions: i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division. ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions. e) No construction activity shall take place on Sundays or Federal holidays. f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. g) Applicant shall use temporary power poles instead of generators where feasible.	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		SCA NOISE-2 (SCA 28): Noise Control *Ongoing throughout demolition, grading, and/or construction:* To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures: a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). b) Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		determines an extension is necessary and all available noise reduction controls are implemented. **SCA NOISE-3 (SCA 29): Noise Complaint Procedures** *Ongoing throughout demolition, grading, and/or construction:* Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours); b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); c) The designation of an on-site construction complaint and enforcement manager for the project; d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed. **SCA NOISE-4 (SCA 30): Interior Noise** *Prior to issuance of a building permit and Certificate of Occupancy:* If necessary to comply with the interior noise requirements of the City of	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that: a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit. c) Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following: i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis. ii. Prohibition of Z-duct construction. **SCA NOISE-5 (SCA 31): Operational Noise-General** *Ongoing:* Noise levels from the activity, property, or any mechanical	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services. **SCA NOISE-6 (SCA 38): Pile Driving and Other Extreme Noise Generators** *Ongoing throughout demolition, grading, and/or construction:* To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90 dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity: a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;	

TABLE II-1 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Mitigation Measures/SCAs	Level of Significance With SCA or Mitigation Measure
		b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and e) Monitor the effectiveness of noise attenuation measures by taking noise measurements.	
NOISE-1: The construction of the proposed project could ~~result in the exposure of~~ expose nearby nearby receptors to excessive groundborne vibration.	S	NOISE-1: The structural engineer or other appropriate professional retained to prepare the vibration impact assessment shall undertake an existing conditions study (study) of the Allegro apartment building located east of Jackson Street. The study will establish the baseline condition of the building including, but not limited to, the location and extent of any visible cracks or spalls on the building. The study shall include written descriptions and photographs of the building. The study shall be reviewed and approved by the Building Services Division prior to issuance of a grading permit. Upon completion of the project, the building will be resurveyed, and any new cracks or other changes in the building shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. The findings shall be submitted to the Building Services Division for review. If it is determined that project construction has resulted in damage to the building, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair.	LTS

III PROJECT DESCRIPTION

Pages 43 and 45 are revised:

1. Proposed Uses

The primary component of the project is the development of approximately 330 multi-family residential units. The unit mix would consist of approximately ~~21~~15 studio, ~~185~~190 one-bedroom, ~~and 120~~116 two-bedroom, and 9 three-bedroom apartments. Residential units in both the Block A and Block B buildings would be organized around a central courtyard area. The Block A courtyard area would be larger than that of Block B and would house a pool and spa. Approximately 15,000 square feet of open space is proposed within the two courtyard areas.

…..

Additionally, ~~3~~up to 8,000 square feet of retail is currently proposed in Buildings A and B, fronting on 4th Street ~~(but up to 8,000 square feet of retail is considered in the analysis presented in this EIR)~~.[4] The above-mentioned project components are summarized in Table III-1.

2. Circulation and Parking

The proposed project would provide approximately ~~365~~335 parking spaces on the first and second levels of Block A and B buildings. Bicycle parking, and electric vehicle parking would be included per City requirements. Sidewalks will be installed and curb and gutter will be preserved or installed along all project street frontages. This will include the installation of curb, gutter and sidewalk at Block A along 4th Street where parking currently exists. Accessible curb ramps will remain at each corner of Block A, and at the corners of Madison Street and 3rd Street and Madison Street and 4th Street on Block B.

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[4] ~~The project is characterized throughout this document as proposing 3,000 square feet of retail. However, the analysis contained within this EIR remains valid for a retail component of up to 8,000 square feet within the structures proposed. If the proposed project were modified to include greater than 8,000 square feet of retail, the project would generate more than 100 trips in the PM peak hour and would thus require an additional Congestion Management Program (CMP) Land Use Analysis Program Transportation Impact Analysis.~~ The current project plans show only approximately 4,700 square feet of retail. The City has indicated that they would support additional retail square footage incorporated into the project, and as a result and to be conservative, the proposed project has been analyzed in this EIR as including up to 8,000 square feet of retail.

TABLE III-1 PROJECT COMPONENTS

Uses	
Residential Units	+/- 330
Studio (Standard Studios and Jr 1 Bedrooms)	+/- ~~21~~15 (~~10~~5%)
One-Bedroom	+/- ~~185~~190 (~~50~~57%)
Two-Bedroom	+/- ~~120~~116 (~~40~~35%)
Three-Bedroom	+/- 9 (3%)
Ground Floor Uses	
Residential Amenity Spaces	Lobby, Lounge, Fitness and Business Centers
Retail	~~+/- 3~~up to 8,000 sq.ft.
Parking	
Parking Spaces	+/- ~~365~~335
Parking Ratio	1~~.2~~:1

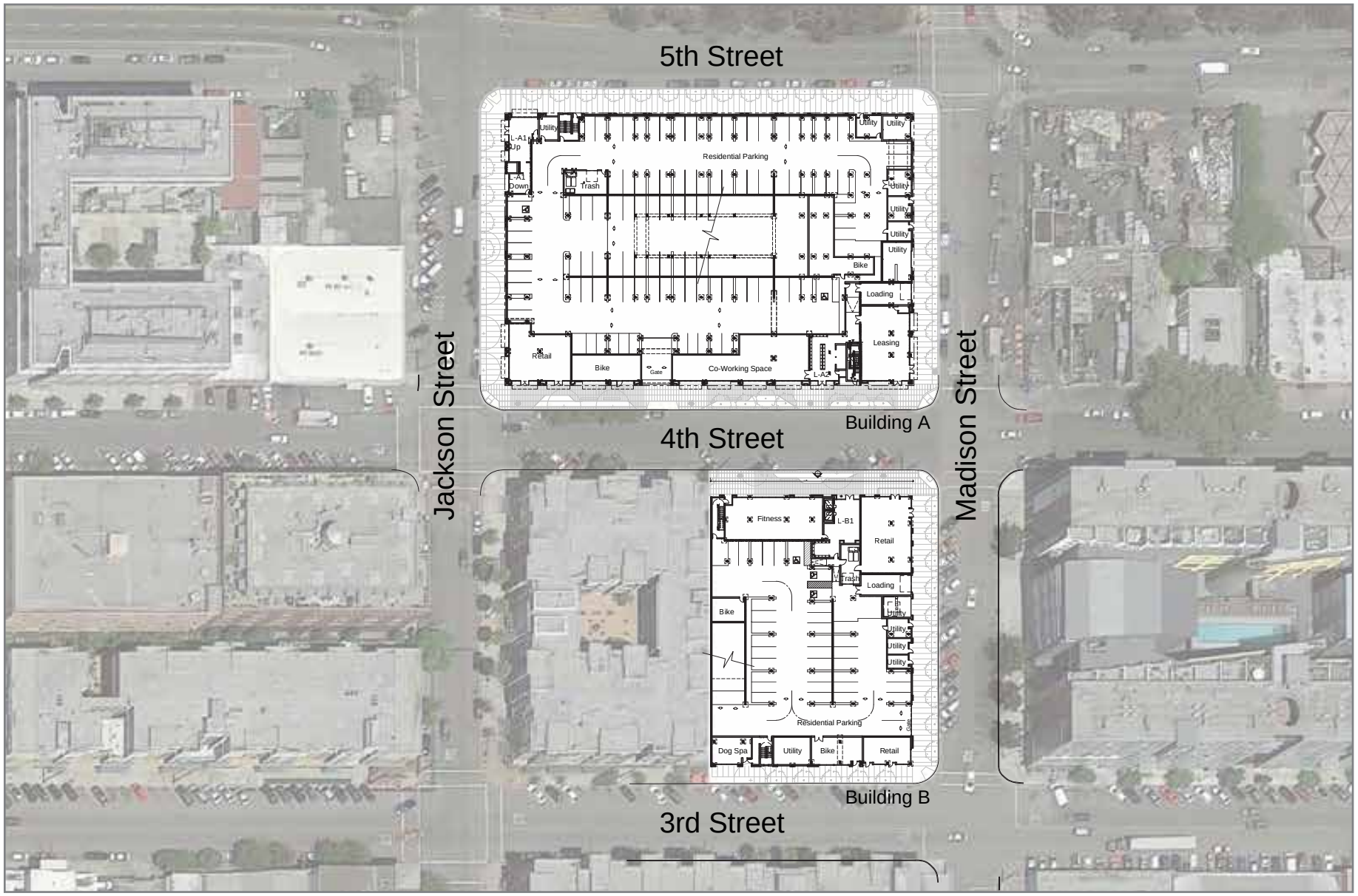
Note: The current project plans (dated November 9, 2015) show approximately 4,700 square feet of retail. The City has indicated that they would like additional retail square footage incorporated into the project, and as a result, the proposed project has been analyzed in this EIR as including up to 8,000 square feet of retail.

Source: CP V JLS, LLC, 2015.

3. Construction Schedule

Development of the entire project site, as proposed, is anticipated to last approximately 26 months. Construction would begin after the current occupant has vacated the property. The existing warehouse building at Block A would be demolished and the parking lot at Block B would be removed. The building proposed for Block B is anticipated ~~to be completed by month 19 of the schedule, and construction would be completed in month 26. As mentioned above,~~ to be completed by month 19 of the schedule and all construction would be completed in month 26. As mentioned above, the project includes two buildings ("Building A" on Block A and "Building B" on Block B) of Type IIIa construction, including five levels of wood frame construction (potentially with an additional mezzanine) over two levels of Type I concrete. It is anticipated that the proposed podium structures can be supported on a mat foundation or shallow spread footings. Pile installation would not be a component of the project's construction as proposed. It is possible that during site preparation and foundation and utility excavation that the project could encounter contaminated soils and/or groundwater. In addition, temporary dewatering for construction may be required, as well as waterproofing of foundation elements. Dewatering activities are typically conducted by either pumping water directly from open excavation or by installing dewatering wells adjacent to the open excavation.

Page 44, Figure III-2, is revised as shown on the following page.



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Source: CP V JLS, LLC, 2015

Figure III-2
Jack London District 4th & Madison Project EIR
Conceptual Building Plan – Level 1
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IV SETTING, IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Page 48, last paragraph, is revised:

This criteria of significance utilized in this EIR are from the City of Oakland's Thresholds/Criteria of Significance Guidelines. To help clarify and standardize analysis and decision making in the environmental review process in the City of Oakland, the City has established the Thresholds/Criteria of Significance Guidelines (which have been in general use since at least 2002 and were last updated in 2008~~, with supplemental SCAs introduced in 2011and modified in 2013)~~. The Thresholds are offered as guidance in preparing environmental review documents. The City requires use of its thresholds unless the location of the project or other unique factors warrants the use of different thresholds. The thresholds are intended to implement and supplement provisions in the CEQA Guidelines for determining the significance of environmental effects, including Sections 15064, 15064.5, 15065, 15382 and Appendix G, and form the basis of the City's Initial Study and Environmental Review Checklist.

Page 49 is revised:

CUMULATIVE ANALYSIS CONTEXT

Approach

CEQA defines cumulative as "two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts." Section 15130 of the CEQA Guidelines requires that an EIR evaluate potential environmental impacts when the project's incremental effect is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. These impacts can result from a combination of the proposed project together with other projects causing related impacts. "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects." The City of Oakland's analysis approach specifies that "past, present, existing, approved, pending and reasonably foreseeable future projects" should be included as part of the cumulative analysis.

Context

The context used for assessing cumulative impacts typically varies depending on the specific topic being analyzed. For example, the geographic and temporal (time-related)

parameters related to a cumulative analysis of air quality impacts are not necessarily the same as those for a cumulative analysis of noise or aesthetic impacts. This is because the geographic area that relates to air quality is much larger and regional in character than the geographic area that could be impacted by potential noise or aesthetic impacts from a proposed project and other cumulative projects/growth. The noise and aesthetic cumulative impacts are more localized than air quality and transportation impacts, which are more regional in nature. Accordingly, the geographic setting and other parameters of the ~~respective~~ cumulative analyses in this document are determined by the degree to which respective impacts from this project are likely to occur in combination with other development projects. Generally, to establish a partial baseline for cumulative analysis, the City of Oakland's Major Projects list was used, in part, to determine past, present, existing, approved, pending and reasonably foreseeable future projects in the vicinity of the project. The geographic areas near the project site include the surrounding Jack London District and the Downtown south of Grand Avenue.

Major projects from the City's Major Projects list that pertain to the proposed project vicinity are summarized below. The major projects listed below are not inclusive of all possible past major projects; projects not listed were no longer maintained on the City's list as of March 2010 but are part of the baseline assumptions for the analysis in this EIR. Additional development projects that are not on the City's Major Projects list have also been considered for the cumulative assessment of certain topic areas and are identified in the appropriate environmental topic section in Chapter IV of this Draft EIR. The transportation analyses (and transportation-related traffic and air quality) used the Alameda County Congestion Management Analysis (ACCMA) travel demand model which requires inputs at the traffic analysis zones (TAZ) level.

TABLE IV-1 MAJOR PROJECTS IN THE VICINITY OF THE PROJECT SITE

Project Name	Components
1640 Broadway	▪ 247 residential units ▪ 8,150 square feet commercial
14th & Alice (NW)	▪ 126 residential units ▪ 3,200 square feet retail
14th & Alice (SE)	▪ 258 residential units ▪ 13,000 square feet retail
1700 Webster	▪ 206 residential units ▪ 5,100 square feet commercial
Emerald Views	▪ 370 residential units
1900 Broadway	▪ 345 residential units ▪ 9,750 square feet commercial
1100 Clay Street	▪ 262 residential units ▪ 4,850 square feet retail

TABLE IV-1 MAJOR PROJECTS IN THE VICINITY OF THE PROJECT SITE

Project Name	Components
Lake Merritt Boulevard	▪ 298 residential units ▪ 5,000 square feet retail
459 8th Street	▪ 50 residential units ▪ 4,000 square feet retail
1331 Harrison Street	▪ 169 residential units ▪ 3,600 square feet retail
377 2nd Street	▪ 96 residential units ▪ 5,475 square feet retail
1431 Jefferson	▪ 54 residential units ▪ 3,000 square feet retail
188 11th Street	▪ 71 residential units
325 7th Street	▪ 382 residential units ▪ 9,000 square feet commercial
1640 Broadway	▪ 177,600 square feet office ▪ 4,710 square feet retail
612 18th Street	▪ 86 residential units
Brooklyn Basin	▪ 3,100 residential units ▪ 200,000 square feet commercial ▪ 3,950 structured parking spaces ▪ 29.9 acres public open space ▪ 2 renovated marinas; 170 boat slips ▪ Wetlands restoration area
Jack London Square Redevelopment	▪ 1.2 million square feet of mixed-use retail, commercial, and office ▪ Sites A-B, D, E, H, I: 1,700-seat movie theater, 250-room hotel, supermarkets, restaurants, and offices ▪ 66 Franklin (Haslett Building) ▪ Residential option for 665 units on parcels D and F2

Source: City of Oakland, 2016.

Page 50 is revised:

UNIFORMLY APPLIED DEVELOPMENT STANDARDS AND CONDITIONS OF APPROVAL

The City's Uniformly Applied Development Standards and Conditions of Approval (referred to in the EIR as SCAs or COAs) are incorporated into projects as conditions of approval regardless of a project's environmental determination. As applicable, the SCAs are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental effects. For the Jack London Square 4th & Madison Project, all relevant standard conditions have been incorporated as part of the project. Upon project approval, all SCAs applicable to the project will also be

incorporated into an enforceable project-specific Mitigation Monitoring and Reporting Program adopted by the City.

….

Because these SCAs are mandatory City requirements, the impact analysis assumes that these will be imposed and implemented by the project. If a SCA would reduce a potentially significant impact to less than significant, the impact will be determined to be less than significant and no additional mitigation is imposed.

The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. Where there are peculiar circumstances associated with a project or project site that will result in significant environmental impacts despite implementation of the SCAs, the City will determine whether there are additional feasible mitigation measures to reduce the impact to less-than-significant levels.

IV.A LAND USE

Page 59, 2nd paragraph is revised:

The project also generally meets the ~~aspect~~ intent of Policy JL-5, which ~~that~~ encourage~~s~~ new infill developments that provide a mix of uses, including residential use, as it would construct housing with retail and leasing/resident amenity space on the ground floor in the Mixed Use District. Policy JL-5 encourages this development "in areas outside the existing boundaries of the historic district (API) and east to the Lake Merritt channel…" The existing boundaries of the historic district (API) as defined by the *Estuary Policy Plan* do not include any portion of the project site.[9] As a result, the intent of Policy JL-5 to "encourage the development of a mix of uses, including housing, within a context of commercial, light industrial/manufacturing uses, and ancillary parking " is applicable to the entire project site. It is noted (and is further discussed in *Section IV.B, Historic Resources*), that Block A of the project site was included in the National Register — designated WWD. However, it remains outside of the City's WWD API. ~~The project does not appear to meet the preservation intent of Policy JL-5 as the project entails demolition of the existing warehouse on-site that lies within the existing boundaries of the historic district (API). (See *Section IV.B, Historic Resources,* for discussion of potential project effects on historic resources.) However, a~~As ensured by the City's design review process, the project would be designed to reflect an industrial character with elements of the

neighborhood's industrial past by building to the street; as required by *the Estuary Policy Plan*, providing active, habitable spaces on the ground floor; and incorporating the use architectural features reflective of the District's industrial heritage and building materials that would include metal accents and other industrial materials. Additionally, on-site parking and loading would be screened and visually concealed within the buildings by the ground floor retail and amenity spaces.

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[9] City of Oakland and Port of Oakland, 1999. *Estuary Policy Plan*, Section IV: Appendix, page 141, June.

Page 64, first paragraph is revised:

Section 17.117.090 of the Oakland Municipal code requires bicycle parking spaces for non-residential uses at a rate of one long-term space per 12,000 square feet, with a minimum of two spaces and one short-term space per 5,000 square feet, with a minimum of two spaces. The project would add ~~about~~ up to 8,000 ~~3,000~~ square feet of non-residential area, requiring the minimum two long-term and two short-term bicycle parking spaces.

Page 65 is revised:

The last of these four~~three~~ criteria is not applicable to the proposed project, as there is no habitat conservation plan or natural community conservation plan in place in the project vicinity.

b. Less-than-Significant Land Use and Planning Impacts

(1) Division of an Established Community

The proposed project would involve the demolition of an existing building and the construction of two buildings on the project site. The project site is located in the Jack London District of Oakland and is surrounded by existing residential, commercial, and office developments. As described in the Setting subsection above, the project site is immediately surrounded by a variety of existing uses that are neither homogenous nor closely interconnected. Existing buildings surround the project site on all sides and vary in height and massing, and include principally residential and retail uses. The proposed project would demolish an existing building and construct two buildings with residential and retail uses that would fit with the scale and existing surrounding uses. Further, streetscape improvements and enhanced pedestrian circulation that would result from implementation of the proposed project would serve to further connect the existing community. Overall, the proposed project would be a part of the growing residential community in the Jack London District that would support the revitalization efforts of the downtown, Lower Broadway, and Jack London areas. The proposed project thus would not create a physical barrier that would divide an established community, and no impacts would result.

(2) Land Use Compatibility

The proposed project would be constructed ~~at~~ outside the northeastern edge of an area designated by the *Estuary Policy Plan* as the Waterfront Warehouse District, within the Mixed-Use District. The Estuary Plan encourages new infill developments in the Mixed-Use District to encompass "a mix of uses, including housing, within a context of commercial, light industrial/manufacturing uses, and ancillary parking."[23] The Estuary Policy Plan states that the Waterfront Warehouse District, adjacent to the Mixed-Use District, ~~"to provide joint living and working quarters, residential, light industrial, wholesale, office, and compatible uses that preserve and respect the District's unique character."[24] In addition, the *Estuary Policy Plan* states that "the District~~ is currently a viable warehouse district with a variety of industrial activities. The District is also home to new residents, artists/artisans, and professionals."[25] The proposed project would be compatible with the s~~S~~imilar residential and office developments that exist in the vicinity of the proposed project, including: the Sierra at Jack London Square adjacent to the project at 3rd Street and Madison Street; the Fourth Street Lofts at the corner of Alice and 4th Streets; the renovated Safeway office building at the corner of Jackson and 4th Streets; the Allegro centered around 3rd and 4th Streets. Given the existing context and the nature of the proposed project, no impacts related to land use compatibility would occur.

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[23] *Oakland Estuary Policy Plan,* Policy JL-5.

[24] ~~*Oakland Estuary Policy Plan,* Policy JL-6.~~

Page 66, second paragraph, is revised:

As noted above in the Setting section, specifically in the discussions of the Land Use and Transportation Element and the Open Space, Conservation and Recreational Element, the project would be consistent with ~~generally meet~~ the applicable General Plan policies in that the project would provide for residential and retail uses in the Jack London District. Also noted above in the discussion of the *Estuary Policy Plan*, the project would generally meet the intent of policies that encourage new infill developments to construct residential units in the Mixed-Use District~~; however, the project does not appear to meet the preservation and reuse intent of the policy as the project entails demolition of the existing warehouse on-site~~. The General Plan contains many competing policies, which may in some cases address different goals.

Page 67 is revised:

d. Cumulative Land Use Impacts

As analyzed throughout this section, the proposed project would not result in a significant land use impact by potentially physically dividing an established community; or conflicting with adjacent or nearby land uses; or conflicting with applicable land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project is consistent with the City's General Plan Land Use and Estuary

Policy Plan designation for the site. Moreover, the project would not construct linear improvements of the type that typically threaten to divide existing communities, such as freeways or sound barrier walls. ~~Thus, the~~Given the project site is surrounded by urban development and is consistent with the planning policies and designation relevant to the project site, and taking into consideration the physical form of the project and its location, the project would not make a considerable contribution to any potential cumulative development that would physically divide a community or conflict with adjacent land uses. ~~proposed project would not combined with, or add to, any potential adverse land use impacts that may be associated with other cumulative development.~~ A review of cumulative development in the area, including past, present, existing, pending and reasonably foreseeable future development based on the City's list of current development projects (including proposed, approved and under construction) does not reveal any significant adverse cumulative land use impacts in the area as the majority of the subject development project sites are surrounded by urban development and infrastructure. ~~.~~ Cumulative development projects in the area consist~~s~~ of residential, commercial, light industrial and other typical urban uses.

Cumulative development, in combination with the proposed project, has and would continue to result in the development and redevelopment of infill and underutilized or sites throughout the area. Infill projects in urban areas allow for the capitalization of existing transit system and infrastructure, and minimize impacts to sensitive resources that would likely be degraded in a development on a greenfield site. Such projects do not contribute to potential cumulative development that would physically divide a community. Additionally, by locating residential development near transit and employment centers and by incorporating a mix of uses, urban mixed-use projects reduce vehicle miles traveled. The proposed project would contribute to a higher density in the area, which is anticipated by the General Plan ~~and Redevelopment Plan~~. The project is generally consistent with adopted plans and the overall vision for the area. Based on the information in this land use section and for the reasons summarized above, the project would not contribute to any significant adverse cumulative land use impacts when considered together with past, present and reasonably foreseeable future development.

IV.B HISTORIC RESOURCES

Chapter IV.B, Historic Resources, is included in its entirety as shown following. Note that Chapter IV.B, Historic Resources, as reflected here, is an insert and follows the pagination of the Draft EIR rather than the pagination of this chapter of the Response to Comments Document.

B. HISTORIC RESOURCES

This section specifically evaluates the historic resources element of cultural resources. The baseline conditions for historic resources on the project site and within its vicinity are described, including the legal significance of identified historic architectural resources within the project area, followed by a description of the project's potential impacts to such resources. Mitigations to reduce significant impacts are also recommended.

Archaeological and paleontological resources are briefly evaluated in the Cultural Resources subsection of *Chapter V, Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval*.

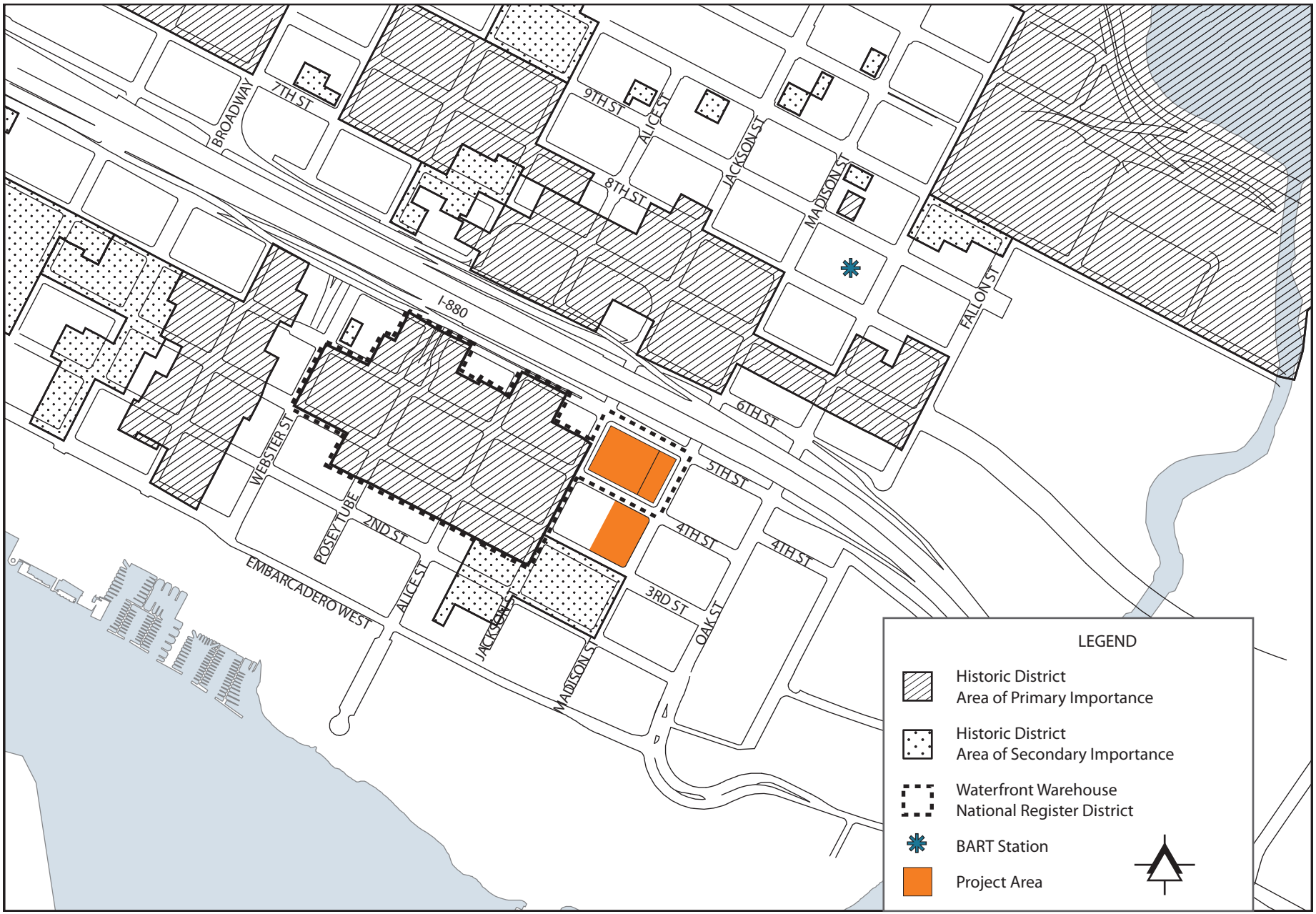
1. Setting

The project site, as described in *Chapter III, Project Description,* is comprised of two areas designated as Block A and Block B. Block A of the project site is situated within the boundaries of the Oakland Waterfront Warehouse District (WWD or District), which is listed in the National Register of Historic Places (National Register). The block is bounded by 4th, Madison, 5th, and Jackson Streets and contains two connected buildings that function as a single warehouse building, currently used for offices, covering the entire block with a current address of 180 4th Street. Figure IV.B-1 shows the project site in relation to the District. The property served initially as S & W Fine Foods, Inc.'s warehouse and is presently occupied by the Cost Plus World Market's International Headquarters. By virtue of its listing in the National Register, the WWD and its contributors are ~~is~~ also listed in the California Register of Historical Resources (California Register). ~~It is also in an Oakland Cultural Heritage Survey Area of Primary Importance (API).~~ Although the WWD as listed in the National Register includes Block A, the Area of Primary Importance (API) for the WWD, as defined by the City of Oakland Cultural Heritage Survey (OCHS), was never updated to include Block A.

The proposed project would demolish the warehouse on Block A and construct a seven-story building consisting of housing units and parking. The project also proposes to construct a seven-story residential building on Block B, which is adjacent to the WWD but not within its boundaries. Block B is currently a surface parking lot and does not include any historic architectural resources.

a. Historic Context

The following sub-section provides an overview of the historic context of the project vicinity. The description is adapted from the City Development, Project Vicinity and Waterfront Warehouse District sections of the 426 Alice Street DEIR, pages IV.E-1 to IV.E-5.



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Source: City of Oakland, Urban Planning Partners, Inc., 2016

Figure IV.B-1
Jack London District 4th & Madison Project EIR
Historic Districts Map
REVISED FOR RTC

(1) City Development

Oakland's development as a city occurred in several stages that affected the city's population growth and the location of its downtown and waterfront buildings. Oakland was founded in the 1850s and sustained a community of around 1,544 residents by 1860. Its size and population remained essentially unchanged until 1869, when Oakland became the terminus of the Central Pacific Railroad. With an accessible harbor, Oakland was strategically located as the gateway to inland agricultural areas. The railroad terminus resulted in a period of rapid population growth, and the establishment of civic and commercial infrastructure and buildings along Oakland's Estuary and waterfront areas.

The 1906 earthquake sent refugees from San Francisco to Oakland, resulting in a wave of commercial and residential construction. World War I also increased the number of industrial establishments based in the downtown and waterfront areas. The Great Depression in the 1930s led to a period of financial instability for Oakland, followed again by a wave of new economic momentum at the outset of World War II. From 1940 to 1945, Oakland's population increased by one third and by 1950, the population was nearly 385,000. Between 1950 and 1980, Oakland's population steadily decreased, though it again began to increase in the 1980s. The City's population as of January 1, 2015 was 410, 603.[1]

Shifts in the economy and changes in manufacturing methods left many empty warehouses and office buildings along Oakland's waterfront and in the downtown area. In the late 1980s and 1990s, many of these buildings were reclaimed for office and residential uses.

(2) Project Vicinity

Early development in the project vicinity was directly linked to the development of Oakland's Port, changes made to the estuary to improve maritime operations, and the terminus of the transcontinental railroad lines. At the outset of World War II, the expansion of military installations near the Port—the Oakland Naval Supply Center, the Oakland Army Base, and the Alameda Naval Air Station—brought increased activity to the Port and areas near the Port.

The Western Pacific opened for service in 1910. The passenger depot was located near the project site at 3rd and Washington Streets and the freight depot was at 3rd and Harrison. Western Pacific's tracks ran along 3rd Street; while Southern Pacific tracks ran along 1st Street (now Embarcadero). The warehouse and industrial neighborhood that was established in the project vicinity is attributed to the proximity of the waterfront and its

[1] California Department of Finance, May 1, 2015. Demographic Research Unit. *New State Population Report*.

associated rail yards and ferry docks. Until recent years, development near the project site remained primarily industrial and included scrap metal operations, ~~breweries,~~ a paper company, surface parking lots, and wholesale food distributors.

The Western Pacific tracks along 3rd Street were removed in 1996 following the merger of the Union Pacific (Western Pacific's successor) and the Southern Pacific. The Western Pacific Depot was designated a City of Oakland Landmark (Ord. 9032 C.M.S.) in 1974, and was the first landmark designated by the Landmarks Preservation Advisory Board (LM 74-176). In more recent years, as manufacturing and heavy industry has moved from urban areas, the area in the project vicinity began to include corporate headquarters, office space, some light industrial uses, and loft-style and live-work residences.

(3) Waterfront Warehouse District

The area in the vicinity of the project is known as the Waterfront Warehouse District (WWD or District), which is generally bounded by 5th Street to the north, 2nd Street to the south, the Produce Market (Webster Street) to the west, and Jackson Street to the east. The original District documentation noted that the District was a fine collection of early 20th century industrial building types. The District is significant as a concentration of well-preserved warehouse building types of the past, whose development is connected with significant themes in Oakland economic history, and as a currently viable warehouse District perpetuating many of its historic uses.[2]

The District was placed on the National Register of Historic Places and on the California Register ~~of Historical Resources~~ in April 2000 ~~with revisions to the boundaries as originally identified by the Oakland Cultural Heritage Survey. The District boundaries were revised to include the block bounded by 4th Street, 5th Street, Jackson and Madison Streets (on which the building had become 50 years old) and to exclude the southernmost property at 2nd and Harrison Streets (the building on which had been demolished).~~ The National Register-listed historic district boundaries are almost identical to the OCHS WWD boundaries identified in 1985. Two modifications were made to the boundaries of the National Register District upon its listing in comparison to the original OCHS boundaries. First, the block bounded by 4th Street, 5th Street, Jackson and Madison Streets (on which the building had become 50 years old) was included in the National Register-listed historic district. Second, the National Register boundary excluded the southernmost property at 2nd and Harrison Streets. The existing building was demolished in 1994 and a new one

[2] Oakland Cultural Heritage Survey, 1985 Waterfront Warehouse District Assessment.

constructed in 1995.[3] The District qualified for listing on the National Register under two criteria of the Register, Criterion A and Criterion C.

Criterion A refers to property "…associated with events that have made a significant contribution to the broad patterns of our history." Under this criterion, the District is eligible for significance as the District is associated with Oakland's industrial development from World War I to shortly after World War II. Criterion C refers to property that "…embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction." The District is eligible as it contains an intact concentration of buildings and structures that convey the City's industrial past. The District is distinct in its unified architecture of early 20th Century utilitarian inspired elements as well as its physical layout of wide streets, buildings built to the city street, and buildings designed for access to the Western Pacific Railroad 3rd Street tracks.[4]

The National Register form indicates that of the 31 parcels ~~resources~~ in the District, 24 are contributing ~~buildings~~elements, one is an individually contributing ~~structure~~element, and one is an individual building listed on the National Register of Historic Places. The American Bag Building at 299 3rd Street was placed on the National Register of Historic Places in 1999. Four are considered individually eligible for listing on the National Register: (1) the Posey Tube at 415 4th Street; (2) the former Safeway Stores Corporate Headquarters at 201 4th Street; (3) the Western States Grocery Warehouse, otherwise known as Fourth Street Lofts, at 247 4th Street, and (4) the C.L. Greeno Building at 255 4th Street. ~~The American Bag Building at 299 3rd Street was placed on the National Register of Historic Places in 1999.~~ There are five noncontributing elements to the District.

The overall character of the Waterfront Warehouse District can be defined as low to medium-rise concrete or masonry warehouse construction. For the most part, the buildings have little decorative detailing, with the exception of the Posey Tube Portal structure on Harrison Street and the C.L. Greeno Building at 255 4th Street. Many of the warehouses have industrial sash and stepped or simply decorated parapets. The streets are wide and enclosed by buildings that have no setbacks and which are built to the lot lines; some occupy half or quarter blocks. These properties were intentionally sited near the Western Pacific Railroad (WPRR) mainline and near the Oakland Inner Harbor to facilitate the shipment of goods in the western United States and overseas. The existing buildings are generally representative of the economic history of the Port of Oakland and

[3] Elaine Louie, "Communing After All These Years," New York Times, August 10, 1995, accessed October 27, 2015, http://www.nytimes.com/1995/08/10/garden/communing-after-all-these-years.html.

[4] 1999 National Register Nomination Registration Form Description.

many are excellent examples of warehouse construction during the period 1915 to 1954~~0~~.

b. Contributing Resource Description

The Moderne style warehouse at 180 4th Street,[4] on Block A of the project site, is a one-story, rectangular plan building that covers a full city block.[5] The building is actually two connected structures—a 45,000-square-foot warehouse and a smaller, 15,000-square-foot office space—which together comprise the corporate headquarters of Cost Plus World Market. The warehouse on the Jackson Street side was built by builder John F. Tulloch in 1937. It is a reinforced concrete and wood post and beam structure. The brick warehouse on the Madison Street side was built by John J. Moore Co. in 1946. It is brick masonry with metal sash windows. While a contributing element of the District, the building is out of scale and proportion with the prevailing character-defining features of the larger resource, namely that the building is twice the size of the largest typical contributing element as described in the National Register nomination documentation. It is the sole contributor that covers an entire city block. The building is located at the District's far northeastern boundary approximately 660 feet northeast of the District core.

During its construction, the skylights of the building were touted as a unique feature. A review of aerial images indicates the skylights were removed and replaced with 16 irregularly spaced skylights.[5] The loading docks on the Jackson Street side and those on the 4th Street side were filled in and converted to windows (exact date unknown but before mid-1980s). Other visible alterations to the property include some infilled doors and windows, and a recessed entrance on the Fourth Street elevation with four large multi-paned glass block windows on the rear wall. The two facades observable from a vantage point from within the District, and that form "the face" of the building to the District are heavily modified. A landscaped entrance is located in front of this entrance.

The original owner of the entire building, including the John J. Moore warehouse, was S & W Fine Foods which was founded in 1896 as Sussman, Wormser and Company. The company leased 217 Alice Street as their warehouse for ten years before moving to the subject property.[6] 180 4th Street served as company's shipping, receiving, and branch warehouse. Later, the building was used as offices by several companies including Safeway. See Appendix B for reproductions of building permit records.

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[5] LSA Associates, Inc., 2016. *Cost Plus Building Analysis, 200 4th Street, Oakland, Alameda County, California* (LSA Project #CPV1601), page 5, January 20.

[6] "Sussman, Wormser and Co., wholesale grocer, 217 Alice Street," R. L. Polk & Co., *Polk's Oakland, Berkeley, Alameda Directory,* Oakland, Ca: R. L. Polk & Co., 1927-1937; "S & W Fine Foods Inc., wholesale grocer, 430 Jackson Street," R. L. Polk & Co., *Polk's Oakland, Berkeley, Alameda Directory,* Oakland, Ca: R.L. Polk & Co., 1938-1941.

c. Regulatory Setting

The regulatory background provided below offers an overview of federal, state and local criteria used to assess historic significance. The various policies and criteria applicable to the project are described below. Although a discussion of the project is not typically included in the setting subsections for each environmental topic, such a discussion is provided here for ease of reference relative to the applicable policies discussed.

(1) Federal Criteria

National Register Bulletin Number 15, *How to Apply the National Register Criteria for Evaluation*, describes the Criteria for Evaluation as being composed of two factors. First, the property must be "associated with an important historic context."[7] The National Register identifies four possible context types, of which at least one must be applicable at the national, state, or local level. These are:

A. Property is associated with events that have made a significant contribution to the broad patterns of our history.

B. Property is associated with the lives of persons significant in our past.

C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

D. Property has yielded, or is likely to yield, information important to prehistory or history.[8]

Second, for a property to qualify under the National Register's Criteria for Evaluation, it must also retain "historic integrity of those features necessary to convey its significance."[9] While a property's significance relates to its role within a specific historic context, its integrity refers to "a property's physical features and how they relate to its significance."[10] To determine if a property retains the physical characteristics corresponding to its historic context, the National Register has identified seven aspects of integrity:

1. Location is the place where the historic property was constructed or the place where the historic event occurred.

2. Design is the combination of elements that create the form, plan, space, structure, and style of a property.

[7] National Park Service, National Register Bulletin 15, page 3.

[8] National Park Service, National Register Bulletin 16A, page 75.

[9] National Park Service, National Register Bulletin 15, page 3.

[10] National Park Service, National Register Bulletin 15, page 44.

3. Setting is the physical environment of a historic property.
4. Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
5. Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
6. Feeling is a property's expression of the aesthetic or historic sense of a particular period of time.
7. Association is the direct link between an important historic event or person and a historic property.[11]

Since integrity is based on a property's significance within a specific historic context, an evaluation of a property's integrity can only occur after historic significance has been established.[12]

Block A of the proposed project site is identified as a contributing resource to the Oakland Waterfront Warehouse District, which was listed in the National Register of Historic Places on April 24, 2000. As a contributing resource, the existing warehouse on Block A is historically significant. An evaluation of the property's integrity in the context of the project's cumulative impact to the District is provided in d. Cumulative Impacts, (1) Discussion of Integrity below.

(2) State Criteria

California Office of Historic Preservation's Technical Assistance Series #6, *California Register and National Register: A Comparison*, outlines the differences between the federal and state processes. It includes the following context types to establish the significance of a property for listing on the California Register:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
2. It is associated with the lives of persons important to local, California, or national history; or
3. It embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values; or

[11] National Park Service, National Register Bulletin 15, pages 44-45.

[12] National Park Service, National Register Bulletin 15, page 45.

4. It has yielded, or is likely to yield, information important to prehistory or history of the local area, California, or the nation.[13]

Like the NRHP, evaluation for eligibility to the California Register requires an establishment of historic significance before integrity is considered. However, California's integrity threshold is slightly lower than the federal level. California's list of special considerations is shorter and more lenient than the NRHP. As a result, some resources that are historically significant but do not meet NRHP integrity standards may be eligible for listing on the California Register.[14]

In addition to separate evaluations for eligibility to the California Register, the state will automatically list resources if they are listed or determined eligible for the NRHP through a complete evaluation process.[15]

All resources listed in the National Register are also listed in the California Register. As such, the Oakland Waterfront Warehouse District and all its contributors, including the warehouse at Block A, are also listed on the California Register.

California Historical Resource Status Codes

The California Historic Resource Status Codes (status codes) are ratings created by the California Office of Historic Preservation (OHP) to identify the historic status of resources listed in the state's historic properties database. The following are the seven major status code headings:

1. Properties listed in the National Register or the California Register.
2. Properties determined eligible for listing in the National Register or the California Register.
3. Appears eligible for National Register or California Register through Survey Evaluation.
4. Appears eligible for National Register or California Register through other evaluation.
5. Properties recognized as historically significant by local government.
6. Not eligible for listing or designation.
7. Not evaluated for National Register or California Register or needs revaluation.

Using the status codes above, 180 4th Street would have a code of 1 since it is listed in both the National Register and California Register.

[13] California Office of Historic Preservation, Technical Assistance Series 6, page 1.

[14] California Office of Historic Preservation, Technical Assistance Series 6, page 1.

[15] All State Historical Landmarks from number 770 onward are also automatically listed on the California Register. (California Office of Historic Preservation, Technical Assistance Series 5, 1.)

(3) City of Oakland, Local Register of Historical Resources

For purposes of the California Environmental Quality Act (CEQA), a "'local register of historical resources' means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution."[16]

In March 1994, the Oakland City Council adopted a Historic Preservation Element of the City's General Plan. The Element, amended July 21, 1998, sets out a graduated system of ratings and designations resulting from the Oakland Cultural Heritage Survey (OCHS) (see below) and Oakland Zoning Regulations. The Element provides the following definition of the City's Local Register of Historical Resources, or properties considered significant for purposes of environmental review under CEQA.

For purposes of environmental review under CEQA, the following properties will constitute the City of Oakland's Local Register of Historical Resources:[17]

1. All Designated Historic Properties, and
2. Those Potential Designated Historic Properties that have an existing rating of "A" or "B" or are located within an Area of Primary Importance.

The Oakland Waterfront Warehouse District was listed in the National Register on April 24, 2000, and the existing warehouse on Block A of the project site was identified as contributing resource to the District at that time as part of the nomination of the District prepared by Wilda L. White, President of the Jack London Neighborhood Association. Although the S & W building is undistinguished, it is a contributing element to a National Register-listed historic district; the National Register listing automatically lists the District in the California Register. Per the regulations at CCR Section 4851.(c)(1)(2) and Section 4852.(a)(5), the S & W Building is automatically listed in the California Register as an "individual resource contributing to the significance of the historic district" and thus qualifies as a "historical resource" under CEQA as defined at PRC Section 21084.1.

(4) Oakland Cultural Heritage Survey (OCHS)

~~Block A of the project site was assessed by the OCHS, a project of the Oakland City Planning Department, in March 1983.~~ The Oakland Cultural Heritage Survey (OCHS) is intended to provide an inventory of historic resources throughout the city.

[16] Public Resources Code, Section 5020.1(k).

[17] Any property listed on the California Register of Historical Resources (California Register) officially determined to be eligible for listing on the California Register is also considered a "Historical Resource" pursuant to Section 21084.1 of CEQA.

The OCHS's Individual Property Rating system for individual properties ranges from "A" (highest importance) to "E" (of no particular interest). It is based on the following criteria:

- **Visual Quality/Design:** Evaluation of exterior design, interior design, materials and construction, style or type, supporting elements, feelings of association, and importance of designer.
- **History/Association:** Association of person or organization, the importance of any event, association with patterns, and the age of the building.
- **Context:** Continuity and familiarity of the building within the district.
- **Integrity/Reversibility:** Evaluation of the building's condition, its exterior and interior alterations, and any structural removals.

Properties with conditions or circumstances that could change substantially in the future are assigned both an "existing" and a "contingency" rating. The existing rating is denoted by an upper case letter, and the contingency rating, if any, is denoted in lower case. Properties are also given a Multiple Property Rating (1, 2, or 3) based on an assessment of the significance of the area in which the property is located: properties within an Area of Primary Importance (an area that appears eligible for the National Register) are rated "1;" those in an Area of Secondary Importance are rated "2;" and those outside an identified district are rated "3." A plus (+) or minus (-) sign indicates whether the property contributes or not to the API or ASI.

An Area of Primary Importance (API) is a historically or visually cohesive area that contains a "high proportion of individual properties with ratings of 'C' or higher and appears eligible for the National Register of Historic Places either as a district or as a historically-related complex." At least two-thirds of the properties must be "contributors" to the API, reflecting the API's principal historical or architectural themes, and must not have undergone major alterations. An Area of Secondary Importance (ASI) is "similar" to an API, however "potential contributors to the ASI are counted for purposes of the two-thirds threshold as well as contributors; [and] ASIs do not appear eligible for the National Register."

Block A of the project site was assessed by the OCHS, a project of the Oakland City Planning Department, in March 1983. It was given a rating of D at that time, indicating a property of "Minor Importance," and was not included in the City's WWD API as defined by the OCHS. The City's API for the WWD was not updated after the Block A property's inclusion in the National Register District. As a result, the Block A property remains outside the WWD API and now holds a rating of Dc3. The additional contingency rating of "c" indicates that the property has sufficient historical or visual/architectural value to warrant limited recognition, and a Multiple Property Rating of "3" indicates that it is located in neither an API nor ASI as designed by the City.

(5) Historic Preservation Element Policies

Policies in the Historic Preservation Element of the General Plan provide the basis for preservation, restoration, and protection of historic properties and other cultural resources. The following objectives, ~~and~~ policies, and actions are particularly relevant to proposed project.

- **Policy 1.2. Potential Designated Historic Properties.** The City considers any property receiving an existing or contingency rating from the Reconnaissance or Intensive Surveys of "A" (highest importance), "B" (major importance), or "C" (secondary importance) and all properties determined by the Surveys to contribute or potentially contribute to an Area of Primary or Secondary Importance to warrant consideration for possible preservation. Unless already designated as Landmarks, Preservation Districts, or Heritage properties pursuant to Policy 1.3, such properties will be called "Potential Designated Historic Properties."
- **Objective 3: Historic Preservation and Ongoing City Activities.** This objective seeks to establish administrative procedures and criteria to promote preservation of significant older properties as a routine part of City-sponsored or assisted projects, programs and regulatory activities.
- **Policy 3.5.** "For any project involving complete demolition of Heritage Properties or Potential Designated Historic Properties requiring discretionary City permits, the City will make a finding that: (1) the design quality of the proposed project is at least equal to that of the original structure and is compatible with the character of the neighborhood; or (2) the public benefits of the proposed project outweigh the benefit of retaining the original structure; or (3) the existing design is undistinguished and does not warrant retention and the proposed design is compatible with the character of the neighborhood."
- **Policy 3.7.** As a condition of approval for all discretionary projects involving demolition of existing or Potential Designated Historic Properties, the City will normally require that reasonable efforts be made to relocate the properties to an acceptable site. Actions associated with this policy include preparation of relocation procedures and design guidelines, investigation of assistance programs, and review of permit regulations for both City-sponsored or assisted projects and discretionary permit approvals.
- **Policy 3.8.** "Definition of "'Local Register of Historic Resources"' and historic preservation "'Significant Effects"' for environmental review purposes." According to this policy, the following properties will constitute the City's local Register of Historic Resources: "1) All Designated Historic Properties, and 2) Those Potential Designated Historic Properties that have an existing rating of 'A' or 'B' or are located within an area of Primary Importance." Further, according to this policy, properties listed on the California Register are also considered a historical resource under CEQA. By virtue of being a contributing element to a National Register District, the Block A property is also listed on the California Register, and is thus a historical resource under CEQA per this policy. In addition, t~~T~~his policy states that ~~defines the minimum set of historical resources that require consideration in environmental review.~~ "Complete demolition of a Historical Resource will normally be considered a significant effect that cannot be mitigated to a level less than significant and will, in most cases, require preparation of an Environmental Impact Report." ~~Properties included on the National Register and in an API are included in this definition.~~

- **Action 3.8.1.** Measures appropriate to mitigate significant effects to a Historical Resource may include one or more of the following measures depending on the extent of the proposed addition or alterations:

  1. Modification of the project design to avoid adversely affecting the character defining elements of the property.
  2. Relocation of the affected Historical Resource to a location consistent with its historical or architectural character.

  If the above measures are not feasible, then other measures may be considered including, but not limited to the following:

  3. Modification of the project design to include restoration of the remaining historic character of the property.
  4. Modification of the project design to incorporate or replicate elements of the building's original architectural design.
  5. Salvage and preservation of significant features and materials of the structure in a local museum or within the new project.
  6. Measures to protect the Historical Resource from effects of on-site or other construction activities.
  7. Documentation in a Historic American Buildings Survey report or other appropriate format: photographs, oral history, video, etc.
  8. Placement of a plaque, commemorative, marker, or artistic or interpretive display on the site providing information on the historical significance of the resource.
  9. Contribution to a Facade Improvement Fund, the Historic Preservation Revolving Loan Fund, the Oakland Cultural Heritage Survey, or other program appropriate to the character of the resource.

Project approval would be subject to the applicable Historic Preservation objectives, policies, and actions above. An evaluation of each of the nine measures identified in Action 3.8.1 as they relate to the project is provided below in Section 2.c. Significant Impacts, following Impact HIST-1.

(6) Estuary Policy Plan (Estuary Plan)

Formally adopted by the City Council on June 8, 1999, the *Estuary Policy Plan* provides an initial set of objectives, policies and implementation measures to guide development of the waterfront along the Oakland Estuary. The following objectives and policy are relevant to the proposed project:

- **Land Use Objective 1.** Provide for a broad mixture of activities within the Estuary area.

- **Land Use Objective 3.** Expand opportunities and enhance the attractiveness of the Estuary shoreline as a place to live.
- **Land Use Objective 5.** Provide for the orderly transformation of land uses while acknowledging and respecting cultural and historical resources, when applicable and feasible.
- **Estuary Policy Plan Policy JL-5.** In areas outside the existing boundaries of the Historic District (API) and east to the Lake Merritt Channel, encourage the development of a mix of uses, including housing, within a context of commercial, light industrial/manufacturing uses, and ancillary parking.

Text supporting the policy provides further guidance for the development of the Mixed-Use District includes the following:

- New development should maintain the character of the existing multistory warehouses and industrial buildings.
- Active, publicly oriented ground-level uses with windows and doors oriented toward the street, and build-to lines along streets are encouraged.
- Use of industrial materials (e.g., corrugated metal, glass, steel) should be encouraged.
- On-site parking and loading should be concealed from view from the street and/or encapsulated within the buildings. Surface parking lots should be well landscaped.

The project generally meets the land use objectives of the *Estuary Policy Plan* as described in *Section IV.A, Land Use*. Oakland Estuary plan in Land Use and Transportation Element. The project also generally meets the intent of Policy JL-5, which encourages development of a mix of uses and infill with residential uses within the *Estuary Policy Plan*'s Mixed Use District, in which the project site is located.

(7) California Environmental Quality Act

When a proposed project has an effect that may cause a substantial adverse change in the significance of a historical resource, CEQA requires a city or county to carefully consider the possible impacts before proceeding (Public Resources Code Sections 21084 and 21084.1). CEQA equates a substantial adverse change in the significance of a historical resource with a significant effect on the environment (Section 21084.1). It defines "substantial adverse change" as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." The Act explicitly prohibits the use of a CEQA categorical exemption for projects which may cause such a change (Section 21084).

CEQA effectively requires preparation of a mitigated Negative Declaration or an EIR whenever a project has an effect that may cause a substantial adverse change in the significance of a historic resource. Current CEQA law provides that an EIR must be

prepared whenever it can be fairly argued, on the basis of substantial evidence in the administrative record, that a project may have a significant effect on a historical resource (Guidelines Section 15064). A mitigated Negative Declaration may be used where all potentially significant effects can be mitigated to a level of insignificance (Section 21080). For example, a mitigated Negative Declaration may be adopted for a project which meets the Secretary of Interior's Standards for Rehabilitation and local historic preservation regulations, and so will not adversely affect the resource.

For the purposes of CEQA (Guidelines Section 15064.5), the term "historical resources" shall include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in, the California Register of Historical Resources.[18]
2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the CRHR,[19] as follows:
   A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
   B. Is associated with the lives of persons important in our past;
   C. 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
   D. Has yielded, or may be likely to yield, information important in prehistory or history.

[18] Public Resources Code Section 5024.1, Title 14 CCR, Section 4850 et.seq.
[19] Public Resources Code Section 5024.1, Title 14 CCR, Section 4800.3.

~~d. Evaluation~~

~~(1) National Register of Historic Places~~

~~Block A of the proposed project site is identified as a contributing resource to the Oakland Waterfront Warehouse District, which was listed in the National Register of Historic Places on April 24, 2000.~~

~~(2) California Register of Historical Resources~~

~~All resources listed in the National Register are also listed in the California Register of Historical Resources (California Register). As such, the Oakland Waterfront Warehouse District and all its contributors are also listed on the California Register~~.

~~(3) City of Oakland, Local Register of Historical Resources~~

~~The Oakland Waterfront Warehouse District was listed in the National Register on April 24, 2000, and the project site was identified as contributing resource to the District at that time. The National Register listing was noted on the City of Oakland Landmarks Preservation Advisory Board's Evaluation Tally Sheet with a handwritten note: *Evaluation Tally Sheet for Landmark Eligibility*. The Tally Sheet is composed of a series of historic characteristics that are used to score a structure. It includes the following handwritten note on the details of the National Register listing: "On NR [National Register] as part of: "On NR [National Register] as part of Wf. W'h Dist [Waterfront Warehouse District], as 200 4th St. – listed 4/24/00." If API contributor, it's Dc."[20] Based on Policy 3.8 (noted above), these registrations make the property is a Potential Designated Historic Property within an Area of Primary Importance and is an historic resource under CEQA.~~

2. Historic Resources Impacts, Standard Conditions of Approval, and Mitigation Measures

a. Significance Criteria

As noted above under Regulatory Setting, above, CEQA Section 21084.1 states that "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."

CEQA Guidelines Section 15064 (i)(1) states that "an EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, through individually limited, is cumulatively considerable." CEQA defines cumulatively considerable as incremental effects of an individual project that are considerable when viewed in connection with the effects of past projects, and the effects of probable future projects.

~~[20] Handwritten note on Oakland Cultural Heritage Survey Evaluation Tally Sheet, 400-430 Jackson Street/175 5th Street, page1, undated.~~

The Public Resources Code states that an historic district such as the WWD is a "definable unified geographic entity that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development"[21]

In order for a property to be listed on the National Register, it must meet the National Register criteria and must have integrity, as integrity is the ability of a property to convey its significance. For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance. When evaluating the impact of intrusions upon the district's integrity, the relative number, size, scale, design, and location of the components that do not contribute to the significance should be considered.[22]

~~Under OCHS criteria, at least two-thirds of the properties within the Area of Primary Importance must be contributors to the Area of Primary Importance and reflect the historical or architectural themes of the area and have not undergone major alterations.~~[23]

To help clarify and standardize analysis and decision-making in the environmental review process in the City of Oakland, the City has established CEQA Thresholds of Significance Guidelines. These Thresholds are offered as guidance in preparing all environmental review documents. The following significance guideline applies to historic resources:

The project would have a significant impact on the environment if it would:

- Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5.14. Specifically, a substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be "materially impaired." The significance of an historical resource is "materially impaired" when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance and that justify its inclusion on, or eligibility for inclusion on an historical resource list (including the California Register, the National Register of Historical Resources, Local Register, or historical resources survey form (DPR Form 523) with a rating of 1-5).

[21] California Public Resources Code Section 5020.1(h).

[22] National Register Bulletin 15, VIII. How to Evaluate the Integrity of a Property.

[23] ~~*Oakland General Plan, Historic Preservation Element.*~~

b. Less-than-Significant Impacts

The project's less-than-significant impacts are discussed below.

(1) Impacts of Demolition to Significance of Historic District

The proposed project would demolish 180 4th Street property, a contributor to ~~both~~ the National Register-listed WWD~~and to an API~~. However, the demolition of a single, contributing building, among 23 others and located in the northeast corner of the WWD, would not significantly affect the overall historic character of the District. The WWD would retain the valuable sense of place—the Oakland estuary waterfront area, and time—the early-mid 20th century. The removal of this building would not in and of itself materially alter the District's integrity or eligibility for the National Register.

~~Following the removal of 180 4th Street warehouse, the total number of contributing resources in the District would remain above the two-thirds of the total resources, as a general measure for recognition as an API.~~ Demolition of the 180 4th Street warehouse would result in only a 4 percent reduction of the National Register District's total number of contributing elements. Given that the property is not located within the WWD API, demolition would not affect the API, and the WWD API would retain 100 percent of its contributing resources. Additionally, the warehouse does not appear to be primary "keystone" contributing element that is essential to the viability of the WWD as a historical resource. ~~as the~~The warehouse is out of scale and proportion with the prevailing character-defining features of the large resource, namely that the building is twice the size of the largest typical contributing element as described in the National Register nomination documents and is the sole contributor that covers and entire city block. All the other WWD contributors have smaller building footprints with multiple buildings on the same block. Moreover, the 180 4th Street warehouse is located at the district's far northeastern boundary approximately 660 feet northeast of the WWD core. The warehouse portion of the building was constructed in 1937 toward the later period of the WWD's industrial development and was the second home of S & W Fine Foods within the WWD. Moreover, significant alterations to each building façade have diminished its original subdued Moderne architectural qualities and the two facades of the building observable from vantage points from within the WWD—which form the "face" of the building to the District—are heavily modified. This compromised integrity minimizes the building's contribution to the District . Therefore, ~~is located at the very northeastern corner of the District,~~ the loss of this building would not materially alter the integrity of the cohesiveness of contributor resources or relationships of those resources to one another within the District and demolition would not materially impair the significance of the WWD as whole. For the reasons described above, the~~The~~ loss of 180 4th Street would not destroy the District's character such that it would be likely to be removed from the National Register. Thus, it would not result in a significant project-level impact~~effect~~ upon the District.

(2) Impacts of New Construction to the Historic District

The proposed project would result in the construction of two new buildings: one on Block A that is within the District (Building A) and the other on Block B which is immediately adjacent to the historic ~~District~~district (Building B). As explained below, construction of these two buildings would result in a less-than-significant impact to the District.

Building A

The project would introduce a new seven-story building into a National Register-listed historic district and an API. Building A would have parking on the first two levels and residential units on the upper five levels, with one-story double height commercial and amenity spaces facing 4th Street. The building would be constructed of concrete at the lower podium levels with wood frame on the upper levels. At the upper levels the units will face both outward to the surrounding streets and inward to a central courtyard with a swimming pool. The building would be built to the property lines with a rectangular footprint, approximately 200 by 300 feet. An entrance/exit to the parking garage would be located on Jackson Street with loading off of 5th Street.

At seven stories (approximately 85 feet), Building A is similar in height to the development at 428 Alice Street, which has eight levels but a similar height. Building A is taller than the Allegro Project (five stories) and 288 3rd Street project (formerly 300 Harrison Street) at six stories. These three buildings were constructed in 2006, 2002 and 2007 respectively. The Safeway Building at 201 4th Street stands diagonally across the street to the southwest of the proposed project. It was the subject of a roof top addition bringing its height to six stories with the addition set back from all four existing elevations.

The *Estuary Policy Plan* of Oakland states that, in the Mixed Use District, "New development should maintain the character of the existing multistory warehouses and industrial buildings," and also "Use of industrial materials (e.g., corrugated metal, glass, steel) should be encouraged." Similarly, a National Register evaluation criterion for maintaining the integrity of a historic district is that new structures introduced to a historically significant district should be complementary to the integrity and original design features of the historic district. The exterior of Building A will be clad in a variety of materials including stucco, fiber cement panels, and metal windows, awnings, balcony railings, and grilles at the garage openings, which will achieve elements of visual coordination and prevent the building from total visual inconsistency.

A variety of heights exist within the historic district, with the contributors in the District ranging from one story to six stories and newer construction ranging up to eight stories. Upon completion, Building A would match in height the tallest structure in the district, 428 Alice Street. The most comparably scaled buildings in the District occupy the blocks to the west and south of the project site: the former Safeway Headquarters Building, at

approximately 82 feet in height; the Fourth Street Lofts Building, at about 60 feet in height; the new Allegro Building, at about 57 feet in height; and the 428 Alice Street project, 85 feet. Building A would be about 3 feet taller than the Safeway Headquarters Building (a contributor building to the District). The Posey Tube Portal, one of more prominent features of the District is 55 feet in height, but is also two blocks to the west and now obscured from view from the proposed project site by the 428 Alice Street development.

~~Given t~~The location of the proposed project at the far northeast corner of the District, its height in relationship to both nearby contributing resources and newer developments, and the use of varied industrially-themed materials to achieve elements of visual coordination and prevent overall visual impact all contribute to a project that is compatible with the characteristics of the District.~~,~~ ~~t~~The proposed project would not ~~result in~~create effects that would result in substantial adverse changes, demolition, destruction, relocation or alteration to the District and the District would ~~impair the historic district's eligibility~~ remain eligible for listing in the National Register, California Register, local register, or historical resource survey.[24] ~~The construction of Building A, in and of itself, would not significantly alter the physical characteristics of the Historic District that convey its historic significance.~~ Thus, construction of Building A would have a less-than-significant effect to the ~~Historic~~ historic ~~District~~district.

Building B

The project will construct another building directly across 4th Street to the south at 431 Madison Street. The three external facades of the U-shaped building will face 4th Street, Madison Street and 3rd Street. The building's internal courtyard ~~On the west it~~ will abut the Allegro at Jack London Square, located on the same block to the west.

Building B is located across 4th Street from ~~a half a block outside~~ the Oakland Waterfront Warehouse District, and is separated from the eastern boundary of the District by the Allegro. ~~The Allegro at Jack London Square is located between Building B and the eastern boundary of the historic district.~~

~~Any effects related to the height of Building B would be mitigated by the presence of the Allegro project which, at five stories and approximately 60 feet high, would visually obscure Building B. In effect, Building B would be "set back" about 190 feet from the Historic District boundary (middle of Jackson Street).~~ The construction of Building B, in and of itself, would not significantly alter the physical characteristics of the Historic District that convey its historic significance. Thus, construction of Building B would have a less-than-significant effect on the Historic District. Any arguable effects related to the

[24] CEQA Guidelines 15064.5(b).

height of Building B also would be offset by the presence of the Allegro project which, at five stories and approximately 60 feet high, would visually obscure Building B.

c. Significant Impacts

The project's significant impact to a historic resource is discussed below.

Impact HIST-1: The proposed project would demolish a warehouse that is a contributor to a designated National Register Historic District ~~and located within an Area of Primary Importance (API)~~. (S)

Block A of the proposed project site contains the Cost Plus World Market International Headquarters, previously the headquarters of S & W Fine Foods, Inc., which is a contributor to a designated National Register Historic District. However, the warehouse has not been individually listed on, or determined eligible for, the National or California Registers. As a contributor, the warehouse is significant "as a reflection of Oakland's waterfront industrial development and the District's strong ties to food processing and distribution" but not individually significant under the National or California Registers.[25]

As defined by Historic Preservation Element Policy 1.2, the property is a ~~3.8 states that the City's Local Register of Historic Resources includes all Designated Historic Properties and those~~ Potential Designated Historic Property, and per Historic Preservation Element Policy 3.8, the property is considered a historical resource pursuant to CEQA. ~~ies that have an existing rating of "A" or "B" or are located within an API. From the evaluation above for the Local Register of Historical Resources (see above, d. Evaluation, (3) City of Oakland, Local Register of Historical Resources), the property 180 4th Street is considered a historic resource.~~ A project with an effect 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."[26] The demolition of 180 4th Street would result in the loss of those physical characteristics that convey its historical significance and justify its inclusion in the California Register as a contributor to the Waterfront Warehouse District, a designated National Register Historic District. Therefore, the demolition of the 180 4th Street would result in an individually significant effect under CEQA. ~~Therefore, the demolition of the warehouse would result in an individually significant effect under CEQA.~~

Action 3.8.1. Identifies measures that may be appropriate to mitigate significant effects to a Historical Resource depending on the extent of the proposed addition or alterations. The project's relationship to each of these measures is described below.

[25] Wilda L. White, 1999. *Oakland Waterfront Warehouse District, National Register of Historic Places Registration Form,* page 13, August 9.

[26] California Environmental Quality Act, CEQA Guidelines Section 15064.5(b).

The project would be generally consistent with the Historic Preservation objectives, policies and actions above. A summary of the project's consistency with each of the nine measures identified in Action 3.8.1 is provided below is provided below in section 2.c. Significant Impacts, following Impact HIST-1.

1. *Modification of the project design to avoid adversely affecting the character defining elements of the property.*

The project as proposed would demolish the building; thus, it is infeasible to modify the project design to avoid adversely affecting the character-defining elements of the property under project conditions.

2. *Relocation of the affected Historical Resource to a location consistent with its historical or architectural character.*

Relocation of the existing building at 180 4th Street inside the District would require a site with a minimum of 60,000 square feet of developable space (equivalent to an entire city block) to accommodate the building. No locations meeting those criteria appear to be available within the District. Removal of the building from the District and relocation on a site outside the District would remove a contributing element from the geographic area associated with historical significance embodied by and contained in the District. In essence, the relocated building would be an "island" with no tangible, intact, or germane connection with the source of its significance, which is the concentration of industrial buildings that comprise the District. Relocation of this building is, in effect, similar to demolition in terms of effect. Moreover, the National Register of Historic Places is very clear that relocation is not a desired form of preserving a historic resource: "The National Register criteria limit the consideration of moved properties because significance is embodied in locations and settings as well as in the properties themselves. Moving a property destroys the relationships between the property and its surroundings and destroys associations with historic events and persons. A move may also cause the loss of historic features such as landscaping, foundations, and chimneys, as well as loss of the potential for associated archeological deposits."[27]

If the above measures are not feasible, then other measures may be considered including, but not limited to the following:

3. *Modification of the project design to include restoration of the remaining historic character of the property.*

The modification of the project design to include partial preservation of the existing property is considered in the evaluation of the alternatives to the proposed project. See *Chapter VI, Alternatives.*

4. *Modification of the project design to incorporate or replicate elements of the building's original architectural design.*

[27] National Register Bulletin: How to Apply the National Register Criteria for Evaluation. U.S. Department of the Interior, National Park Service. 1997. Page 29.

No exterior materials of individual historical significance were identified in the evaluation of 180 4th Street performed by Carey & Co, during a site visit on February 17, 2015. An interior walkthrough of the building was conducted on October 22, 2015, and no interior materials of individual significance were identified.[28] However, the project could incorporate at least two of the original pilasters on the 5th Street façade into the design of the new building and the segment of the former railroad spur track along the 4th Street façade, as required by Mitigation Measure HIST-1e, discussed below. Doing so would preserve some features of the property that help convey its historical significance as a contributing element to a historic district.

5. *Salvage and preservation of significant features and materials of the structure in a local museum or within the new project.*

No exterior materials of individual historical significance were identified in the evaluation of 180 4th Street. An interior walkthrough of the building was conducted on October 22, 2015 and no interior materials of individual significance were identified.[29] The building is not an example of a notable architect and none of the surviving Moderne styling appears worthy of preservation at a level to warrant display in a local museum. However, the project would incorporate at least two of the original pilasters on the 5th Street façade into the design of the new building and the segment of the former railroad spur track along the 4th Street façade, as required by Mitigation Measure HIST-1e, discussed below. Doing so would preserve some features of the property that help convey its historical significance as a contributing element to a historic district.

6. *Measures to protect the Historical Resource from effects of on-site or other construction activities.*

This measure is not applicable to the existing building at 180 4th Street since the resource would be demolished under the project as proposed. The closest contributing historic resource to the project site is the former Safeway Building at 401 4th Street. It is located diagonally across the street to the southwest and is at distance adequate to avoid potential effects associated with project construction.

7. *Documentation in a Historic American Buildings Survey report or other appropriate format: photographs, oral history, video, etc.*

Mitigation Measure HIST-1a, discussed below, provides for HABS Level III Documentation of 180 4th Street prior to demolition.

8. *Placement of a plaque, commemorative, marker, or artistic or interpretive display on the site providing information on the historical significance of the resource.*

Mitigation Measure HIST-1b, discussed below, provides for an interpretive display to be placed on the exterior of the project.

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[28] "Interior walkthrough of the building at 180 4th Street, Oakland, California" included as Appendix G to the Draft EIR.

[29] "Interior walkthrough of the building at 180 4th Street, Oakland, California" included as Appendix G to the Draft EIR.

9. Contribution to a Facade Improvement Fund, the Historic Preservation Revolving Loan Fund, the Oakland Cultural Heritage Survey, or other program appropriate to the character of the resource.

Mitigation Measure HIST-1d provides for a contribution to the Façade Improvement Program, as discussed below.

The following mitigation measures are required to reduce to the extent feasible the project's impacts related to the demolition of a warehouse that is contributing element to the historic Waterfront Warehouse District: ~~to mitigate this impact references the Historic American Buildings Survey (HABS). HABS is recognized as the standard for documenting historic resources. *HABS-Level III Documentation*, included in the measure, usually consists of a written history of the property, plans and drawings of the historic resource, and photographs.[30]~~

Mitigation Measure HIST-1: Implement the following four-part Mitigation Measure:

HIST-1a: *HABS Documentation.* Prior to demolition of 180 4th Street, the project applicant shall provide *HABS-Level III Documentation* records that follow the specifications set by the Historic American Buildings Survey (HABS).

The documentation shall include:

- Drawings – sketch floor plans of the buildings and a site plan.
- Photographs – digital photographs meeting the Digital Photography Specifications Checklist.
- Written data – a historical report with the history of the property, property description and historical significance. The required written data shall incorporate available information contained in previously prepared evaluation documentation of the existing building at 180 4th Street and the Western Waterfront District (WWD) and shall put in context the history of such existing building in relation to the overall historic WWD.

A final scope of work for the required HABS-Level III Documentation shall be prepared in consultation with the Oakland Cultural Heritage Survey. A qualified architectural historian meeting the qualifications in the *Secretary of the Interior's Professional Qualification Standards* shall oversee the preparation of the sketch plans, photographs and written data. The documentation shall be printed on archival paper. Digital photographs shall be burned to archival CD or DVD disks.

The documentation shall be submitted to and reviewed by the City of Oakland staff and reasonably found to be ~~adequate~~consistent with HABS standard (Federal Register, Vol. 48, No. 190, Thursday, September 29, 1983, pp. 44730-34) prior to issuance of the demolition permit. The documentation shall be deposited with the Oakland History Room in the Public Library, Oakland City Planning Department, and the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System.

HIST-1b: *Commemoration and Public Interpretation.* The project applicant shall prepare a permanent exhibit/display, with the help of an experienced professional, of the history of the property including, but not limited to, historic and current condition photographs, interpretive text, drawings, video, or interactive media. The exhibit/display shall be placed in a suitable, publicly accessible location on the site~~, or in the lobby~~ of the ~~residential tower~~ project facing toward the interior of the WWD either on 4th Street or on Jackson Street.

The visual display should focus on the District and the S & W Company. It should contain a minimum of interpretative text and provide more visual-based interpretation with depictions that may include, but are not limited to: images of S & W Company operations within the Historic District at 200 4th Street or other locations; historic images of street scenes within the Historic District in and around the project site; images or reproductions of the S & W Fine Foods can labels and crate labels to provide context of the project site in terms of S & W Fine Food's operations during 1914-1954 and its role as part of the larger Historic District of which it is part, The applicant is encouraged to contact the public relations department of Del Monte Foods, Inc., the present owner of the S & W brand, for assistance in obtaining archival materials that may assist in development of the visual display required by this mitigation measure.

The visual display required by this mitigation measure shall refer the public to a 5- to 10-minute (minimum) podcast or similar audio presentation prepared at the project sponsor's expense that shall be made available on the internet at no cost to the public. Content of the required podcast or audio presentation shall be prepared by a qualified architectural historian meeting the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards, and shall combine discussion regarding the S & W building (i.e., the existing building at 180 4th Street) and its context within the greater Historic District to form the basis of a comprehensive self-guided walking tour of the District.

This exhibit/display required by this mitigation measure shall be in addition to the existing historic signage #6, S & W Fine Foods currently mounted on a trash receptacle within the historic district (see Mitigation Measure HIST-1c).

HIST-1c: *Historic District Signage Program*. The project applicant shall provide a financial contribution of $25,000 to ~~support~~ fund the repair and replacement of existing trash receptacles and historic signage that comprise the Jack London ~~District Association~~ Improvement District's sidewalk and trash receptacles and historic signage program ("Program"), payable to Jack London Improvement District (JLID) or another organization responsible for the Program upon issuance of the first Certificate of Occupancy.[31]

HIST-1d: Contribution to *Façade Improvement Program.* Project applicant shall contribute to the City of Oakland's Facade Improvement Program. In accordance with the City's Façade Improvement Program, t~~T~~he amount of the contribution required to be paid by the project applicant under this mitigation measures shall be ~~based on the following~~:

- $10,000 for the first 25 feet of two facades of a building and $2,500 per each 10 additional linear feet of those two same facades beyond 25 feet.
- There shall be a 20 percent increase for the buildings designated as Historic Resources under CEQA.
- Multiply the total by two times for being located within a~~n API~~ National Register District.

For purposes of this mitigation, the two facades are along 4th Street and Jackson Street at 300 feet and 200 feet, respectively. The following calculation results in a total contribution of $318,000:

4th Street: $10,000 + $2,500 x 275/10 feet = $78,750
Jackson Street: $10,000 + $2,500 x 175/10 feet = $53,750
$78,750 + $53,750 = $132,500
Increase by 20%: $159,000
Increase by 2x: $318,000

The Façade Improvement Program contribution required hereunder shall be payable upon issuance of the first Certificate of Occupancy to the project and designated for the repair or improvement of facades within the historic WWD for a 2-year period. After that time all remaining funds shall be eligible for citywide Façade Improvement Program expenditures.

Notwithstanding the foregoing, if prior to the issuance of the first Certificate of Occupancy for the project, the JLID updates its existing historic signage program

[31] ~~Jack London District Association, 2015. http://www.jlda.org/search/label/trashcan, accessed April 2.~~

("Program") to enhance, promote, and preserve the integrity of the WWD (e.g., interpretive signage programs, trash receptacle maintenance programs, walking tour programs, and graffiti removal programs) and all plans for the Program are approved by City staff, the project sponsor may contribute up to $100,000 under this mitigation measure towards the Program. City staff's review and approval will be based on the Program's ability to enhance, promote and preserve the integrity of the WWD. The Façade Improvement Program contribution required hereunder shall be reduced in an amount equal to the project applicant's payment to JLID provided that proof of such payment is verified by City staff and shall be subject to further adjustment in accordance with HIST-1e. The above noted payment to JLID shall be in addition to the contribution to the historic signage currently mounted on a trash receptacle within the historic district, as listed in HIST-1c.

HIST-1e: *Salvaged Architectural Elements*: The project sponsor shall salvage at least two ribbed vertical pilasters from the façade of the existing Block A building and incorporate such pilasters into the design of the ground-floor 5th Street façade of the Block A building proposed by the project, subject to confirmation by the Planning & Building Department. Up to $100,000 of the $318,000 façade improvement fee required under Mitigation Measure HIST-1d may be used by the project sponsor to pay for such pilaster salvage and incorporation. In addition, the project sponsor shall salvage the segment of railroad spur track along the south facing, 4th Street façade of the existing Block A building for incorporation into the final project design by imbedding them in concrete, subject to confirmation by the Planning & Building Department. No portion of the façade improvement fee required under Mitigation Measure HIST-1d may be used to pay for such rail salvage or incorporation.

The impact will remain significant and unavoidable, as this mitigation measure cannot lessen impacts to a less-than-significant level. (SU)

With respect to Mitigation Measure HIST-1a, the HABS Level III documentation standard applies to an individual property and is appropriate for 180 4th Street, which is a contributing element of marginal importance to the District.[32] HABS was created in 1933 and is the nation's first federal preservation program to document America's architectural heritage. Creation of the program was motivated primarily by the perceived need to mitigate the loss of historical built environment. As stated in an agreement between the American Institute of Architects, the Library of Congress, and the National Park Service that formed HABS, "A comprehensive and continuous national survey is the logical concern of the Federal Government." In practice, HABS provides the public an architectural

[32] United States National Park Service, Department of Interior, "Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines." http://www.cr.nps.gov/local-law/arch_stnds_6.htm, accessed July 1, 2014.

and contextual archive of the nation's important and/or representative examples of its historical built environment by a comprehensive process and examination of historic architecture using uniform, national standards for measured drawings, scholarly historical reports, and large-format black-and-white photographs. Mitigation Measure HIST-1a will partially mitigate this significant effect by ensuring that the historic significance of 180 4th Street is document in accordance with professional preservation standards.

Mitigation Measure HIST-1b partially mitigates the project's impact on this historic resource by establishing a publically accessible visual display that commemorates the S & W Fine Foods warehouse in the context of overall Waterfront Warehouse District and its history, serving as valuable interpretative aid for the public. Similarly, Mitigation Measure HIST-1c partially mitigates the project's impact on this historic resource by funding needed repair and replacement of existing interpretative signage throughout the historic district, as well as the repair and replacement of interpretative waste receptacles that help maintain the WWD's appearance. The receptacles and their historic markers are a compliment and enhancement to the historic District, and educational programs such as the walking tours. Over the decade since their installation signs have disappeared and the receptacles have fallen into some level of disrepair. Based on a recent survey, approximately 6 to 7 of the existing receptacles need full replacement. The District received a preliminary quote for approximately $3,000 replacement cost by a local metal fabrication contractor for replacement, and repair estimates of $100 to $500 for the others. The District believes $25,000 is sufficient to repair the cans and replace signage.[33]

Mitigation Measure HIST-1d partially mitigates the project's impact on this historic resource by requiring the payment of funds to be used in the WWD on projects that will enhance, promote and preserve the District's historic integrity. Finally, Mitigation Measure HIST-1e partially mitigates the project's impact on this historic resource by requiring the salvage of some features of the existing 180 4th Street warehouse that help convey its significance as a contributor to the WWD, as well as requiring their incorporation into the project's proposed Block A building in a manner that helps create a visual northeastern gateway for pedestrians and motorists entering the District along Jackson Street.

While the mitigation measures described above will serve to minimize this project impact, they will not collectively mitigate such impact to a less-than-significant level. Thus, Impact HIST-1 will remain significant and unavoidable.

[33] This information from the Jack London Improvement District can be found in a letter dated January 28, 2016, which is attached to their Draft EIR comment letter included in Appendix A of the Response to Comments document.

d. Cumulative Impacts

The project's contribution to cumulative impacts on historic resources is discussed below.

Impact HIST-2: The proposed project would involve construction of a new building within the boundaries of a designated National Register Historic District ~~and an API~~. This, combined with the other past, current, and reasonably foreseeable demolition, new construction and other alterations to the WWD, has the potential to materially impair the significance of the historic district in a manner that may be cumulatively significant if all of these projects are executed in the near future. (S)

The 1999 National Register Registration form for the WWD states that alterations to the District area occurred before the District was formed. These include: the demolition of the Western Pacific's main Oakland freight depot on 3rd Street between Alice and Harrison around 1970, the demolition of the Cudahy Packing Company Meat Warehouse on 3rd Street between Alice and Jackson Streets in the late 1980s, the removal of the 3rd Street Western Pacific Railroad tracks in 1996, and construction of the elevated Interstate 880 (Nimitz Freeway). Still, the nomination noted that the District appeared in 1999 much as the same as it did in 1954, the end of the District's period of significance.

Three buildings within the District have non-contributor status in the 1999 nomination because their character defining elements were materially altered during recent (1980s-90s) renovations.

- The W.P. Fuller & Company Warehouse (recently known as Brick House Lofts) at 201 3rd Street, has been significantly altered. Built in 1914, the District's oldest warehouse was converted to live-work loft condominiums in 1997. The building received a one-story and mezzanine, wood-frame rooftop addition, the loading dock doors on 3rd Street were replaced with aluminum and glass storefront, and a concrete and brick entry stair/handicapped ramp was added to the main entry.
- The Porthole Building at 220 4th Street is a one-story brick-fronted concrete block warehouse built in 1947-1948. A mid-1980s remodel converted this warehouse to offices. A postmodern stucco cornice partially covered the brickwork and an over-scaled pediment with abstract keystone was added onto the façade. The existing openings were enlarged, new openings were added, and the original industrial sash and roll up door was replaced with contemporary aluminum sash windows.
- The Saroni Wholesale Sugar and Rice Warehouse at 318 Harrison Street is a three-story brick building built in 1922. Originally, the building was built in two sections. During the 1980s remodel, the two warehouses were joined into one office building with an entrance on the center of the Harrison Street façade. A postmodern stucco tower capped off with a pyramidal green metal roof rises above the entrance. Additional bands of stucco were added at the base and first floors, the historic metal canopy and

all loading doors onto Harrison Street were removed, and a loading dock was infilled with brick.

There are two buildings that have non-contributor status due to their recent construction dates.

- The Portico Lofts at 311 4th Street is a one-story and mezzanine building that was built in 1998 on the storage yard for the adjacent Oakland Plumbing Supply/P.E. O'Hair Company. The building houses live-work lofts and the front elevation is divided into four parts by 15-foot setbacks at each loft. The façade of each loft has a band of stucco above aluminum framed windows and vertically mounted corrugated metal.
- Prime Smoked Meats Inc. at 220 Alice Street is a one-story concrete and concrete-block warehouse with flat roof and irregularly distributed doors and windows. It was constructed in 1953 with an addition in 1967. The building is compatible with the District in terms of scale and use but its recent date and dissimilar appearance resulted in a non-contributor status.

There are two buildings that were rehabilitated for ~~adaptive~~ reuse ~~projects~~ consistent with the Secretary of the Interior's Standards within the District. These are the Safeway Building at 201 4th Street and Allied Paper Company Warehouse at 283 4th Street; both maintain their contributors to the National Register District.

- The Safeway Building at 201 4th Street was modified to include an additional story above the building. The project was completed in 2001 according to the Secretary of the Interior's Standards and maintains its status as a contributor to the District.
- The Allied Paper Company Warehouse at 283 4th Street was also rehabilitated to the Secretary of the Interior's Standards and maintained its status as a contributor to the District.

There are three new developments that were constructed after the 1999 nomination.

- The Allegro Project, located on a half city block on 3rd Street from Alice to Jackson Street, is new construction and the sixth non-contributor building in the District. The site was formerly the site of Cudahy Packing Company Meat Warehouse which was demolished in the 1980s. There are two more Allegro buildings located right outside the District boundaries at 3rd and Jackson Streets. The buildings are five stories high (approximately 60 feet tall), wood-frame construction residential buildings with commercial use on the first floor. The façade is stuccoed to give it a concrete-like appearance. These buildings are not characteristic of the District and detract from the District setting. Their visual impact on the District impairs, to a certain extent, its significance and integrity.
- 428 Alice Street project (formerly 426 Alice Street) is an eight-story building with residential units and retail/office space. The United Grocers Ltd Warehouse was

demolished in 2005 to make way for new construction which was completed in 2006. The exposed concrete frame building has stucco infill panels and aluminum windows. The seventh and eight stories are set back and use different materials to diminish the overall height and mass.

- The 288 3rd Street project (formerly 300 Harrison Street) is another new construction completed in 2007 that is located on a half city block surrounded by Harrison, 3rd, and Alice Streets. The site was previously the Western Pacific's main Oakland freight depot which was demolished in the 1970s. Thus in the District documents, it appears as a vacant parcel. The new addition to the District is a six-story-high concrete residential building with mixed use retail on ground level.

(1) Discussion of Integrity[34]

The National Register defines integrity as the ability of a property to convey its significance. The California Register defines integrity as the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance.[35] To determine if a property retains the physical characteristics corresponding to its historic context, the National Register of Historic Places has identified seven aspects of integrity, which the California Register of Historic Places closely follows: location, design, setting, materials, workmanship, feeling, and association.

Integrity is assessed with reference to the particular criteria for which the resource is eligible for listing. In the case of the Waterfront Warehouse District, it ~~the District~~ is significant at the local level under both Criterion A and C of the National Register of Historic Places. For Criterion A, a property is significant for its historic association with events that have made a significant contribution to the broad patterns of our history. The District is significant for its association with Oakland's industrial development from World War I to shortly after World War II. For Criterion C, a property is significant if it embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction. The District is significant for its intact concentration of buildings that architecturally convey the City's industrial past.

[34] This section and definitions of seven aspects of integrity on the following pages are excerpted from United States Department of the Interior, National Park Service, Cultural Resources, *How to Apply the National Register Criteria for Evaluation*, National Register Bulletin, No. 15. http://www.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm, accessed on March 3, 2015.

[35] California Office of Historic Preservation, 2001. *California Register and National Register: A Comparison*, Technical Assistance Series 6, page 1.

The steps in assessing integrity in properties are:

- Define the essential physical features that must be present for a property to represent its significance.
- Determine whether the essential physical features are visible enough to convey their significance.
- Determine whether the property needs to be compared with similar properties.
- Determine, based on the significance and essential physical features, which aspects of integrity are particularly vital to the property being nominated and if they are present.

For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into consideration the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- It has been substantially altered since the period of the district's significance, or
- It does not share the historic associations of the district.

The aspects of integrity, as defined and applied to the proposed intrusions upon the Oakland Waterfront Warehouse District, are as follows:

Location

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons.

The Oakland Waterfront Warehouse District remains in the location where it was first developed. The proposed project would not have an impact on the location of the District.

Design

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related.

The Waterfront Warehouse District has been subject to a number of design alterations since its nomination in 1999. Most significantly, the Allegro Project, 428 Alice Street and 288 3rd Street projects have impacted the overall scale and pattern of the District. Further, the Safeway Building has received a roof top addition increasing its height and altering its original design, but it does retain its status as a contributing resource. The additional construction of a large scale project within the historic district and the demolition of a contributing resource will have a combined negative effect on the District's overall design as the scale and height together with the other newer developments will dominate the other design components of the historic district.

Setting

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the character of the place in which the property played its historical role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property can be either natural or manmade. These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings. This is particularly important for districts.

The setting of the Oakland Waterfront Warehouse District has been changed since it was nominated. The Allegro, 428 Alice Street and 288 3rd Street projects altered the setting through their scale, massing and placement within the District. If constructed, the proposed project will further alter the setting through its greater scale, massing and height and by the removal of a District contributor.

Materials

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place. A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved.

The most common material of the Waterfront Warehouse District is concrete or masonry construction. The Allegro project resulted in the construction of a large wood frame structure in the District and several others just outside the boundary. While these wood frame buildings are stuccoed they read as wood frame and detract from the simple masonry structures within the District. Unlike the Allegro, both 428 Alice Street and 288 3rd Street projects are concrete constructions which are compatible with the District's material use. The proposed project would feature five-story wood frame construction over two levels of concrete. As previously noted, "The exterior of Building A will be clad in a variety of materials including stucco, fiber cement panels, and metal windows, awnings, balcony railings, and grills at the garage openings." Although not the original materials, these varied materials are compatible with the character of the historic district.

Workmanship

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles.

Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Workmanship of existing buildings in the District will not be affected.

Feeling

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century.

The overall feeling of the WWD has been significantly changed since it was listed in the National Register by the construction of the Allegro Project, 428 Alice Street and 288 3rd Street projects, in the District as well as new construction surrounding the District. The impact of the proposed project will further alter the feeling and aesthetic sense of the District through its scale and height, especially in the north and eastern portion of the historic district.

Association

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.

The WWD is largely associated with the Oakland's industrial history. Since the industrial nature of the area is evolving into more of a mixed-use character, this association has been diminished. The association of the WWD contributors to each other has been impacted by the new developments in the District and the relative associative qualities of the buildings would be altered by demolition of 180 4th Street, a District contributor, and by the proposed new construction.

(2) Conclusion

The overall integrity of the District would be impaired by the proposed project in conjunction with the already constructed newer developments. This includes material impairment to integrity of design, setting, feeling, and association.

~~For an Oakland API,[36] normally two-thirds of the properties are "contributors" to the API, reflecting the API's principal historical or architectural themes, and must not have undergone major alterations. In this case, it appears that two-thirds of the properties will continue to meet this standard. Within the historic district boundary there are 33 parcels~~

[36] ~~The API coincides with the National Register Oakland Waterfront Warehouse District.~~

~~(including the Posey Tube Oakland Portal) containing the 24 current historic district contributors. The cumulative number of district contributors if all known projects are executed will be 24. (This would remain above the two-thirds percentage, or 22 district contributors.)~~

Under National Register criteria, a historic district may be considered eligible if the majority of the components add to the district's character, even if they are individually undistinguished; however, these individual resources must possess integrity, as must the district as a whole. Further, the number of noncontributing properties a district can contain and yet still convey its sense of time and place and historical development depends on how these properties affect the districts' integrity.

In the recent past, a number of new developments have been constructed in the historic district, including the Allegro, 288 3rd Street, and 428 Alice Street together with the loss of a contributing resource as the result of the latter project. The proposed project will add to this cumulative loss of integrity and loss of historic resources and as a result the integrity and significance National Register District will be materially affected.

Although the historic district would still maintain a little more than two-thirds of its district contributors if the project is approved and constructed, ~~its~~ the District's integrity would be compromised by the demolition of the S & W Fine Foods, Inc.'s warehouse, specifically in the area north and east of Alice and 4th Streets. The scale, mass and height of the current development at 428 Alice Street and the 4th & Madison project (180 4th Street) together will increase this area's~~make this area~~ incompatibility~~le~~ with the rest of the historic district. In addition, the loss of two similar, major warehouse buildings exacerbates the loss of historic resources in this quadrant of the historic district.

~~The historic district as currently configured would, after construction of the proposed project and other past projects, be eroded and this could cumulatively affect the District's eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources.~~ Although construction of the project would not in and of itself compromise the integrity of the Waterfront Warehouse District to such an extent so as to jeopardize the District's historic status, project construction in combination with past, present and future development (based on the City's current list of development proposed, approved, and under construction) of infill and underutilized sites in the District would collectively erode and could cumulatively adversely affect the District's eligibility for listing in the National Register of Historic Places and the California Register.

Implementation of Mitigation Measure HIST-1(a-e) would minimize this significant adverse cumulative effect~~s~~ to the extent feasible, but would not mitigate this significant cumulative impact~~s~~ to a less-than-significant level. Given the cumulative contribution of the proposed project with the 428 Alice Street development on the District's integrity, ~~It~~

~~can be fairly argued that~~ there is no way to feasibly ensure that ~~at some~~ future ~~point~~ cumulative development, together with past and present ~~these two~~ projects, ~~may~~ would not substantially reduce the District's ability to convey its historic integrity in the manner required to maintain its eligibility for listing on the National and California Historic Registers. ~~physically alter the historic district's integrity related to the numbers of contributors, as well as building size, scale, design and character such that its ability to convey its sense of an historic environment will be substantially reduced.~~ Thus, the effect of the proposed project in combination with effects of the other past projects would be cumulatively significant and unavoidable. (SU)

IV.C TRAFFIC AND TRANSPORTATION

Page 97 to 146 headers are revised:

JACK LONDON ~~SQUARE~~ DISTRICT 4TH & MADISON PROJECT EIR
IV. SETTINGS, IMPACTS, SC~~O~~AS, AND MITIGATION MEASURES

Page 97 is revised:

b. Analysis Scenarios

The operations of the study intersections were evaluated for the peak hour during the morning and evening commute periods (7:00 to 9:00 AM and 4:00 to 6:00 PM) for the following scenarios:

- **Existing Conditions** – Existing traffic volumes ~~obtained from vehicle turning movement counts collected in 2013~~ and ~~existing roadway/~~intersection configurations ~~as presented in the *Jack London Square Redevelopment Project Addendum to the 2004 EIR* published in May 2014 (This document is referred to as the JLS Addendum in this report).~~ collected in April 2015.

- **Existing Plus Project Conditions** – Existing traffic volumes plus new traffic generated by the project.

- **2035 No Project Conditions** – Projected conditions in 2035 including traffic estimates for approved and probable future development projects based on the 2035 Plus Project Conditions growth presented in the *Jack London Square Redevelopment Project Addendum to the 2004 EIR* published in May 2014. (This document is referred to as the JLS Addendum in this report.)

- **2035 Plus Project Conditions** – 2035 No Project Conditions plus new traffic generated by the project.

Page 107 is revised:

(5) Traffic Conditions

Traffic conditions at study intersections in the project vicinity are described below.

Traffic Volumes

Intersection turning movement counts were ~~obtained from the *JLS Addendum*. Counts from this study were conducted~~collected in April 2015 during the morning and evening peak periods (7:00 to 9:00 AM and 4:00 to 6:00 PM~~) in January and February, 2013.~~). The counts were conducted on non-holiday weekdays, when local area schools were in normal session. Intersection lane configurations and traffic control devices (traffic signals or stop signs) were observed during field visits. Figure IV.C-5 shows the existing AM and PM peak-

hour traffic volumes, lane geometries, and intersection controls for the study intersections. Appendix C Revised presents the detailed counts for the study intersections.

Page 108 is revised:

Intersection Operations

Table IV.C-3 summarizes the intersection LOS under Existing Conditions. As shown, three of the ~~four~~ study intersections currently operate at LOS B or better. The Jackson Street/6th Street intersection operates at LOS E during the AM peak hour and LOS D during the PM peak hour. The LOS calculations are included in Appendix C Revised.

Page 109, Figure IV.C-5, is revised as shown on the following page.

Page 111 is revised:

TABLE IV.C-3 INTERSECTION OPERATIONS EXISTING CONDITIONS

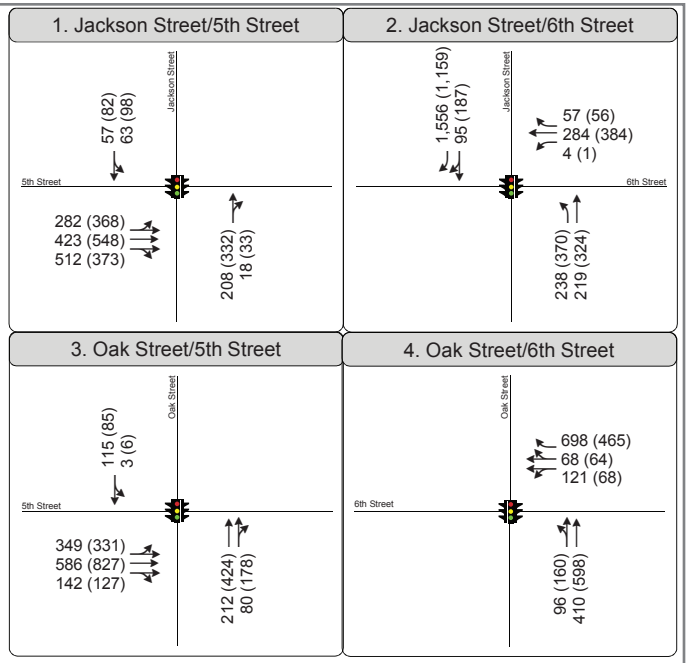
		AM		PM	
Intersection	**Control**	**Delay[a]**	**LOS**	**Delay[a]**	**LOS**
Jackson Street/5th Street	Signal	~~11.2~~12.0	B	~~15.6~~18.2	B
Jackson Street/6th Street	Signal	~~25.7~~58.9	~~C~~E	~~12.2~~52.0	~~B~~D
Oak Street/5th Street	Signal	~~8.8~~9.1	A	~~9.7~~10.3	~~A~~B
Oak Street/6th Street	Signal	~~8.9~~10.2	~~A~~B	~~8.8~~11.0	~~A~~B

[a] For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle.
Source: Fehr & Peers, 2015.

are not assumed in the analysis. Therefore, this analysis assumes the Existing Conditions roadway network and lane configuration at the study intersections ~~as~~remain the same for the Existing Plus Project and 2035 No Project and Plus Project Conditions.

Page 118, SCA TRA-2 heading is revised:

SCA TRA-2 (SCA 32): Construction Traffic and Parking



LEGEND

XX (YY) AM (PM) Peak Hour Traffic Volumes

Signalized Intersection

Project Site

Study Intersection

12.29.2015 P:\14-023 CPCP\PRODUCTS\Graphics

Source: Fehr & Peers, 2015

Figure IV.C-5
Jack London District 4th & Madison Project EIR
Existing Intersection Peak Hour Volumes, Lane Configurations and Traffic Control
REVISED FOR RTC

Page 119 new SCAs are added at end of page before 2. Traffic and Transportation Impacts, Standard Conditions of Approval, and Mitigation Measures:

SCA TRA-3 (SCA 19): Improvements in the Public Right-of-Way (General)

Approved prior to the issuance of a P-job or building permit:

a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW.

b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations.

c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.

d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

SCA TRA-4 (SCA 20): Improvements in the Public Right-of-Way (Specific)

Approved prior to the issuance of a grading or building permit: Final building and public improvement plans submitted to the Building Services Division shall include the following components:

a) Provide a protected left-turn phase for the northbound approach at the Jackson Street/6th Street intersection in accordance with Mitigation Measure TRANS-1. Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group.

b) Install or preserve existing sidewalk, curb and gutter along all project street frontages, including the installation of curb, gutter and sidewalk at Block A along 4th Street where parking currently exists.

c) Maintain accessible curb ramps at each corner of Block A, and at the corners of Madison Street and 3rd Street and Madison Street and 4th Street on Block B.

d) Install additional standard City of Oakland streetlights where necessary.

e) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter.

f) Reconstruct drainage facility to current City standard.

g) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards.

h) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards.

i) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage per City standards.

j) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards.

k) Ensure that the project driveway would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway.

Page 122 is revised:

(1) Project Description

The project would consist of 330 residential units and up to ~~approximately 3~~8,000 square feet of retail space, in two buildings as shown on the project site plan on Figure IV.C-6, and described below:

- Building A would occupy the entire block bound by 5th, Madison, 4th, and Jackson Streets. It would replace the existing Cost Plus Headquarters with ~~240~~239 multi-family residential units and ~~635~~up to 4,000 square feet of retail. Building A would provide two levels of parking with ~~256~~242 parking spaces accessed via a full-access driveway on 4th Street.
- Building B would occupy the east half of the block bound by 4th, Madison, 3rd, and Jackson Streets. It would replace the existing parking lot for Cost Plus with ~~90~~91 multi-family residential units and ~~2,229~~up to 4,000 square feet of retail space. Building B would provide two levels of parking with ~~109~~86 parking spaces accessed via a full-access driveway on ~~3rd~~Madison Street.

Page 123, third paragraph, is revised:

The trip generation estimates were further reduced to account for trips currently generated by the existing office uses that would be removed with the project. The existing trip generation at the site is based on data collected in February 2015. Accounting for non-auto and existing trips, the project is estimated to generate about ~~62~~65 net new AM peak hour and ~~88~~99 net new PM peak hour trips. Table IV.C-4 provides a detailed summary of the net trips generated by the project.

Page 124, Tables IV.C-4 and IV.C-5 are revised:

TABLE IV.C-4 TRIP GENERATION SUMMARY – PROJECT

Land Use	Size	Unit[a]	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
				In	Out	Total	In	Out	Total
Proposed Project									
Apartment[b]	330	DU	2,195	34	134	168	133	72	205
Retail[c]	~~2.9~~ 8.0	KSF	~~122~~ 342	~~2~~5	~~1~~3	~~3~~8	~~5~~14	~~6~~16	~~11~~30
ITE Trip Generation Subtotal			~~*2,317*~~ *2,537*	~~*36*~~ *39*	~~*135*~~ *137*	~~*171*~~ *176*	~~*138*~~ *147*	~~*78*~~ *88*	~~*216*~~ *235*
Non-Auto Reduction (-43%)[d]			~~*-996*~~ *1,091*	~~*-15*~~ *17*	~~*-58*~~ *59*	~~*-74*~~ *76*	~~*-59*~~ *63*	~~*-34*~~ *38*	~~*-93*~~ *101*
Adjusted Total			~~**1,321**~~ **1,446**	~~**21**~~ **22**	**78**	**100**	~~**79**~~ **84**	~~**44**~~ **50**	~~**123**~~ **134**
Existing Land Use									
Total Existing Trips[e]			**N/A**	-28	-7	-35	-4	-31	-35
Net Trips			~~**1,321**~~ **1,446**	~~**-7**~~ **6**	~~**70**~~ **71**	~~**62**~~ **65**	~~**75**~~ **80**	~~**13**~~ **19**	~~**88**~~ **99**

[a] DU= dwelling units KSF= 1,000 square feet
[b] ITE Trip Generation (9th Edition) land use category 220 (Apartment):
Daily: 6.65 trips per DU
AM Peak Hour: Average Rate = 0.51 trips per DU (20% in, 80% out)
PM Peak Hour: Average Rate = 0.62 trips per DU (65% in, 35% out)
[c] ITE Trip Generation (9th Edition) land use category 820 (Shopping Center):
Daily: 42.70 trips per DU
AM Peak Hour: Average Rate = 0.96 trips per DU (62% in, 38% out)
PM Peak Hour: Average Rate = 3.71 trips per DU (48% in, 52% out)
[d] City of Oakland Transportation Impact Study Guidelines based on BATS 2000 data.
[e] Based on counts at existing facility conducted in February 2015.
Source: Fehr & Peers, 2015.

TABLE IV.C-5 TRIP GENERATION BY TRAVEL MODE

Mode	Mode Share Adjustment Factors[a]	Daily	AM Peak Hour	PM Peak Hour
Automobile	57.0%	1,~~321~~446	~~97~~100	~~123~~134
Transit	30.4%	~~704~~771	~~52~~54	~~66~~71
Bike	3.9%	~~90~~99	7	~~8~~9
Walk	23.0%	~~533~~584	~~39~~40	~~50~~54
Total Trips		**2,~~648~~900**	**~~195~~201**	**~~247~~269**

[a] Based on *City of Oakland Transportation Impact Study Guidelines* assuming project site is in an urban environment within 0.5 miles of a BART Station.
Sources: Fehr & Peers, 2015.

Page 125, Figure IV.C-6, is revised as shown on the following page.

Page 129, Figure IV.C-8C, is revised as shown on the page after Figure IV.C-6.

Page 130 is revised:

c. Less-than-Significant Impacts

The project's less-than-significant impacts are discussed below, including those that are reduced to a less-than-significant level with the implementation of the City's SCAs and/or the recommended mitigation measures.

….

The intersection LOS results presented in Table IV.C-6 show that with the project (Existing Plus Project Conditions), ~~all~~three of the four study intersections would continue to operate at LOS B or better during both AM and PM peak hours. The Jackson Street/6th Street intersection would operate at LOS E during both AM and PM Peak hours. All four study intersections are located within Downtown Oakland, where the LOS standard for intersection operations is LOS F. Therefore, the proposed project would not cause a significant impact at the study intersections under Existing Plus Project Conditions, and no mitigation measures are required.

….

2035 Traffic Volume Forecasts

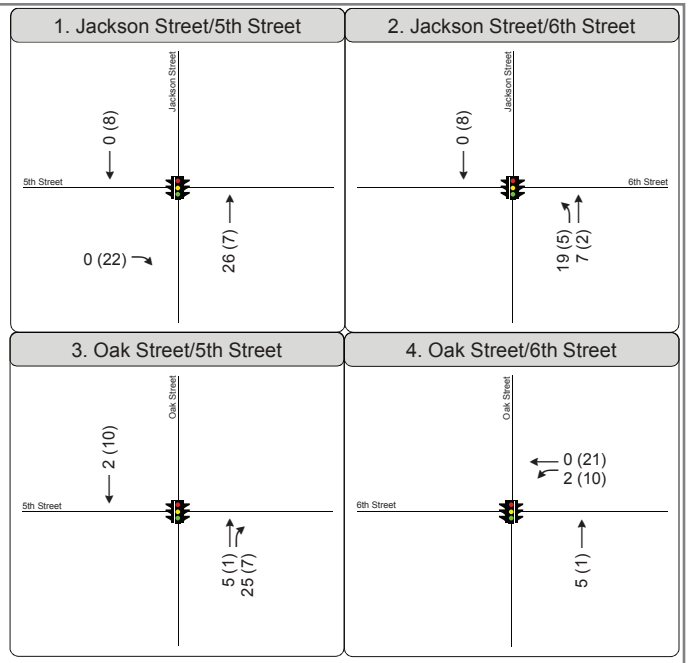
~~Cumulative volumes were obtained from the *JLS Addendum*, which used the Alameda County Transportation Commission (ACTC) Travel Demand Model (version released in June 2011 and based on Association of Bay Area Government [ABAG] *Projections 2009*) to estimate 2035 volumes. Since the JLS Addendum forecasts did not account for the proposed project, the 2025 No Project analysis for the Cost Plus Site project uses the JLS~~

Site Plan Source: KTGY Group, Inc.

12.29.2015 P:\14-023 CPCP\PRODUCTS\Graphics

Source: Fehr & Peers and KTGY Group, Inc., 2015.

Figure IV.C-6
Jack London District 4th & Madison Project EIR
Project Site Plan
REVISED FOR RTC



LEGEND

XX (YY) AM (PM) Peak Hour Traffic Volumes

Signalized Intersection

Project Site

Study Intersection

12.29.2015 P:\14-023 CPCP\PRODUCTS\Graphics

Source: Fehr & Peers, 2015

Figure IV.C-8C
Jack London District 4th & Madison Project EIR
Project Trip Assignment
REVISED FOR RTC

~~Addendum 2035 Plus Project forecasts. Figure IV.C-10 shows the 2035 No Project traffic volumes. Figure IV.C-11 shows the traffic volumes under 2035 Plus Project Conditions, which consists of 2035 No Project traffic volumes (shown on Figure IV.C.10) plus net new volumes generated by the proposed project.~~

The 2035 cumulative volumes were derived from the 2015 traffic counts and the *JLS Addendum*, which used the Alameda County Transportation Commission (ACTC) Travel Demand Model (version released in June 2011 and based on Association of Bay Area Government [ABAG] *Projections 2009)* to estimate 2035 volumes. The JLS Addendum 2035 Plus Project forecasts were utilized as the base for deriving the 4th and Madison Project 2035 No Project conditions, but adjusted to reflect the more recent 2015 volumes which show that traffic patterns in the area have changed. To adjust for this change in existing conditions, the difference in traffic volumes between the *JLS Existing (2013)* conditions and the JLS *2035 Plus Project* conditions were added to the *Existing (2015)* volumes. The resulting *2035 No Project* traffic volumes utilized for this traffic analysis are shown on Figure IV.C-10. Figure IV.C-11 shows the traffic volumes under *2035 Plus Project Conditions*, which consists of *2035 No Project* traffic volumes (shown on Figure IV.C.10) plus net new volumes generated by the proposed 4th and Madison project.

Page 131, Figure IV.C-9, is revised as shown on the following page.

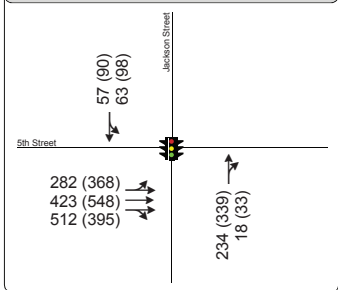
Page 132 is revised:

TABLE IV.C-6 EXISTING PLUS PROJECT INTERSECTION LOS RESULTS

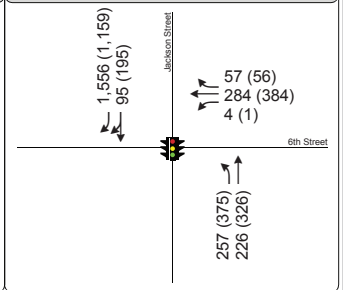
	Existing				Existing Plus Project			
	AM		PM		AM		PM	
Intersection	**Delay[a]**	**LOS**	**Delay[a]**	**LOS**	**Delay[a]**	**LOS**	**Delay[a]**	**LOS**
Jackson Street/5th Street	~~11.2~~ 12.0	B	~~15.6~~ 18.2	B	~~11.3~~ 12.1	B	~~15.7~~ 18.4	B
Jackson Street/6th Street	~~25.7~~ 58.9	~~C~~E	~~12.2~~ 52.0	~~B~~D	~~30.8~~ 66.4	~~C~~E	~~12.7~~ 56.1	~~B~~E
Oak Street/5th Street	~~8.8~~ 9.1	A	~~9.7~~ 10.3	~~A~~B	~~8.~~ 9.2	A	~~9.7~~ 10.4	~~A~~B
Oak Street/6th Street	~~8.9~~ 10.2	~~A~~B	~~8.8~~ 11.0	~~A~~B	~~9.0~~ 10.2	~~A~~B	~~8.8~~ 11.0	~~A~~B

[a] For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle.
Source: Fehr & Peers, 2015.

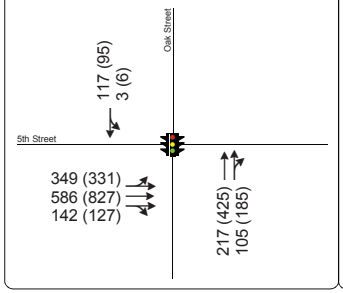
1. Jackson Street/5th Street



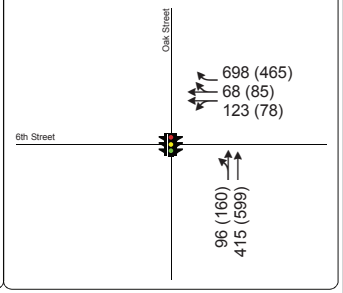
2. Jackson Street/6th Street



3. Oak Street/5th Street



4. Oak Street/6th Street



LEGEND

XX (YY) AM (PM) Peak Hour Traffic Volumes

Signalized Intersection

Project Site

Study Intersection

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Source: Fehr & Peers, 2015

Figure IV.C-9
Jack London District 4th & Madison Project EIR
Existing Plus Project Intersection Hour Volumes, Lane Configurations and Traffic Control

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Intersection Operations

The intersection LOS analysis results under 2035 No Project and 2035 Plus Project Conditions are presented in Table IV.C-7. As shown, ~~all~~ three of the four study intersections would continue to operate at LOS D or better.[7] ~~Therefore, the proposed project~~The Jackson Street/6th Street intersection would ~~not cause a significant impact~~operate at ~~the study intersections~~LOS F ~~conditions~~ during AM and PM peak hours under 2035 ~~Plus Project Conditions, and no mitigation measures are required~~conditions regardless of the project.

---

[7] These intersection results differ from those presented in the JLS Addendum and Lake Merritt Station Area Plan EIR (LMSP). This discrepancy is ~~explained in~~ primarily due to the ~~transportation memo presented as Appendix D to this EIR~~different existing volumes collected and used for each document.

Impact TRANS-1: Traffic generated by the proposed project would increase the total intersection v/c ratio by 0.03 or more and increase the critical movement v/c ratio by 0.05 or more (Significant Threshold #5) at the Jackson Street/6th Street intersection, which would operate at LOS F regardless of the proposed project under 2035 conditions. (S)

Mitigation Measure TRANS-1: Implement the following measures at the Jackson Street/6th Street intersection:

a) Provide a protected left-turn phase for the northbound approach at the intersection.
b) Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group.

To implement this measure, the project applicant shall submit the following to the City of Oakland's Transportation Services Division for review and approval:

- Plans, Specifications, and Estimates (PS&E) to modify intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below:
  - 2070L Type Controller with cabinet assembly
  - GPS communications (clock)
  - Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)

TABLE IV.C-7 CUMULATIVE AND CUMULATIVE PLUS PROJECT INTERSECTION LOS RESULTS

Intersection	Peak Hour	2035 No Project Delay[a]	2035 No Project LOS	2035 Plus Project Delay[a]	2035 Plus Project LOS	Significant Impact?	2035 Plus Project Mitigated Delay[a]	2035 Plus Project Mitigated LOS	Significance after Mitigation?
Jackson Street/5th Street	AM	13.6	B	13.6	B	No			
	PM	31.3	C	33.1	C	No			
Jackson Street/6th Street	AM	**111.3 (v/c=1.48)**	**F**	**>120 (v/c=1.54)**	**F**	**Yes [b]**	**>120 (v/c=1.37)**	**F**	Less than significant
	PM	**120.0 (v/c=2.33)**	**F**	**>120 (v/c=2.41)**	**F**	**Yes [b]**	**>120 (v/c=1.46)**	**F**	Less than significant
Oak Street/5th Street	AM	12.2	B	12.4	B	No			
	PM	72.4	E	74.4	E	No			
Oak Street/6th Street	AM	10.6	B	10.8	B	No			
	PM	12.7	B	12.7	B	No			

[a] For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle. For intersections operating at LOS F, both delay and volume-to-capacity (v/c) ratio are shown.

[b] The impact is significant because the project would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more (Significant Threshold #5) at an intersection that would operate at LOS F regardless of the project.

Source: Fehr & Peers, 2015.

~~**TABLE IV.C-7 CUMULATIVE AND CUMULATIVE PLUS PROJECT INTERSECTION LOS RESULTS**~~

	~~2035 No Project~~				~~2035 Plus Project~~			
	~~AM~~		~~PM~~		~~AM~~		~~PM~~	
~~Intersection~~	~~Delay*~~	~~LOS~~	~~Delay*~~	~~LOS~~	~~Delay*~~	~~LOS~~	~~Delay*~~	~~LOS~~
~~Jackson Street/5th Street~~	~~12.4~~	~~B~~	~~21.9~~	~~C~~	~~12.4~~	~~B~~	~~22.2~~	~~C~~
~~Jackson Street/6th Street~~	~~27.7~~	~~C~~	~~27.2~~	~~C~~	~~30.5~~	~~C~~	~~27.9~~	~~C~~
~~Oak Street/5th Street~~	~~12.1~~	~~B~~	~~47.3~~	~~D~~	~~12.3~~	~~B~~	~~48.5~~	~~D~~
~~Oak Street/6th Street~~	~~9.6~~	~~A~~	~~10.7~~	~~B~~	~~9.7~~	~~A~~	~~10.8~~	~~B~~

~~*For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle.~~
~~Source: Fehr & Peers, 2015.~~

- Countdown pedestrian head module switch out City standard ADA wheelchair ramps
- City standard ADA wheelchair ramps
- Video detection on existing (or new, if required)
- Mast arm poles, full actuation (where applicable)
- Polara push buttons (full actuation)
- Bicycle detection (full actuation)
- Pull boxes
- Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable)- 600 feet maximum
- Conduit replacement contingency
- Fiber Switch
- PTZ Camera (where applicable)
- Transit Signal Priority (TSP) equipment consistent with other signals along corridor.

- Signal timing plans for the signals in the coordination group. (LTS)

After implementation of this measure, the intersection would continue to operate at LOS F during both AM and PM peak hours. However, the mitigation measures would reduce the v/c ratio for the intersection and the critical movements to less than significant levels.

(3) Congestion Management Program (CMP) Evaluation

The CMP evaluation is based on application of Significance Thresholds #7 and #8. The Alameda County CMP requires the assessment of development-driven impacts to regional roadways for developments that would generate more than 100 net new PM peak hour trips.[8,9] As shown in Table IV.C-4, the proposed project would result in fewer than 100 net new PM peak hour trips. Therefore, the CMP evaluation is not required for the proposed project and this is a less-than-significant impact, and no mitigation measures are required.

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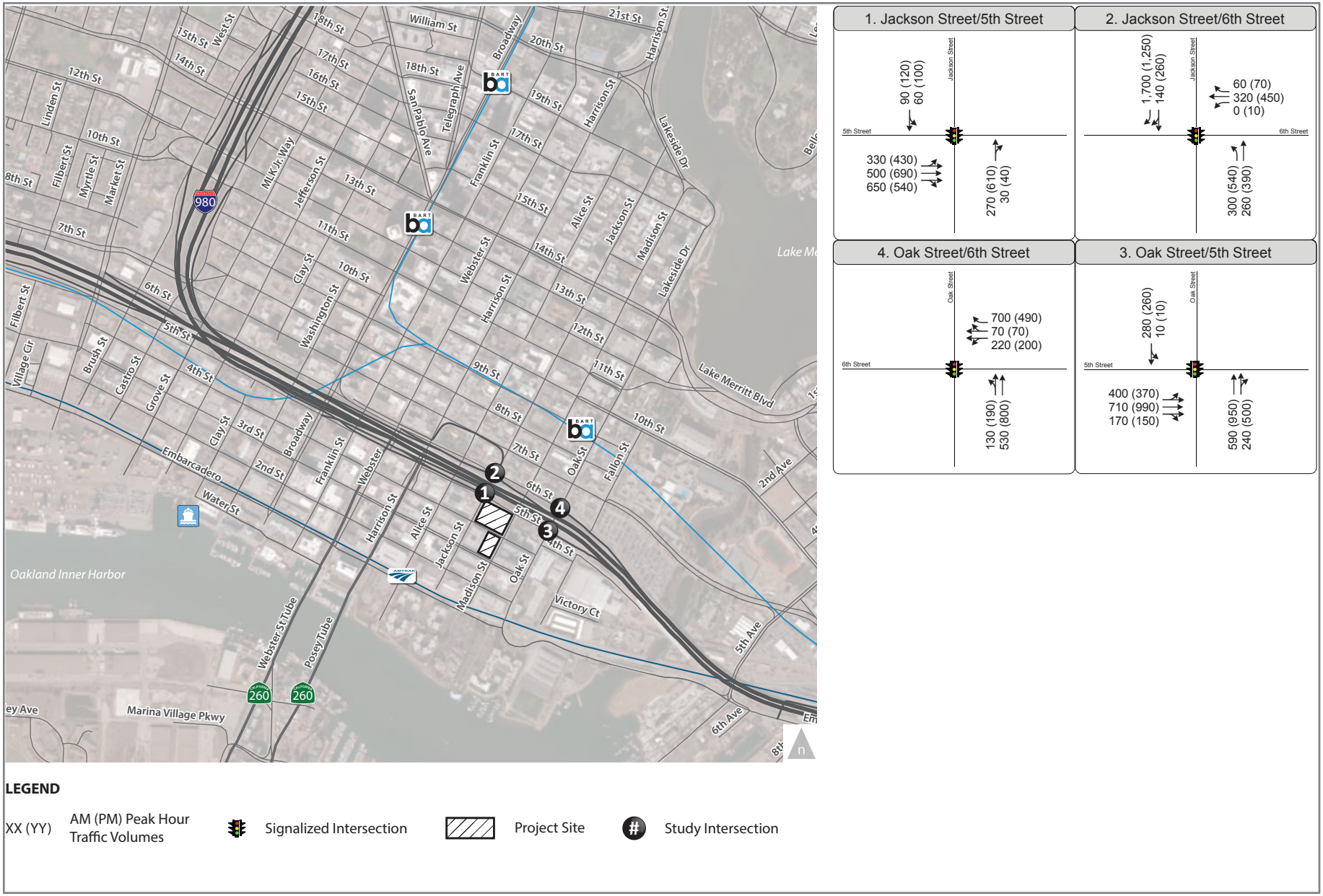
[8] Alameda County Transportation Commission (CTC), 2013. Congestion Management Program, page 81, October.

[9] See also Appendix A, letter from Alameda CTC dated May 18,2015.

Pages 133 and 134, Figures IV.C-10 and IV.C-11, are revised as shown on the following pages.



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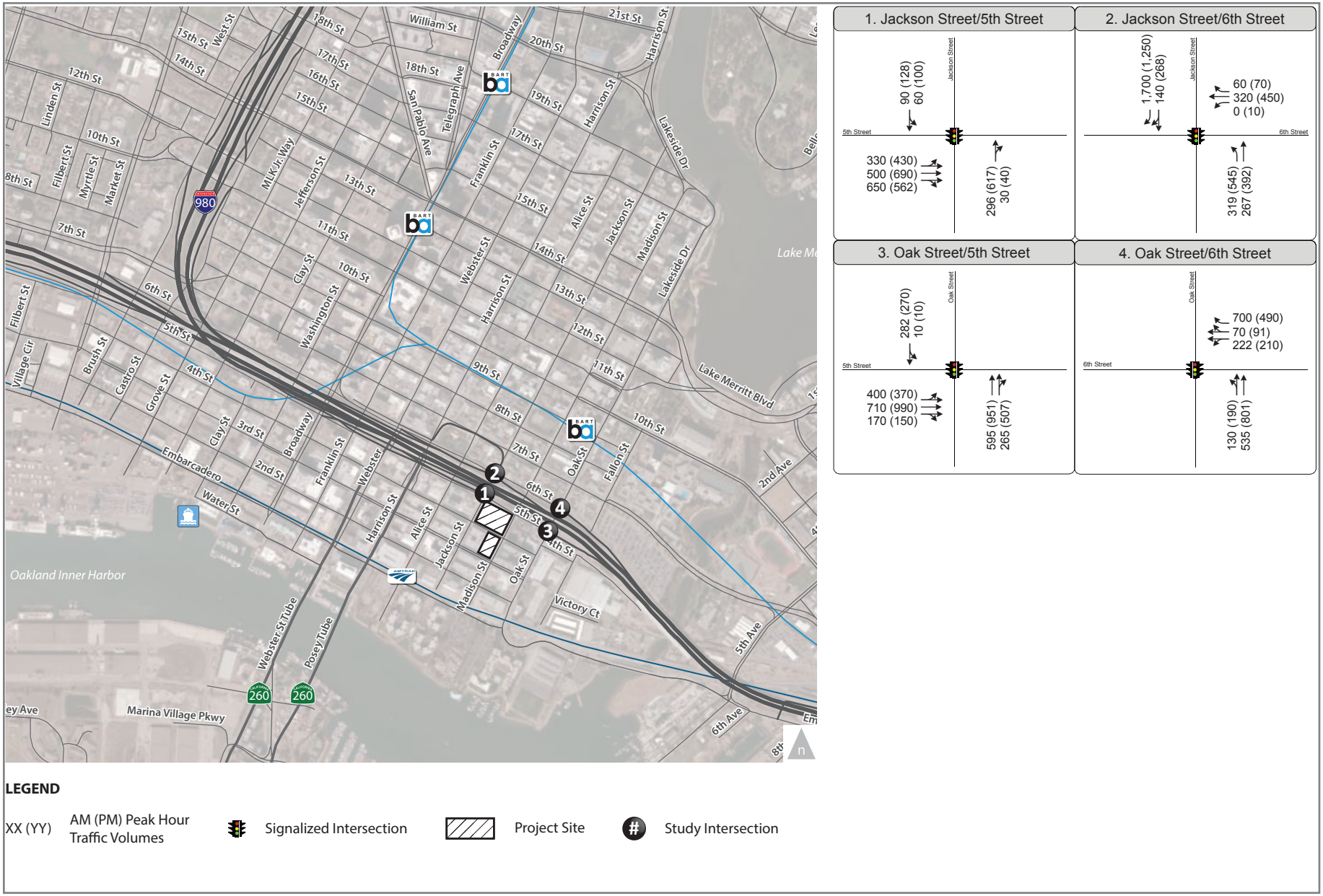
Source: Fehr & Peers, 2015

Figure IV.C-10
Jack London District 4th & Madison Project EIR
2035 No Project Intersection Peak Hour Volumes, Lane Configurations and Traffic Control
REVISED FOR RTC



12.29.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: Fehr & Peers, 2015

Figure IV.C-11
Jack London District 4th & Madison Project EIR
2035 Plus Project Intersection Peak Hour Volumes, Lane Configurations and Traffic Control
REVISED FOR RTC

Page 135 through 137 are revised:

(~~1~~4) Transit Travel Time

The discussion of transit travel time is based on application of Significance Threshold #9. Currently, no bus service operates directly adjacent to the project site; however, several bus routes operate in the project vicinity. The intersection operations analysis presented in previous sections shows that the proposed project would increase peak hour delay by less than ~~three~~10 seconds at the intersections nearest to the project site. Currently, no buses operate through these intersections. ~~The~~Since the proposed project would add fewer trips to intersections that are further away, the project would result in a smaller increase in delay at any such intersections ~~further away~~ that have bus service. The resulting increases would have a minor effect on transit service within the area as the estimated increase is within the variability in travel time experienced by each bus on these corridors. This is a less-than-significant impact, and no mitigation measures are required.

….

Transportation Hazards

The discussion of transportation hazards is based on application of Significance Threshold #10. The proposed project would eliminate the existing driveway on 4th Street currently used to access the Cost Plus private parking lot. The project would provide a driveway on 4th Street for Building A garage and a driveway on Madison Street for Building B garage. However, the project site plan provides only conceptual drawings and engineering drawings for site improvements are not yet complete as the final building design will be resolved through the City's design review process and such detail is not required until project entitlements are obtained and an application for building and other associated permits is submitted. As part of the standard City practice, the final project ~~design~~ engineering plans will be reviewed by City Engineering staff to ensure ~~consistency~~the design will not result in any significant transportation hazards. In accordance with SCA TRA-3 (SCA 19) and SCA TRA-4 (SCA 20), and the City's design review process, to determine safe ingress and egress, City staff will ensure the final project site plans are consistent with applicable design standards (including but not limited to City of Oakland Planning Code, Caltrans Highway Design Manual, and/or NACTO Urban Street Design Guide), such as adequate sight distance for pedestrians and vehicles at project driveways. Site access and circulation for pedestrians, vehicles, and bicycles is discussed below.

~~The proposed project would eliminate the existing driveway on 4th Street currently used to access the Cost Plus private parking lot. The project would provide a driveway on 4th Street for Building A garage and a driveway to 3rd Street for Building B garage.~~

Madison Street is currently a one-way southbound street adjacent to the project between 4th and 5th Streets and further north. Considering the proposed project driveway locations

and the existing street grid, converting this block of Madison Street to two-way operations would not provide much benefit to the proposed project. ~~Therefore, converting this segment of Madison Street.~~ Madison Street would remain one-way southbound north of 5th Street and 5th Street is one-way eastbound. Thus, if northbound travel is allowed on Madison Street between 4th and 5th Streets, all vehicles traveling northbound on Madison Street must turn right at 5th Street, travel eastbound on 5th Street, and turn at Oak Street. Since the project driveways would be located on 4th Street west of Madison Street and on Madison Street south of 4th Street, they can use 4th Street between Madison and Oak Streets and Oak Street between 4th and 5th Streets to travel the same distance under current conditions. Thus, converting this block of Madison Street to two-way would not result in shorter travel distances for project trips and converting this segment to two-way operation is not recommended.

The final design for the project is expected to minimize potential conflicts between various modes and provide safe and efficient pedestrian, bicycle, and vehicle circulation within the site and between the project and the surrounding circulation systems.

Aside from providing site access on Madison and 4th Streets and a sidewalk along Building A on 4th Street, the project does not propose any changes to the public right-of-way and would not change the physical design of the streets surrounding the site. In addition, the multi-family residential and retail uses proposed by the project are consistent with existing uses in the surrounding neighborhoods. ~~This is a less-than-significant impact, and no mitigation measures are required.~~These modifications/ improvements would not directly or indirectly cause or expose roadway users (e.g., motorists, pedestrians, bus riders, bicyclists) to a permanent and substantial transportation hazard due to a new or existing physical design feature or incompatible uses. As a result, this is a less-than-significant impact with implementation of SCA TRA-3 (SCA 19) and SCAT RA-4 (SCA 20). The following recommendation is provided to highlight specifically what improvements in the final engineering drawings will result in the safest conditions, and is also a requirement of SCA TRA-4 (SCA 20).

Recommendation 1: While not required to address a CEQA impact, consider the following as part of the final project site plan review and the implementation of SCA 20:

- Ensure that the ~~both proposed~~ project driveway~~s on 3rd and 4th Streets~~ would provide adequate sight distance between ~~vehicles~~ motorists exiting the driveway and pedestrians on the adjacent sidewalk ~~and vehicles on the adjacent roadway~~. If adequate sight distance cannot be provided, provide audio-visual warning devices at the driveway. ~~necessary, it may require limiting landscaping and/or removing on-street parking spaces adjacent to the project driveways.~~

Pedestrian Safety

…

The proposed project would consist of residential uses and neighborhood serving commercial retail and is expected to generate pedestrian demand in the neighborhoods surrounding the site. ~~The~~Since the pedestrian facilities serving the project site are consistent with the PMP recommendations, the existing pedestrian network surrounding the site is adequate to serve the expected increase in pedestrian demand. The implementation of Recommendation 1 would improve safety for pedestrians at project driveways, though are unnecessary to ensure that the project will have a less-than-significant impact on pedestrian safety. The proposed project would not propose physical design features that would expose pedestrians to a permanent and substantial hazard and implementation of SCA TRA-3 (SCA 19) and SCA TRA-4 (SCA 20) would ensure that the project provides adequate sight distance between vehicles exiting the driveway and pedestrians on the adjacent sidewalk and on the adjacent roadway, as discussed above. This is a less-than-significant impact, and no mitigation measures are required.

Recommendation 2: While not required to address a CEQA impact, consider the following ~~pedestrian~~ improvements to improve pedestrian circulation near the project:

- Provide marked crosswalks on all approaches at Madison Street/4th Street intersection. In addition, provide a curb extension at the northwest and southwest corners of the intersection.

- Provide a marked crosswalk crossing the westbound 4th Street approach at Jackson Street/4th Street intersection. In addition, provide a curb extension at the southeast and northeast corners of the intersection to improve sight distance and minimize the conflict between pedestrians and motorists using the angled parking spaces.

- Replace the existing diagonal curb ramps adjacent to the project site with perpendicular curb ramps.

Bicyclist Safety

The discussion of bicyclist safety is based on application of Significance Threshold #12. The project does not propose any physical changes to the bicycle infrastructure surrounding the site.

The project would generate additional bicycle activity in the surrounding area. The existing bicycle facilities surrounding the site on 2nd and Harrison Streets, and those proposed on Madison and Oak Streets would provide bicycle access to the project site. With implementation of Recommendation 1, the proposed driveways on 4th Street and ~~3rd~~Madison Street would not conflict with existing or proposed bikeways.

The project will also provide short-term and long-term bicycle parking at both Buildings A and B to accommodate the bicycle activity generated by the project. The project site plan identifies the long-term bicycle parking for Building A along the 4th Street frontage near the southwest corner of the building adjacent to the building main lobby. The site plan shows the long-term bicycle parking for Building B at the ~~southeast corner~~south side of the building. It is expected that the long-term bicycle parking would be accessible from both the garage and the adjacent street. The project site plan does not identify short-term bicycle parking; however, short-term bicycle parking can be accommodated by bicycle racks on the surrounding sidewalk near each lobby and retail space.

The project would not result in permanent substantial decrease in bicycle safety because it would not propose physical design features that would expose bicyclists to a permanent and substantial hazard and implementation of SCA TRA-3 (SCA 19) and SCA TRA-4 (SCA 20) would ensure that the project provides adequate sight distance between vehicles exiting the driveway and bicyclists on the adjacent sidewalk and on the adjacent roadway, as discussed above. This is a less-than-significant impact, and no mitigation measures are required.

Bus Rider Safety

The discussion of bus rider safety is based on application of Significance Threshold #13. Bus riders would use the pedestrian facilities to travel between the bus stops and the project site.

The nearest bus stops to the project site are on Jackson Street, just south of 3rd Street and on 7th Street, east of Jackson Street. Currently, both bus stops only provide a bus stop sign. The project does not propose any physical changes to the bus stops or the infrastructure serving bus riders. The new bus riders generated by the project would not result in overcrowding at the nearby bus stops because the project is estimated to increase peak hour ridership by about one rider per peak hour bus, as described on page 158 (AC Transit Ridership subsection), which is within the variability in ridership experienced by each bus during the peak periods.

Page 139 through 141 is revised:

Considering the proximity of I-880 freeway ramps on Oak and Jackson Streets, it is expected that construction trucks on local roadways would be limited to those streets. Truck traffic that occurs during the weekday peak commute hours (7:00 to 9:00 AM and 4:00 to 6:00 PM) may temporarily result in worse LOS and higher delays at study intersections during the construction period. Also, if parking of construction workers' vehicles cannot be accommodated within the project site, it would temporarily increase parking occupancy levels in the area.

….

The City of Oakland Construction Traffic and Parking ~~Standard Condition of Approval (SCA)~~SCA TRA-2 (SCA 32) requires that a Construction ~~Traffic~~ Management Plan be developed ~~as part of a larger Construction Management Plan~~ to address potentially significant impacts related to construction traffic during the project's temporary construction phase. By developing and implementing a City approved Construction Management Plan, the project will implement a set of comprehensive traffic control measures to reduce traffic congestion and the effects of parking demand by construction workers during conduction to the maximum extent feasible. Measures to be implemented under the Construction Management Plan include, but are not limited to, scheduling truck trip and deliveries to avoid peak traffic hours, managing traffic near the project site through the use of traffic cones, detour signs and other appropriate traffic signage, and requiring construction-related vehicles to access the project site only along designated construction traffic routes. Thus, with the implementation of ~~this~~ SCA TRA-2, the proposed project would not result in a substantial, though temporary, adverse effect on the circulation system during construction of the project. This is a less-than-significant impact, and no mitigation measures are required.

Changes in Air Traffic Patterns

The discussion of changes in air traffic patterns is based on application of Significance Threshold #17. The Oakland International Airport is located about nine miles south of the project site. The project site does not fall within any of the airport safety zones identified in the Oakland International Airport Land Use Compatibility Plan.[10] Further the site is approximately 4 miles from the nearest airspace protection zones established for the purpose of evaluating the airspace compatibility of land use development at the Oakland International Airport. The project would increase density and increase building heights at the project site. However, building heights ~~are~~would not ~~expected to~~ interfere with current flight patterns of Oakland International Airport or other nearby airports~~.~~ consistent with the policies of the Airport Land Use Computability Plan. Therefore, the project would not result in change in air traffic patterns. The project would result in a less-than significant impact on air traffic patterns.

….

Parking Considerations

Bicycle Parking

Section 17.117.090 of the Oakland Municipal code requires bicycle parking spaces for non-residential uses at a rate of one long-term space per 12,000 square feet, with a minimum of two spaces and one short-term space per 5,000 square feet, with a minimum of two spaces. The project would add ~~about~~ up to 8,000 ~~3,000~~ square feet of non-residential area, requiring the minimum two long-term and two short-term bicycle parking spaces.

….

As shown in Table IV.C-8, ~~neither Building A nor Building B~~ the project would meet the City's minimum requirements for long-term bicycle parking. The required short-term bicycle parking can be accommodated by bicycle racks on the surrounding sidewalk near each lobby and retail space.

Recommendation 4: While not required to address a CEQA impact, the following should be considered as part of the final design for the project:

~~• Provide additional long-term bicycle parking to meet the City's minimum requirements for non-residential uses.~~

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[10] Alameda County Airport Land Use Commission (ALUC), 2010. *Oakland International Airport Land Use Compatibility Plan*, December.

TABLE IV.C-8 BICYCLE PARKING REQUIREMENTS

		Long-Term		Short-Term	
Land Use	**Size**	**Spaces per Unit[a]**	**Spaces**	**Spaces per Unit[a]**	**Spaces**
Apartments	~~240 DU~~ 330 DU	1:4 DU	~~60~~ 83	1:20 DU	~~12~~ 17
Commercial	~~0~~4.7 KSF	Min.	2	Min.	2
Total Required Bicycle Spaces			~~62~~85		~~14~~19
Total Bicycle Parking Provided			~~60~~166		-[b]
Bicycle Parking Surplus ~~(Deficit)~~			~~-2~~81		-[b]
~~**Building B**~~					
~~Apartments~~	~~90 DU~~	~~1:4 DU~~	~~23~~	~~1:20 DU~~	~~5~~
~~Commercial~~	~~2.2 KSF~~	~~Min.~~	~~2~~	~~Min.~~	~~2~~
~~Total Required Bicycle Spaces~~			~~25~~		~~7~~
~~Total Bicycle Parking Provided~~			~~23~~		~~-[b]~~
~~**Bicycle Parking Surplus (Deficit)**~~			~~-2~~		~~-7~~

Notes: DU = dwelling unit; KSF = 1,000 square feet

[a] Based on Oakland Municipal Code Sections 17.117.090 and 17.117.110.

[b] Short-term bicycle parking details not listed on site plan but it can be met with the installation of bike racks on the surrounding sidewalks near each lobby.

Source: Fehr & Peers, 2015.

Page 142 through 145 are revised, including Tables IV.C-9, IV.C-10, and IV.C-11:

City Code Parking Requirements

City of Oakland municipal code requirements for vehicle parking are detailed in Sections 17.116.060 and 17.116.080. The code requires one automobile parking space per multi-family dwelling unit~~. No parking is required for the retail space since it is less than the minimum 3,000 square feet for which parking is required.~~ and one space per 900 feet for retail.

Table IV.C-9 summarizes the code-required and proposed residential parking for the project. ~~Building A would require 240 off-street residential parking~~Based on the current design review plans, which only include 4,704 square feet of retail, a total of 335 spaces would be required and ~~would provide 256~~335 spaces~~, resulting in a parking surplus of 16~~are proposed. If the plans are revised to include 8,000 square feet of retail, an additional four spaces~~. Building B would require 90 off-street residential parking~~ would be added. This could be accomplished by converting some of the standard spaces ~~and would provide 109~~to compact spaces~~, resulting in a~~ as permitted by the zoning regulations (currently only 43 percent of the spaces are compact and up to 50 percent is permitted). ~~parking surplus of 19 spaces. Both buildings combined would have a surplus of 35 parking spaces.~~

Estimated Parking Demand

Parking demand for the residents of the project was determined by using average vehicle ownership rates of the Census tracts in the project area. According to American Community Survey estimates,[11] average vehicle ownership in the area is 0.92 vehicles per multi-family dwelling unit. Table IV.C-10 summarizes parking demand for the project. Peak residential parking demand ~~for Building A~~ would be ~~221 spaces, resulting in a surplus of 35 spaces. Peak parking demand for Building B would be 83~~304 spaces,resulting in a surplus of 26~~ spaces. Both buildings combined would have a surplus of 61 parking~~ spaces.

Parking demand for residential visitors and the commercial component of the project were estimated using ITE *Parking Generation, 4th Edition* and Urban Land Institute (ULI) *Shared Parking, 2nd Edition*. Table IV.C-11 presents peak parking demand on a typical weekday and Saturday. The peak parking demand for non-residential spaces for weekdays and Saturdays is estimated to be about ~~41~~53 and ~~42~~56 spaces, respectively, for both buildings combined. This is estimated to result in a parking deficit of ~~41or 42~~48 to 51 spaces, because the project site plan does not designate parking for residential visitors and retail uses.

TABLE IV.C-9 REQUIRED AND PROPOSED PARKING

Land Use	Ratio[a]	Units[b]	Parking Spaces
Required Residential Parking	1.0	~~240~~330 DU	~~240~~330
Required Commercial Parking	~~0.0~~1:900 SF	~~0.7~~8 KSF	~~0~~9
Total Required Parking			~~240~~339
Parking Supply			~~256~~335
Parking Deficit/Surplus			**~~16~~-4**
~~**Building B**~~			
~~Required Residential Parking~~	~~1.0~~	~~90 DU~~	~~90~~
~~Required Commercial Parking~~	~~0.0~~	~~2.2 KSF~~	~~0~~
~~Total Required Parking~~			~~90~~
~~Parking Supply~~			~~109~~
~~**Parking Surplus**~~			~~**19**~~
~~**TOTAL SURPLUS**~~			~~**35**~~

[a] Source: City of Oakland Municipal Code Sections 17.116.060 – Off-Street Parking Requirements for Residential = 1.0 space per DU.

[b] DU = Dwelling Units

[c] Based on the current design review plans, which only include 4,704 square feet of retail, a total of 335 spaces would be required and 335 spaces are proposed. If the plans are revised to include 8,000 square feet of retail, an additional four spaces would be added. This could be accomplished by converting some of the standard spaces to compact spaces as permitted by the zoning regulations (currently only 43 percent of the spaces are compact and up to 50 percent is permitted) or by reducing amenity space for additional parking stalls.

Source: Fehr & Peers, 2015.

TABLE IV.C-10 RESIDENTIAL PARKING DEMAND

Land Use	Rate[a]	Units[b]	Peak Parking Demand
~~**Building A**~~Parking Demand	0.92	~~240~~330 DU	~~221~~304
Residential Parking Supply			~~256~~330
~~**Parking Surplus**~~			~~**35**~~
~~**Building B**~~			
~~Parking Demand~~	~~0.92~~	~~90 DU~~	~~83~~
~~Residential Parking Supply~~			~~109~~
Parking Surplus			**26**
~~**TOTAL SURPLUS**~~			~~**61**~~

[a] Based on 2013 ACS average automobile ownership of 0.92 vehicles per residential unit.

[b] DU = Dwelling unit.

Source: Fehr & Peers, 2015.

TABLE IV.C-11 NON-RESIDENTIAL PARKING DEMAND

			Peak Hour Parking Demand	
Land Use	**Size[a]**		**Weekday**	**Saturday**
~~**Building A**~~Residential Visitor[b]	~~240~~33 0	DU	~~24~~33	~~24~~33
Commercial[c]	~~0.7~~8	KSF	~~−2~~20	~~−2~~23
Parking Demand			~~26~~53	~~26~~56
Non-Residential Parking Supply			~~0~~5	5
Parking Surplus/Deficit			**-48**	**-51**
~~**Building B**~~				
~~Residential Visitor[b]~~	~~90~~	~~DU~~	~~−9~~	~~−9~~
~~Commercial[c]~~	~~2.2~~	~~KSF~~	~~−6~~	~~−7~~
~~Parking Demand~~			~~15~~	~~16~~
~~Non-Residential Parking Supply~~			~~−0~~	~~−0~~
~~**Parking Deficit**~~			~~**-15**~~	~~**-16**~~
~~**TOTAL DEFICIT**~~			~~**-41**~~	~~**-42**~~

[a] DU = Dwelling unit; KSF = 1,000 square feet.

[b] Based on adjusted rate of 0.10 spaces per DU using ULI Shared Parking.

[c] ITE *Parking Generation (4th Edition)* land use category 820 (Shopping Center):Weekdays: Average rate is 2.55 spaces per KSF. Saturdays: Average rate is 2.87 spaces per KSF.
Source: Fehr & Peers, 2015.

Page 146 is revised:

e. Cumulative Impacts

~~The project would not contribute significantly to any significant cumulative impacts as discussed above under the 2035 conditions.~~According to Significance Threshold #18, a project's contribution to cumulative impacts is considered significant if the project would exceed one of the previously listed thresholds in a future year scenario. As previously discussed, the project would cause a significant impact at the Jackson Street/6th Street intersection under 2035 conditions. Mitigation Measure TRANS-1, which consists of protected left-turn phase for the northbound approach and coordinating signal timings at this intersection with the adjacent intersections in the same signal coordination group would mitigate the impact to a less-than-significant impact. Therefore, the project would not exceed any thresholds of significance and would thus not contribute significantly to any significant cumulative impacts.

IV.D AIR QUALITY

Page 151, last paragraph, is revised:

In general, t~~T~~he CAAQSs, which are based on meteorological conditions unique to California, are either equal to or more stringent than the NAAQSs. Areas in California are classified as either in "attainment" or "non-attainment" for each criteria air pollutant, based on whether or not the NAAQSs or CAAQSs have been achieved.

Page 160, SCA-A, is revised:

SCA-A. Construction-Related Air Pollution Controls (Dust and Equipment Emissions)[19]

Ongoing throughout demolition, grading, and/or construction: During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the BAAQMD:

Basic Controls (apply to ALL construction sites)

Page 161, Footnote 21, is revised:

Enhanced[21]

j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.

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[21] All "Basic" controls listed above plus the following controls if the project involves:
• 114 or more single-family dwelling units;
• 240 or more multi-family units;
• Nonresidential uses that exceed the applicable screening size listed in the Bay Area Air Quality
• Management District's CEQA Guidelines;
• Demolition permit;
• Simultaneous occurrence of more than two construction phases (e.g., grading and building construction occurring simultaneously);
• Extensive site preparation (i.e., the construction site is four acres or more in size); or Extensive soil transport (i.e., 10,000 or more cubic yards of soil import/export).

Page 166, Footnote 23, is revised:

…. resulting in less-than-significant cumulative air quality impact relative to existing air quality conditions.[23]

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[23] Kirk, Alison, Bay Area Air Quality Management Disrict (BAAQMD), 2015. Personal communication with BASELINE Environmental Consulting, June 23; see also, BAAQMD, *CEQA Air Quality Guidelines*, May 2011, p. 2-1.

Page 168 is revised:

TABLE IV.D-4 SUMMARY OF CALEEMOD INPUT PARAMETERS

Project Land-Use Type	CalEEMod Land-Use Type	Square Feet
Residential	Mid-Rise Apartments	~~362,455~~372,140
Garage	Enclosed Parking with Elevator	~~147,000~~118,601
Amenity / Leasing	General Office	~~11,734~~20,874
Retail	Convenience Market	~~2,962~~8,000
~~Fitness / Basketball Court~~	~~Health Club~~	~~4,104~~

Notes: The total dwelling units = 330
The total lot acreage = 2.07
Approximately 60,000 square feet of existing buildings would be demolished.

Construction-Phase Emissions

Common pollutant emissions of concern during construction and demolition include ROG, NO_x and exhaust $PM_{2.5}$ and PM_{10} from construction equipment. Because the proposed project consists of more than 240 multi-family units and would require a demolition permit, the City's enhanced construction standard conditions for approval apply. Therefore, the evaluation assumed that ~~all construction equipment, diesel trucks, and generators would be equipped with Best Available Control Technology for emission reductions of NO_x and PM [SCA-19A(u)], and~~ all off-road heavy diesel engines would meet the CARB's most recent certification standard (currently Tier 4) [SCA-A(x)]. While emissions of fugitive dust $PM_{2.5}$ and PM_{10} are also a common concern, these emissions would be controlled by implementation of the dust control measures required as part of the project design under SCA-A. Emissions of ozone precursors and exhaust $PM_{2.5}$ and PM_{10} above the City's thresholds of significance could substantially contribute to existing violations of CAAQSs and/or NAAQSs in the SFBAAB. Potential emission sources for the project would include demolition, grading, building construction, paving, and architectural coatings. Unmitigated pollutant emissions during project construction, both before and after applying the dust control measures and Tier 4 engine requirements described under SCA-A, were estimated using the CalEEMod default values, except as noted below.

Page 169, Table IV.D-5, is revised:

TABLE IV.D-5 SUMMARY OF AVERAGE UNMITIGATED CRITERIA POLLUTANT EMISSIONS DURING PROJECT CONSTRUCTION

Pollutant	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Units	lb/day	lb/day	lb/day	lb/day
Emissions without SCA-A	~~31~~38	~~29~~28	~~1.60~~1.5	~~1.60~~1.4
Emissions with SCA-A	36	9.2	0.12	0.11
Thresholds	54	54	82	54
Exceedance	No	No	No	No

Notes: lb/day = pounds per day
Estimated emissions of particulate matter are from vehicle exhaust.
The emissions without SCA-A were originally reported in the DEIR. These emissions have been updated in response to public comments and the emissions with SCA-A have been added to the table.
~~Assumes a 20 percent NO_x and 45 percent particulate matter reduction compared to the most recent CARB fleet average as required by SCA-A.~~

Source: CalEEMod (Appendix E).

Page 170, first bullet and footnote 24, are revised:

- Based on the findings of the preliminary transportation analysis conducted for the project, the average weekday vehicle trip rate was changed from 6.59 to ~~3.99~~ 4.38 trips/dwelling unit/day (see Section IV.C *Traffic and Transportation*).[~~24~~]

[~~24~~] ~~Fehr & Peers, 2015. *Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

Page 170, Table IV.D-6, is revised:

TABLE IV.D-6 SUMMARY OF AVERAGE UNMITIGATED CRITERIA POLLUTANT EMISSIONS DURING PROJECT OPERATION

Pollutant	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust	ROG	NO_x	PM_{10} Exhaust	$PM_{2.5}$ Exhaust
Units	lb/day	lb/day	lb/day	lb/day	ton/yr	ton/yr	ton/yr	ton/yr
Emissions	~~21~~ 26	20	~~0.41~~ 0.38	~~0.39~~ 0.36	~~3.8~~ 4.8	~~3.6~~ 3.7	~~0.075~~ 0.069	~~0.071~~ 0.065
Thresholds	54	54	82	54	10	10	15	10
Exceedance	No	No	No	No	No	No	No	No

Notes: lb/day = pounds per day
ton/yr = tons per year

Estimated emissions of particulate matter are from vehicle exhaust.
The emissions reported in the DEIR assumed the operational year was 2014 (a default parameter in CalEEMod). These emissions have been updated in response to public comments and to account for reduced vehicle emissions that would result for the expected operational year of 2017.

Source: CalEEMod (Appendix E).

Page 170, last paragraph and footnote 26, are revised:

The Alameda County Transportation Commission (Alameda CTC) serves as the County Congestion Management Agency. The Alameda CTC updates the County's Congestion Management Program (CMP) every 2 years to assess, monitor, and improve the performance of the County's multimodal transportation system and strengthen the integration of transportation and land use planning. The current 2013 CMP[25] requires an analysis of any project that is expected to generate more than 100 afternoon (PM) peak hour vehicle trips. The proposed project is expected to generate ~~88~~ 99 PM-peak-hour vehicle trips during the weekdays.[26] Since the project would generate less than 100 PM peak-hour vehicle trips, the project is consistent with the current CMP.

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[26] Fehr & Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis*. December 1.~~*Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

Page 171, second paragraph, footnote 28, and Table IV.D-7, are revised:

The *Jack London Square Redevelopment Project Addendum to the 2004 EIR*, approved in 2014, included analysis of traffic operations at four intersections immediately north of the project (Table IV.D-7).[27] These intersections are located near the I-880 overpass, where vertical mixing of CO emissions from vehicle exhausts could be substantially limited. The ~~preliminary~~ traffic analysis prepared for the project estimates that the project would add ~~25 or more~~ about 7 to 37 vehicle trips per hour to these intersections during peak morning (AM) and PM hours.[28] Existing traffic counts from 2013 and the estimated trips that would be generated by the project at each intersection are summarized in Table IV.D-7. Based on these traffic analyses, the project would not increase the traffic volumes at nearby intersections above the City's CO screening criteria of 24,000 vehicles per hours. Since the project meets the City's thresholds, the project would have a less-than-significant air quality impact related to CO emissions.

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[28] Fehr & Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis*. December 1.~~*Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

TABLE IV.D-7 SUMMARY OF TRAFFIC COUNTS AND PROJECT TRIP GENERATIONS AT NEARBY INTERSECTIONS

	2013 Traffic Count[a]		Project Trips[b]	
Intersection	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Jackson Street/5th Street	1,290	1,585	~~58~~26	~~70~~37
Jackson Street/6th Street	2,204	1,615	~~33~~26	~~39~~15
Oak Street/5th Street	1,252	1,645	~~29~~32	~~18~~18
Oak Street/6th Street	1,150	1,191	~~10~~7	~~31~~32

[a] ESA, 2014. *Jack London Square Redevelopment Project Addendum to the 2004 EIR,* May 9.

~~[a]~~[b] Fehr & Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis.* December 1. ~~Memorandum: 200 4th Street – Preliminary Transportation Analysis, March 3.~~

Pages 172, second paragraph, is revised:

The total on-site emissions of DPM were assumed to equal the total on-site PM_{10} emissions estimated by CalEEMod over 266 days of construction. Based on the area of each block, it was assumed that two thirds of the total emissions were associated with Block A and one-third of the total emissions were associated with Block B. It was also assumed that construction of each block would occur ~~sequentially (i.e., not at the same time) and the duration of construction would also be proportional to the area of each block~~ simultaneously to provide a conservative estimate of PM_{10} and $PM_{2.5}$ concentrations for the MEIR. The dispersion of DPM and $PM^{2.5}$ emissions from each block was modeled as area sources based on the dimensions of each block. ….

Page 173, fourth paragraph, is revised:

Estimates of the health risks posed by the project to MEIR from on-site construction DPM and total increase in exhaust $PM_{2.5}$ concentration, both before and after applying the Tier 4 engine requirements described under SCA-A, are summarized and compared to the City's thresholds in Table IV.D-8. The unmitigated estimated excess cancer risk and chronic health hazard (HI) for DPM from construction, as well as the increase in annual average $PM_{2.5}$ concentration associated with construction were above the City's thresholds, and therefore could result in a significant air quality impact. However, ~~The~~ with implementation of ~~the~~ SCA-A~~s~~, the estimated excess cancer risk and chronic health hazard (HI) for DPM from construction, as well as the increase in annual average $PM_{2.5}$ concentration associated with construction were below the City's thresholds. Therefore, this impact would be less than significant.

Pages 175, Table IV.D-8, is revised as follows:

TABLE IV.D-8 SUMMARY OF THE HEALTH RISK ASSESSMENT FOR DPM AND $PM_{2.5}$ EMISSIONS DURING PROJECT CONSTRUCTION

	Diesel Particulate Matter			
	Annual Average Concentration	Child <2 Excess Cancer Risk	Chronic Hazard Index	Exhaust $PM_{2.5}$ Annual Average Concentration
Units	($\mu g/m^3$)	$(10^6)^{-1}$	---[b]	($\mu g/m^3$)
MEIR without SCA-A[a]	2.61	87.8	5.2	2.61
MEIR with SCA-A	~~0.078~~ 0.064	~~1.9~~ 2.1	~~0.16~~ 0.13	~~0.079~~ 0.064
Thresholds	---	10	1.0	0.3
Exceedance without SCA-A	---	Yes	No	Yes
Exceedance with SCA-A	---	No	No	No

~~Notes:~~ [a] MEIR = maximally exposed individual resident
[b] "---" = not applicable
Source: Appendix E.

Page 176, third and fourth paragraphs, are revised:

Based on the screening-level analysis of nearby TAC sources, the unmitigated cumulative increase in cancer risk at the project site would be about 162 in a million, which exceeds the City's threshold (Table IV.D-9), and therefore could result in a significant air quality impact. The unmitigated cumulative concentration of $PM_{2.5}$ at the project site would be about 4.8 micrograms per cubic meter, which also exceeds the City's threshold (Table IV.D-9). ~~However, it should be noted that this screening-level analysis does not account for air dispersion from permitted stationary sources, such as the Peerless Coffee Company facility, that would be expected to reduce the $PM_{2.5}$ concentrations at the project site.~~

Under SCA-B, Health Risk Reduction Measures, the project applicant would be required to either ~~a~~i) prepare a HRA demonstrating that the future users of the site are not exposed to a health risk above the City's thresholds or ~~b~~ii) incorporate health risk reduction measures into the project design that would reduce the cancer and hazard risks associated with nearby TAC emissions ~~(SCA-B option b)~~. For example, under SCA-B option ii ~~b)~~, the project would be required to install and maintain high efficiency filtration systems with a Minimum Efficiency Reporting Value rating of 13 (MERV-13). CARB has identified high efficiency filtration as the most effective method for residences to reduce incoming DPM and other contaminants from outdoor air.[41] The project applicant has indicted that the project design will include air filters with a MERV-13 rating, which will reduce levels of indoor DPM and $PM_{2.5}$ by at least 85 percent relative to the incoming outdoor air.[42] An 85

percent reduction in the level of indoor DPM would reduce the cumulative incremental cancer risk at the project site to about 24 in a million, which is below the City's threshold of 100 in a million. An 85 percent reduction in the level of indoor $PM_{2.5}$ would reduce the cumulative concentration at the project site to about 0.72 micrograms per cubic meter, which is below the City's threshold of 0.8 micrograms per cubic meter. Therefore, implementation of the health risk reduction measures described under SCA-B option ~~b~~ii) would reduce the potential health impacts to new receptors at the project site through project design features to a less-than-significant level.

Page 178 is revised:

(2) Toxic Air Contaminants

As previously discussed, based on a screening level health risk evaluation, the cancer risk from existing stationary sources of TAC within 1,000 feet of the project site and the existing concentration of $PM_{2.5}$ are above the cumulative health and hazard thresholds (Table IV.D-8). At the project level, the impact to new receptors, i.e., new residents of the proposed project, would be mitigated to a less-than-significant level with the implementation of SCA-B option ii~~b)~~, which requires health risk reduction measures, such as high-efficiency air filters, to be incorporated into the project design. As previously stated, the project applicant has indicated that the project design will include air filters with a MERV-13 rating, which will reduce levels of indoor DPM by at least 85 percent relative to the incoming outdoor air. Therefore, with the implementation of SCA-B option ii~~b)~~, the cumulative TAC impact to new receptors would also be less than significant.

IV.E GREENHOUSE GAS EMISSIONS

Page 185, last paragraph, through page 186, is revised:

Senate Bill 375 (2008)

Senate Bill (SB) 375 aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations to reduce vehicle emissions. SB 375 requires California's regional land use and transportation authorities to work with local agencies to achieve more compact growth patterns, thereby reducing the quantity of GHGs emitted by passenger vehicles. Each metropolitan planning organization (MPO) must adopt a Sustainable Communities Strategy or Alternative Planning Strategy, which will prescribe land use allocation in that MPO's Regional Transportation Plan. The Sustainable Communities Strategy seeks to achieve the targeted reductions in GHG emissions by encouraging compact growth in concert with transportation planning.

~~SB 375 requires CARB to establish GHG emission reduction targets related to transportation for each metropolitan transportation organization region. The Metropolitan Transportation Commission (MTC) is the designated MPO for the Bay Area. On July 28,~~

~~2010, the MTC approved a set of "Bay Area Principles for Establishing Regional Greenhouse Gas Reduction Targets" (Resolution 3970) proposing per-capita GHG reductions of 7 percent by 2020 and 15 percent by 2035. On September 23, 2010, CARB adopted the GHG reduction targets recommended by MTC.[11] These targets will now be incorporated into the sustainable communities strategies that MPOs are required to adopt, as part of their next regional transportation plan.~~

~~The MTC, in collaboration with the Association of Bay Area Governments, BAAQMD, and the Bay Conservation and Development Commission, are collaborating to produce an integrated land-use/transportation plan to be implemented through 2040. In addition to integrating transportation and land use development plans, the plan will inaugurate a new process: the development of a Sustainable Communities Strategy. The nine Bay Area counties and 101 cities and towns will continue to have land-use authority in their respective jurisdictions.[12]~~

~~Two of the sustainable community strategies relevant to the proposed project are:~~

- ~~Reduce vehicle miles traveled within the Bay Area by providing more housing in communities for people who provide essential services but cannot afford to live there and have to commute by car from far away, raising transportation costs, congesting roads, polluting the air and wasting time that could be spent with their families; and~~
- ~~Develop compact communities where transit, jobs, schools, services, and recreation are conveniently located near people's homes.[13]~~

SB 375 requires CARB to establish GHG emission reduction targets for the transportation and land use sector of each metropolitan transportation organization region. The Metropolitan Transportation Commission (MTC) is the designated MPO for the Bay Area. On July 28, 2010, the MTC approved a set of "Bay Area Principles for Establishing Regional Greenhouse Gas Reduction Targets" (Resolution 3970) proposing per-capita GHG reductions of 7 percent by 2020 and 15 percent by 2035. On September 23, 2010, CARB adopted the GHG reduction targets recommended by MTC.[14] These targets were incorporated in to *Plan Bay Area*, the region's sustainable community strategy prepared by MTC in collaboration with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission. *Plan Bay Area* was adopted on July, 18 2013. Two of *Plan Bay Area's* greenhouse gas reduction strategies relevant to the proposed project are:

- Reduce vehicle miles traveled within the Bay Area by providing more housing in communities for people who provide essential services but cannot afford to live there and have to commute by car from far away, raising transportation costs, congesting roads, polluting the air and wasting time that could be spent with their families; and

- Develop compact communities in Priority Development Areas, geographic areas in the region where transit, jobs, schools, services, and recreation can be conveniently located near people's homes, thereby reducing vehicle miles travelled at a regional scale.[15]

Title 24 Building Efficiency Standards

California regulates energy consumption under Title 24 Building Standards Code, Part 6 of the California Code of Regulations (also known as the California Energy Code)…..

~~[11] California Air Resources Board (CARB), 2010. *Regional Greenhouse Gas Emission Reduction Targets Pursuant to SB 375.*~~

~~[12] Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), 2011. *Plan Bay Area.*~~

~~[13] Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), 2011. *Plan Bay Area.*~~

[14] California Air Resources Board (CARB), 2010. *Regional Greenhouse Gas Emission Reduction Targets Pursuant to SB 375.*

[15] Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), 2011. *Plan Bay Area.*

Page 188 through 189 are revised:

(8) City of Oakland Standard Conditions of Approval

The City of Oakland's Uniformly Applied Development Standards would be incorporated into the project as Standard Conditions of Approval (SC~~O~~As). The following SCAs would apply to the project.

SC~~O~~A-F: Greenhouse Gas (GHG) Reduction Plan.

Prior to issuance of a construction-related permit and ongoing as specified. ….

Page 189, SCA-F, Footnote 15, is deleted:

Scenario B: Projects which (a) involve a land use development, (b) exceed the GHG emissions screening criteria contained in the BAAQMD CEQA Guidelines, (c) after a GHG analysis is prepared would exceed at least one of the BAAQMD Thresholds of Significance (more than 1,100 metric tons of CO_2e annually OR more than 4.6 metric tons of CO_2e per service population annually), AND (d) are considered to be "Very Large Projects."~~[15]~~

Page 197, Table IV.E-3, is revised:

TABLE IV.E-3 SUMMARY OF CALEEMOD INPUT PARAMETERS

Project Land-Use Type	CalEEMod Land-Use Type	Square Feet
Residential	Mid-Rise Apartments	~~362,455~~372,140
Garage	Enclosed Parking with Elevator	~~147,000~~118,601
Amenity / Leasing	General Office	~~11,734~~20,874
Retail	Convenience Market	~~2,962~~8,000
~~Fitness / Basketball Court~~	~~Health Club~~	~~4,104~~

Notes: The total dwelling units = 330
The total lot acreage = 2.07
Approximately 60,000 square feet of existing buildings would be demolished.

Pages 198, first bullet, is deleted:

- The average weekday vehicle trip rate was changed to ~~4.01~~ 4.38 trips/dwelling unit/day, based on the assumptions of the transportation analysis conducted for the project (see *Section IV.C, Traffic and Transportation*).~~19~~

~~[19] Fehr & Peers, 2015. *Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

Page 198, starting at third paragraph, through page 199, is revised:

T~~t~~he total average annual CO_2e emissions and the total average annual CO_2e emissions per service population for the project are compared to the City's thresholds in Table IV.E-4. The project's estimated CO_2e emissions exceeded the City's annual emissions threshold, but were below the efficiency-based threshold in terms of annual emissions per service population. Since annual CO_2e emissions only need to be below one of the thresholds, the project's GHG emissions would have a less-than-significant impact on global climate change.

(2) Conflict with Applicable Greenhouse Gas Plan, Policy, or Regulation

The project would not conflict with applicable greenhouse gas plans, policies or regulations. The City's GHG quantitative thresholds were designed to ensure compliance with the State's AB 32 GHG reduction goals, as set forth in CARB's Climate Change Scoping Plan. Since the project's GHG emissions would be below the City's efficiency-based threshold for GHG emissions (Table IV.E-4), it can be assumed that the project is consistent, and not in fundamental conflict, with the Scoping Plan.~~would comply with AB 32.~~ Moreover, the project site is located in the Downtown & Jack London Square Priority Development Area designated by Plan Bay Area, the SB 375 sustainable community strategy adopted by ABAG and MTC for the purpose of achieving the greenhouse gas

reduction target established by CARB for the region's transportation and land use sector pursuant to the Scoping Plan.

TABLE IV.E-4 SUMMARY OF AVERAGE GREENHOUSE GAS EMISSIONS

Pollutant	**GHGs**	
Units	Metric Tons CO2e/year	Metric Tons CO2e/year/ Service Population
Construction Emissions[a]	17	0.02
Operation Emissions	~~3,099~~3,193	~~3.8~~3.92
Total Emissions	3,210	3.85
Thresholds	1,100	4.6
Exceedance	Yes	No

Notes: The emissions reported in the DEIR assumed the operational year was 2014 (a default parameter in CalEEMOD). These emissions have been updated in response to public comments and to account for reduced vehicle emissions that would result for the expected operational year of 2017.

[a] Construction emissions were annualized over 40 years.

Source: CalEEMod (Appendix E).

As stated by Plan Bay Area, a Priority Development Area is a geographic area "where new development will support the day-to-day needs of residents and workers in a pedestrian-friendly environment served by transit."[23] By focusing new development within Priority Development Area, Plan Bay Area establishes a preferred development scenario, build-out of which will achieve the plan's greenhouse gas reduction targets.[24] Since the proposed project will be constructed within a Priority Development Area with land uses at a density and intensity that meets or exceeds Plan Bay Area recommendations (i.e., >20 dwelling units per acre; 0.75 FAR), the project furthers, and is not in conflict with, Plan Bay Area's greenhouse gas reduction targets.

~~Therefore, the project's impact on applicable plans, policies, or regulations related to GHG emission reductions in the SFBAAB would be less than significant.~~

The proposed project is also consistent with the greenhouse gas reduction goals set forth in ECAP, and the green planning goals of the General Plan. First, the proposed project would promote land use patterns and densities that help improve regional air quality conditions, as demonstrated by its compliance with Plan Bay Area's preferred development scenario. In addition, the project would be designed to minimize air quality impacts. ~~In addition, t~~The proposed project is subject to the City's Standard Conditions of Approval, some of which reduce ~~result in a reduction or mitigation of~~ GHG emissions.

These include but are not limited to SCA Trans-1: Parking and Transportation Demand Management, SCA Air Quality A.: Construction-Related Air Pollution Controls, SCA 33:

Waste Reduction and Recycling, and SCA 40: Tree Removal Permit, SCA 41: Tree Replacement and Replanting, and SCA 83: Stormwater and Sewer.

~~The ECAP was developed to identify, evaluate and recommend prioritized actions to reduce energy consumption and GHG emissions in Oakland. The ECAP identifies energy and climate goals, clarifies policy direction, and identifies priority actions for reducing energy use and GHG emissions.~~ The proposed project would also be required ~~conform~~ to comply with the Green Building Ordinance and ~~, as stated earlier, comply with~~ SCA 33: Waste Reduction and Recycling, both of which support the policies and goals of the ECAP. Moreover, in accordance with SCA ~~77~~H, the project will be required to document compliance with the energy efficiency standards required by Title 24 of the California Building Code. The proposed project also conforms to the transportation and land use policies of the ECAP through the development of residential/commercial mixed in an area well served by public transit. Accordingly, the project would not conflict with an applicable greenhouse gas plan, policy or regulation and this impact would be less than significant. ~~The Project would not be in direct conflict with the policies and actions contained in the ECAP, and because the Project results in a reduction of GHG emissions as compared to the baseline, the Project is consistent with the ECAP actions to reduce energy consumption and GHG emissions in Oakland.~~

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[23] Plan Bay Area, page 2,

[24] Plan Bay Area, page. 1-16.

F. NOISE AND VIBRATION

Page 209 is revised:

Noise Ordinances

Chapter 17.120.050 of the Municipal Code establishes performance standards to control dangerous or objectionable environmental effects of noise. The operational noise level standards for residential, commercial, and industrial zones are presented in Table IV.F-4. The construction and demolition noise level standards for residential, commercial/ industrial land uses are presented in Table IV.F-5. Noise from air conditioning mechanical heating, ventilation, and air conditioning (HVAC) systems are prohibited from exceeding the nighttime noise levels presented in Table IV.F-4, and, if located within 200 feet of a residential zone, the systems are required to be housed within an enclosure ~~if located within 200 feet of a residential zone~~.that reduces HVAC system noise audible outside of the enclosure to no more than 60 dBA. Chapter 17.120.060 prohibits activities from generating vibration that is perceptible without instruments by the average person at or beyond the lot line of the lot containing such activities. Vibration generated by motor vehicles, trains, and construction or demolition work is exempt from this standard.

Page 211, SCA NOISE-1, is revised:

SCA ~~Noise~~NOISE-1(SCA 27): Days/Hours of Construction Operation

Ongoing throughout demolition, grading, and/or construction: The project applicant shall require construction contractors to limit standard construction activities as follows: ….

Page 212, SCA NOISE-2, is revised:

SCA NOISE-2 (SCA 28): Noise Control

Ongoing throughout demolition, grading, and/or construction: To reduce noise impacts due to construction, the project applicant shall require….

Page 213, SCA NOISE-3, is revised:

SCA NOISE-3 (SCA 29): Noise Complaint Procedures

Ongoing throughout demolition, grading, and/or construction: Prior to the issuance of each building permit, along with the submission of….

Page 214, SCA NOISE-4, is revised:

SCA NOISE-4 (SCA 30): Interior Noise

Prior to issuance of a building permit and Certificate of Occupancy: If necessary to comply with the interior noise requirements of the City of Oakland's….

Page 215, SCA NOISE-5 and -6, are revised:

SCA NOISE-5 (SCA 31): Operational Noise-General

Ongoing: Noise levels from the activity, property, or any mechanical equipment on site shall comply….

SCA NOISE-6 (SCA 38): Pile Driving and Other Extreme Noise Generators

Ongoing throughout demolition, grading, and/or construction: To further reduce potential pier drilling, pile driving and/or other extreme noise….

Page 218 is revised:

(1) Construction-Generated Noise (Criteria 1 and 2)

The primary noise impacts from construction of the proposed project would occur from the noise generated by the operation of heavy equipment on the project site. Although traffic flow would increase along local streets from the transport of workers, equipment, and materials to the project site, the increase in traffic flow would be temporary and intermittent, and therefore would not be a significant source of project generated noise.

Page 219, Table IV.F-7, through page 220, is revised:

TABLE IV.F-7 ESTIMATED NOISE LEVELS FROM CONSTRUCTION ACTIVITIES (DBA)

Noise Source	Noise Level at 5 Feet	Noise Level at 20 Feet	Noise Level at 50 Feet	Noise Level at 75 Feet
Ground Clearing[a]	103	91	83	80
Excavation	108	96	88	85
Foundations	101	89	81	78
Erection	101	89	81	78
Finishing	108	96	88	85

Notes: The following propagation adjustment was applied to estimate noise levels at 5, 20, and 75 feet assuming:

$dBA2 = dBA1 + 10 \times Log_{10} (D1/D2)^2$

Where:

dBA1 reference noise level at a specified distance.

dBA2 is the calculated noise level.

D1 is the reference distance.

D2 is the perpendicular distance from receiver.

[a] Ground clearing includes demolition and removal of prior structures, trees, and rocks.

Source of noise levels at 50 feet: U.S. EPA, Legal Compilation, 1973.

patio. There are also commercial, light industrial, and multi-family residential receptors located approximately 75 feet east, south, and west of the project site. Based on the distances of these receptors from the new building site, heavy equipment used during construction of the proposed project could generate exterior noise levels of up to 108 dBA at the deli, 96 dBA at the residential units within the Allegro apartment building that face Block B, and ~~79~~85 dBA at the multi-family residential, commercial, and light industrial receptors located approximately 75 feet east, south, and west of the project site, depending on where the equipment is located within the project site. These exterior construction-generated noise levels exceed the maximum allowable noise level standards for residential and commercial/industrial land uses subject to long-term construction activities (Table IV.F-5), which is a potentially significant impact. It should be noted that a typical building façade with windows closed provides a noise level reduction of approximately 25 dBA,[19] and therefore interior noise levels at these receptors would be substantially lower than exterior noise levels. Interior construction-generated noise levels could reach 83 dBA at the deli, 71 dBA at the residential units within the Allegro apartment building that face Block B, and ~~54~~60 dBA at the multi-family residential, commercial, and light industrial receptors located approximately 75 feet east, south, and west of the project site.

~~The impacts from construction noise would be reduced by the implementation of the SCAs Noise-1, Noise-2, Noise-3, and Noise-6. SCAs Noise-1, Noise-2, and Noise-3 specify~~

~~construction hours of operation, noise complaint procedures, and standard construction equipment noise control measures. SCA Noise-6 addresses the exposure of receptors to construction noise greater than 90 dBA by requiring the development of a site specific noise reduction plan that specifies the noise attenuation measures required to minimize construction noise to the maximum extent feasible. There may still be short-term noise impacts related to construction even with implementation of the SCAs, but they would be of limited duration and are considered to be less than significant.~~

Although the construction-generated noise levels would have the potential to exceed the maximum allowable noise level standards (Table IV.F-5), the project would be required to comply with SCAs Noise-1 (SCA 27), Noise-2 (SCA 28), Noise-3 (SCA 29), and Noise-6 (SCA 38). SCA 27 addresses the potential of construction noise to disturb adjacent receptors by limiting construction activities to between 7:00 a.m. and 7:00 p.m. Monday through Friday, and limiting extreme noise generating activities (greater than 90 dBA) to between 8:00 a.m. and 4:00 p.m. Monday through Friday. This limitation prevents the disturbance of sleep for a majority of residents located adjacent to the project site. This SCA also requires any work outside of these hours to be authorized in advance by the Building Services Division. The criteria that the Building Services Division must consider prior to authorizing expanded hours include the proximity of residential uses, and a consideration of resident's preferences for whether the expanded work hours are acceptable. The requirement for City approval prevents the project proponent from unnecessarily performing work outside of allowable work hours and allows occupants of adjacent buildings to voice their concern about longer work hours so that an impact to these occupants can be avoided.

SCA 28 specifies standard construction equipment noise control measures that include positioning stationary noise sources as far from adjacent properties as possible and muffling and enclosing them to provide noise reduction, limiting the duration of the nosiest phases of construction, selecting quieter equipment whenever possible, equipping trucks and equipment with the best available noise control techniques, and requiring the use of mufflers and external jackets on pneumatically powered tools, which can reduce noise levels by 10 dBA and 5 dBA, respectively. These measures minimize the noise generated by the use of both mobile and stationary construction equipment. These measures also ensure quieter periods for adjacent receptors, so that they are not exposed to the highest levels of construction noise for long periods of time.

SCA 29 details the set of procedures that must be used to respond to and track complaints pertaining to construction noise. This measure also occupants within 300 feet of the project site to be notified at least 30 days in advance of extreme noise generating activities and their estimated duration. This measure reduces the potential of construction noise to significantly impact the occupants of adjacent properties because it allows the occupants to voice their complaints and requires the complaints to be addressed in a

timely fashion. In this way, sources of potentially disruptive construction noise can be quickly controlled or eliminated.

Chapter 8.18.020 of the City of Oakland Municipal Code states that construction noise would be considered a nuisance noise if it occurs between the hours of 9:00 p.m. and 7:00 a.m., and if construction activities fail to comply with the requirements to: (1) properly muffle and maintain all construction equipment powered by internal combustion engines; (2) prevent unnecessary idling construction equipment powered by internal combustion engines; (3) locate all stationary noise-generating construction equipment as far as practical from existing residences; (4) select quiet construction equipment whenever possible; and (5) uses pile drivers and jack hammers on Sundays and holidays, unless such use is approved in advance by the City. The proposed project would be required to comply with SCA 27, which would ensure that construction activities would not occur between 9:00 p.m. and 7:00 a.m. and that extreme noise generators, such as pile drivers and jack hammers, would not be used on Saturdays, Sundays, and holidays, unless the use is approved in advance by the City. SCA 28 would require the project to use best available noise control techniques, such as mufflers and intake silencers, on all construction equipment powered by internal combustions engines, to locate all stationary noise-generating equipment as far as practical from existing residences, and to select quiet construction equipment whenever possible. SCA-A, detailed in *Section IV.D, Air Quality*, would require idling time to be minimized by either shutting off construction equipment when not in use, or reducing the maximum idling time to 5 minutes. The proposed project's required compliance with SCAs 27, 28, and A would therefore ensure compliance with the City of Oakland's nuisance standards (Chapter 8.18.010 *et seq.* of the City of Oakland Municipal Code). Consequently, the potential of the proposed project to generate noise in violation of the City of Oakland nuisance standards regarding persistent construction related noise is less than significant.

Because the proposed project would generate noise levels above 90 dBA at adjacent properties, the proposed project would also be required to comply with SCA 38. SCA 38 addresses the exposure of receptors to construction noise greater than 90 dBA by requiring the development of a site specific noise reduction plan by a qualified acoustical consultant that specifies the noise attenuation measures required to reduce construction impacts associated with extreme noise generating activities (e.g., activities generating noise levels greater than 90 dBA). These measures may include the erection of temporary plywood noise barriers around the construction site, the use of noise control blankets on the building structure as the building is being erected, and the monitoring of noise reduction measures by taking noise measurements. Due to the proximity of the nearest sensitive receptors to the project site, the noise attenuation measures may also include the erection of a Sound Transmission Class (STC) rated wall, rather than a plywood wall, around the project site. An STC rating roughly equals the decibel reduction in noise volume that a wall, window, or door can provide.[20] Therefore, a wall with an STC-rating of

at least STC 20 could reduce construction-generated noise to below 90 dBA at the deli and at the residential units within the Allegro apartment building that face Block B. The completion and implementation of a noise reduction plan would limit the potential (through equipment selection, noise control measures, and monitoring) for construction activities to generate noise levels in excess of 90 dBA at adjacent properties. In addition, SCA 29 described above would notify occupants of buildings within 300 feet of proposed extreme noise generating activities, would allow the occupants of adjacent buildings to voice noise complaints, and would require the complaints to be promptly addressed. In this way, sources of potentially disruptive construction noise could be quickly controlled or eliminated. Lastly, SCA 27 would limit the extreme noise generating activities to between 8:00 a.m. and 4:00 p.m. Monday through Friday. Given the nature of construction, there may still be short term noise impacts related to project construction even with implementation of SCAs, but they would not be considered a substantial adverse effect given their limited duration, the time of day such activities could occur (i.e., 8:00 a.m. to 4:00 p.m. Monday through Friday, per SCA 27), and the urban surroundings. The project site and its vicinity is an established, urbanized area in which periodic exposure to construction-related noise and vibration effects are existing conditions, as are exposures to both ongoing and periodic operational urbanized noise sources such as regional highways, railroad operations and train horns, police and emergency vehicle sirens, and other urban uses. Therefore, with implementation of applicable SCAs, the potential of construction of the proposed project to generate excessive noise that would violate the City of Oakland Noise Ordinance is less than significant.

(2) Operational Noise (Criteria 3 and 4)

The proposed long-term use of the project site would be primarily as a multi-family….

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[20] U.S. Department of Housing and Urban Development, undated. Noise Notebook, Chapter 4 Supplement, Sound Transmission Class Guidance.

Pages 220 through 222 are revised:

(2) Operational Noise (Criteria 3 and 4)

The proposed long-term use of the project site would be primarily as a multi-family residential buildings with a commercial space on the ground floor ~~of the building on Block B~~. Based on this land use, the primary noise generation from the long-term operation of the project would occur as a result of the use of mechanical HVAC systems and from increased vehicular traffic on area roads. These long-term noise sources could increase ambient noise levels in the project vicinity, which is a potentially significant impact.

Noise generated from HVAC systems installed as part of the proposed project would be subject to SCA Noise-5 (SCA 31) which requires noise from any activities or mechanical

equipment on a site to comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. Section 17.120 prohibits HVAC systems from exceeding the nighttime noise levels in Table IV.F-4. If located within 200 feet of a residential zone, the systems are required to be housed within an enclosure that reduces noise outside of the enclosure to no more than 60 dBA. Therefore, noise generated at adjacent properties by HVAC systems installed as part of the proposed project would not be allowed to exceed 45 dBA during 20 minutes of a one hour period. Reductions in the noise generated by HVAC systems are commonly achieved through the use of acoustical louvers, duct silencers, and/or the construction of enclosures around the HVAC systems, which can be lined on the interior with acoustical absorption materials for additional noise reduction.[21] A noise level of 45 dBA is more than 10 dBA below the existing ambient noise environment at the project site, which ranges from 71 dBA Ldn to 85 dBA Ldn. As discussed above, when the difference between two noise levels is 10 dBA or more, the amount to be added to the higher noise level is zero. Therefore, the installation of HVAC systems as part of the proposed project would not increase ambient noise levels in the project vicinity, and the potential of the HVAC systems to generate noise in violation of the City of Oakland Noise Ordinance is less than significant. ~~Therefore, the project would not violate the City of Oakland operational noise standards (Table IV.F-4). In addition, given the existing high ambient noise levels at the project site, which includes noise generated by similar HVAC systems at adjacent commercial, light industrial, and residential buildings, the noise generated by mechanical equipment at the project site would not result in an increase in ambient noise levels.~~

Implementation of the project would result increased traffic on local area roadways. However, due to the additive properties of noise, discussed above, traffic volumes would have to nearly double for a perceptible increase in noise levels to occur.[22] A preliminary assessment of AM and PM peak hour traffic volumes at local intersections indicates that traffic volumes at the following four intersections would increase by ~~25 trips~~ between 7 and 37 trips ~~or more~~ as a result of the proposed project:[23]

1. Jackson Street/5th Street (~~58~~ 26 AM and ~~70~~ 37 PM peak hour trips added)
2. Jackson Street/6th Street (~~-~~26 AM and ~~39~~ 15 PM peak hour trips added)
3. Oak Street/5th Street (~~29~~ 32 AM and ~~18~~ 18 PM peak hour trips added)
4. Oak Street/6th Street (~~10~~ 7 AM and ~~31~~ 32 PM peak hour trips added)

The existing traffic volumes at these four intersections are as follows:[24]

1. Jackson Street/5th Street (1,290 AM and 1,585 PM peak hour trips)
2. Jackson Street/6th Street (2,204 AM and 1,615 PM peak hour trips)
3. Oak Street/5th Street (1,252 AM and 1,645 PM peak hour trips)
4. Oak Street/6th Street (1,150 AM and 1,191 PM peak hour trips)

Based on these values, traffic volumes along local roads would increase by approximately 1 to 5 percent relative to existing conditions as a result of the proposed project. This

traffic volume increase is well below the near doubling of traffic volume required for a perceptible change in noise levels to occur. Therefore, the potential ~~impacts of noise generated by the operation of the proposed project are~~of project-generated increases in vehicular traffic to increase ambient noise levels by 5 dBA or more is less than significant.

(3) Exposure of Persons to Significant Noise (Criteria 5-7)

Construction workers could be exposed to excessive noise from the heavy equipment used during construction of the proposed project (Table IV.F-6). However, noise exposure of construction workers is regulated by the California Division of Occupational Safety and Health (Cal/OSHA). Title 8, Subchapter 7, Group 15, Article 105 of the California Code of Regulations (Control of Noise Exposure) sets noise exposure limits for workers, and requires employers who have workers that may be exposed to noise levels above these limits to establish a hearing conservation program, make hearing protectors available, and keep records of employee noise exposure measurements. The construction contractor for the proposed project would be subject to these regulations, and compliance with these Cal/OSHA regulations will ensure that the potential of construction workers to be exposed to excessive noise is less than significant.

Upon completion of project construction, future occupants of the proposed development could be exposed to noise levels in excess of standards, which is a potentially significant impact. As described above, vehicular traffic on the I-80 and trains on the UPRR tracks currently generate noise levels ranging from 71 dBA L_{dn} to 85 dBA L_{dn} throughout the project site. As a result of these elevated exterior noise levels, the noise level reduction of 25 dBA provided by a typical building façade with windows,[25] would not reduce the interior noise levels of residential units to below 45 dBA L_{dn} or of commercial spaces to below 50 dBA L_{eq}. ~~Consequently, future occupants could be exposed to interior noise levels in excess of standards.~~

~~The project would be subject to SCA Noise-4, which requires noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, to be incorporated into project building design, based upon recommendations of a qualified acoustical engineer. The recommendations are required to be submitted to the Building Services Division for review and approval prior to issuance of a building permit. Written confirmation by the acoustical consultant that compliance with interior noise standards have been demonstrated by the testing of a sample unit must be submitted for City review and approval before a Certificate of Occupancy would be issued. The implementation of SCA Noise-4 would ensure that interior noise levels would be maintained below the 45 dBA L_{dn} residential standard and the 50 dBA L_{eq} non-residential standard established by the City of Oakland and California Building Code.~~However, the project would be subject to SCA 30, which requires noise reduction measures to be incorporated into building design based upon the recommendations of a qualified acoustical engineer. The noise reduction measures would

be required to reduce interior noise levels to 45 dBA L_{dn} in residential spaces, in compliance with the City of Oakland Genera Plan, and to 50 dBA L_{eq} in commercial spaces, in compliance with the California Building Code. Sound-rated windows, exterior doors (such as balcony doors), and exterior walls are commonly used to control interior noise from exterior sources. All sound-rated components have STC ratings. As discussed above, a STC rating roughly equals the decibel reduction in noise volume that a wall, window, or door can provide.[26] Given that the ambient noise environment at the project site currently ranges from about 71 dBA Ldn at the southern boundary of the project site to about 85 dBA Ldn at the northern boundary of the project site, the use of sound-rated windows, exterior doors, and exterior walls with STC ratings ranging from at least STC 26 at the southern boundary of the project site to at least STC 40 at the northern boundary of the project site would need to be used in order to reduce interior noise levels from exterior sources to about 45 dBA Ldn, thereby satisfying the interior noise standards for both residential and commercial spaces. The noise control measures are required to be submitted to the Building Services Division for review and approval prior to the issuance of a building permit. Therefore, the potential of future residents of the proposed development to be exposed to noise in excess of standards is less than significant.

The ambient noise environment in the project area encompasses both the "normally unacceptable" and "clearly unacceptable" ~~community~~ noise exposure levels for residential land uses specified in the Noise Land Use Compatibility Matrix (Table IV.F-3). The City of Oakland General Plan indicates that development within a "normally unacceptable" environment requires the completion of a detailed noise analysis and the implementation of noise reduction measures to ensure that interior remain below existing standards. Development within a "clearly unacceptable" environment should generally not be undertaken. The General Plan stipulates however that the use of the Noise Land Use Compatibility Matrix (Table IV.F-3) ~~these noise compatibility guidelines~~ should consider many factors including the noise reduction likely to be provided by structures, existing outdoor ambient levels, general societal attitudes towards the noise source, and tonal characteristics of the noise source.

Highways, arterial roads, railroad lines, and BART lines all cross the City of Oakland, and high ambient noise environments are ~~therefore~~ commonly found throughout the City. The project site is surrounded by multi-family residential and commercial buildings, which indicates that the residents of the City of Oakland are generally accepting of the development of multi-family residential and commercial land uses in this area, despite its proximity to the I-880 and the UPRR. ~~Furthermore~~In addition, the I-880 and UPRR are not sources of annoying noise, which is defined as noise with a repetitive pattern, shrill frequencies, and/or static-like sounds~~,~~.[27] Lastly, as described above, ~~and~~ compliance with SCA ~~Noise 4~~30 would require the development of noise reduction measures that would reduce interior noise levels in residential and commercial spaces within ~~the building~~Buildings A and B to below ~~the~~ 45 dBA L_{dn} in residential ~~standard and~~spaces and

below 50 dBA L_{eq} in commercial spaces.~~the 50 dBA L_{eq} non-residential standard established by the City of Oakland and California Building Code.~~ Therefore,~~ the project does not conflict with the land use compatibility guidelines of the General Plan~~ although the project area encompasses both the "normally unacceptable" and "clearly unacceptable" noise exposure levels for residential land uses specified in the Noise Land Use Compatibility Matrix (Table IV.F-3), because (i) existing developments in the area show that general societal attitude are accepting of the presence of multi-family residential and commercial land uses in this area, (ii) the ambient noise environment does not contain annoying noise, and (iii) a detailed noise analysis would be completed and noise reduction measures would be implemented to reduce interior noise levels within Buildings A and B to meet City of Oakland and California Building Code thresholds in compliance with SCA 30, the potential of the proposed project to conflict with the land use compatibility guidelines of the General Plan is less than significant.

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[21] New York City Department of Environmental Protection, 2013. Noise Control for Building Exterior Heating, Ventilation, and Air Conditioning Equipment Guidance Sheet.

[22] Federal Transit Administration, 2006. Transit Noise and Vibration Impact Assessment (DTA-VA-90-1003-06).

[23] Fehr and Peers, 2015. *Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis,* December 1. ~~*Memorandum: 200 4th Street – Preliminary Transportation Analysis,* March 3.~~

[24] ESA, 2014. *Jack London Square Redevelopment Project Addendum to the 2004 EIR*, May 9.

[25] Salter, Charles M., 1998. *Acoustics – Architecture, Engineering, the Environment,* William Stout Publishers.

[26] United States Department of Housing and Urban Development, undated. Noise Notebook, Chapter 4 Supplement, Sound Transmission Class Guidance.

Page 223, Impact NOISE-1, is revised:

Impact NOISE-1: The construction of the proposed project could ~~result in the exposure of~~expose nearby receptors to excessive groundborne vibration. (S)

Pages 225 through 226 are revised:

The residential units located at the Allegro apartment building are separated from the project site by a patio that is approximately 20 feet wide. Based on the vibration level estimates presented in Table IV.F-9, the residents of this building could be exposed to construction equipment-generated vibration of up to 90 RMS VdB, which exceeds the 75 RMS VdB occasional events threshold of daytime use disturbance at residential buildings, and is therefore a potentially significant impact.

There is also a deli located underneath the patio. The occupants of the deli could be exposed to construction equipment-generated vibration of up to 108 RMS VdB, which exceeds the 78 RMS VdB occasional events threshold of daytime use disturbance at institutional buildings, and is therefore a potentially significant impact. Lastly, there are

multi-family residential buildings, light industrial, and commercial buildings located approximately 75 feet east, south, and west of the project site. The occupants of these buildings could be exposed to vibration of up to 73 RMS VdB, which does not exceed the 75 or 78 RMS VdB disturbance thresholds. Therefore, the occupants of these buildings would not be exposed to excessive vibration levels.

Although the residents of the Allegro apartment building and workers at the deli could be exposed to vibration levels above the 75 and 78 RMS VdB disturbance thresholds, vibration levels would only exceed these thresholds when construction equipment is operated in close proximity to the building (within approximately 45 to 65 feet). This is because, as discussed above, ground-borne vibration attenuates rapidly with distance from the source of the vibration. Because the location of construction equipment would vary over time across the site, the exposure of the deli and of any given residential unit within the building would be expected to occur for only short periods of time within each day. This is because only work within 60 and 48 feet of the deli or a given residential unit would result in an exceedance of 75 and 78 RMS VdB, respectively,[33] and construction equipment with the potential to generate vibration that exceeds these thresholds (refer to Table IV.F-8) would move around the project site and would not be located continuously throughout the day within 60 or 48 feet of the western boundary of Block B. Furthermore, due to the variable nature of the location of construction activities and the types of equipment used during each phase of construction, there would be many continuous days when construction equipment with the potential to generate vibration that exceeds these thresholds (refer to table IV.F-8) would not be used, or would not come within 60 or 48 feet of the western boundary of Block B. ~~Because the location of construction equipment would vary over time across the site, the exposure of the deli and of any given residential unit within the building would not be expected to last more than a few days~~. In addition, compliance with SCAs ~~Noise-1, Noise-2,and Noise-3~~27, 28, and 29, which limit the use of impact tools, limits construction to daytime hours, require stationary construction equipment and staging areas to be located as far as possible from sensitive receptors, and require the implementation of measures to respond to and track complaints, would further reduce the potential of construction-generated vibration to disturb occupants of the Allegro apartment building. Because of the limited duration of potential vibration impacts to any given occupant of the Allegro apartment building and because of the required compliance with SCAs ~~Noise-1, Noise-2,and Noise-3~~27, 28, and 29, the potential of the proposed project to expose occupants of the Allegro apartment building to excessive vibration is not considered a substantial adverse effect and is therefore less than significant.

d. Cumulative Impacts

Longer-term noise from cumulative development (including past, present, and reasonably foreseeable future development) in the area would primarily occur from motor vehicle traffic. As discussed above, the project's contribution to baseline traffic levels would not

be nearly significant enough to result in a significant noise impact. This would also be true for the project's contribution to traffic levels in 2035 and in no case would the project's contribution to cumulative noise associated with traffic increased be considered significant.

Noise and vibration impacts from construction sources are localized in nature because noise and vibration intensity decreases substantially with distance (i.e., by 6 dBA with each doubling of source-receptor distance; construction vibration levels decrease even faster). In addition, the impacts from construction noise and vibration at the site would be reduced to less-than-significant levels with implementation of the City's Standard Conditions of Approval for construction noise. ~~In~~Moreover, in the unlikely event that multiple construction projects occur in the vicinity at the same time, all projects would be subject to the same construction noise and vibration conditions of approval, thereby reducing potential cumulative construction noise impacts ~~to a less-than-~~. In addition, substantial construction-related noise and vibration would affect only areas in close proximity to each of the individual construction sites. It is unlikely that construction noise or vibration from these other construction sites would jointly affect the same sensitive receptors. Thus, the contribution of the project to potential cumulative construction noise and vibration impacts would be reduced to a less-than-significant level.

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[33] Based on reference vibration levels at 25 feet, the following propagation adjustment was applied to estimate the farthest distances at which the RMS vibration levels would exceed 75 and 78 RMS VdB, respectively.

$RMS_2 = RMS_1 - 30 \text{ Log}_{10}(D_2/D_1)$

Where:

RMS_1 is the reference vibration level at a specified distance (in this case, the reference vibration level is assumed to be 87 RMS VdB generated by a large bulldozer at 25 feet).

RMS_2 is the calculated vibration level.

D_1 is the reference distance (25 feet).

D_2 is the distance from the equipment to the receiver.

V EFFECTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT WITH SCAS

D. CULTURAL RESOURCES

Page 235 is revised:

The proposed project will be located in an urban area and will be replacing a former produce warehouse building. As the project area has been subject to continuous urban development over the past century, any archaeological or paleontological remains ~~would~~are likely to be buried by fill.

Carey & Company conducted a records search to identify the baseline conditions for cultural resources in the project area. Their analysis included a records search (File # 15-0038) of the project area at the Northwest Information Center (NWIC) of the California Historical Resources Information System, Sonoma State University, Rohnert Park. The NWIC is the official state repository of cultural resource records and report for Alameda County. Two historic resources have been recorded or otherwise identified in the project area: one is the Warehouse Waterfront Historic District and the other a building within the District. Both are described in more detail in Chapter 4 of this Draft EIR. The project area's low archaeological sensitivity is indicated by the absence of recorded archaeological sites.

The proposed project would result in demolition and some grading activities on-site that would require a grading permit. Thus, the following SCAs are required to ensure that if any such archaeological or paleontological resources or human remains are encountered during excavation or construction activities on site that such resources would be addressed to lessen any potential adverse effects.

Page 242, second paragraph, is revised:

If not properly managed, excavation and grading activities could result in loss of topsoil (erosion and sedimentation) and the impacts to receiving water quality would be significant. Because project development involves more than 500 cubic yards of excavation and fill, earthmoving activities at the project site must be conducted under a grading permit in accordance with City of Oakland Municipal Code Section 15.04.660. Among other requirements, an Erosion and Sediment Control Plan would be required under City of Oakland SCA 54:

Pages 243 through 249, Chapter V, F. Hazards and Hazardous Materials, is replaced in its entirety and shown below without tracking:

F. HAZARDS AND HAZARDOUS MATERIALS

NOTE: This section is replaced in its ENTIRETY. As a result, the specific deletions and additions are not explicitly shown.

1. Affected Environment

The project site is located in an urban area that has a history of industrial land uses. To evaluate whether any of the historic land uses could have affected subsurface soil and groundwater quality, two Phase I Environmental Site Assessments (ESAs) and one Phase II ESA were prepared for the project site. Phase I Environmental Site Assessments (ESAs)

were prepared for the project site in February 2006[22] and December 2014,[23] and a Phase II ESA was prepared in December 2015. The Phase I ESAs included review of historical land use information; review of environmental records from local, state, and federal sources; reconnaissance of the site; and interviewing a site representative. The Phase II ESA included sampling and analysis of soil and groundwater samples collected at the project site. A summary of the findings of each ESA document is provided below:

b. 2006 Phase I ESA

The following is a description of the historic uses of the project site based on information presented in the 2006 Phase I ESA. Block A of the project site (the area bound by 5th, 4th, Madison, and Jackson streets) was developed as a boarding school and academy in the late 19th and early 20th century, and was redeveloped for commercial and industrial uses in the early to mid-1900s, which included a pipe yard, the Dork Gas Engine Co. and machine shop, warehouses, and offices. The Dork Gas Engine Co. was in operation for a period between the early 1900s and late 1930s, and was identified as a site with numerous chemicals, fuel, distillate, gas, and oil. There are two buildings which currently occupy Block A of the project site. The larger western building (430 Jackson Street address) was constructed in 1937, and the smaller eastern building (425 Madison Street address) was constructed between 1939 and 1946. The buildings were used as warehouses and offices from the 1950s through late 1960s, and the buildings appear to have been connected in the mid-1980s. In 2006, the buildings were occupied by corporate offices of Cost Plus World Market and no hazardous materials were observed to be stored or used at the project site. Block B of the project site (the western half of the block bound by 3rd, 4th, Madison, and Jackson streets) consisted of residential properties until redevelopment in the early 1900s with the Western Pacific Railroad and freight storage yard, which existed until the late 1990s. By 2006, Block B of the project site was redeveloped as the existing parking lot.[24]

The 2006 Phase I ESA included the following findings and recommendations:

- Due to the age of the buildings on the project site, there is a potential that hazardous building materials including asbestos containing materials (ACMs) and lead-based paint (LBP) are present.
- Concentrations of petroleum hydrocarbons, semi-volatile organic compounds (SVOCs), and metals were detected in soil and groundwater on the project site during a 1996

[22] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

[23] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street Property, Oakland, California.* December.

[24] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

investigation, but that all concentrations were below the corresponding screening levels at that time for residential land uses.

- Based on the soil and groundwater sampling results, no further action was recommended in 1996 and the site was granted case closure by the Alameda County Health Care Services Agency, Environmental Protection Division (ACHCSA) in August 1996.
- Based on the regulatory status of the project site, no further investigation appeared to be warranted at the time. However, petroleum hydrocarbons and SVOCs are likely present in soil groundwater beneath the project site, and policy guidelines change over time; therefore, if the subject property is planned for redevelopment in the future, further investigation may be warranted at that time.[25]

c. 2014 Phase I ESA

The following is a description of the historic uses of the project site based on information presented in the 2014 Phase I ESA. Block A of the project site (the area bound by 5th, 4th, Madison, and Jackson streets) was developed as a boarding school and academy in the late 19th and early 20th century, and was redeveloped for commercial and industrial uses in the early to mid-1900s, which included a pipe yard, the Dork Gas Engine Co. and machine shop, warehouses, and offices. The Dork Gas Engine Co. was in operation for a period between the early 1900s and late 1930s, and was identified as a site with numerous chemicals, fuel, distillate, gas, and oil. There are two buildings which currently occupy Block A of the project site. The larger western building (430 Jackson Street address) was constructed between 1937 and 1939, and the smaller eastern building (425 Madison Street address) was constructed between 1939 and 1946. The buildings were used as warehouses and offices from the 1950s through late 1960s, and the buildings appear to have been connected in the mid-1980s. In 2014, the buildings were occupied by corporate offices of Cost Plus World Market and no hazardous materials were observed to be stored or used at the project site. Block B of the project site (the western half of the block bound by 3rd, 4th, Madison, and Jackson streets) consisted of residential properties until redevelopment in the early 1900s with the Western Pacific Railroad and freight storage yard, which existed until the late 1990s. By 2005, Block B of the project site was redeveloped with a parking lot, similar to the current configuration.[26]

The 2014 Phase I ESA included the following findings and recommendations:

[25] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

[26] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.

- The project site has been previously used for various industrial/commercial purposes. A previous investigation identified concentrations of SVOCs, total petroleum hydrocarbons (TPHs), and metals, in the soil and groundwater at the project site. The site was granted closure by the ACHCSA on August 19, 1996.
- Based on the past industrial use of the project site and the noted soil impacts from the previous investigation, it is conceivable that more pervasive soil impacts may exist across the project site. These soil impacts, if present, could affect soil management options and costs.
- There are potential sources of groundwater contamination up-gradient of the project site. If the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction.
- There are comingled gasoline plumes in the vicinity of the project site. These plumes may have migrated beneath the project site and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern.
- A risk management plan (RMP) should be developed prior to demolition and construction to address potential unknown environmental issues.
- Groundwater sampling should be considered to address potential developmental constraints and construction dewatering issues.
- Given the age of the commercial building existing on the northern portion of the project site, it is possible that ACMs or LBP were used in its construction. If the structure is to be demolished, an environmental professional should be retained to determine if asbestos-containing materials and/or lead-based paint are present.[27]

d. 2015 Phase II ESA

In December 2015, a Phase II ESA was prepared for the project site.[28] Phase II ESA sampling activities were performed at the project site to evaluate soil and groundwater conditions. The Phase II ESA included the collection and analysis of soil samples from four borings and groundwater samples from two of the four borings. Three of the borings were located in the Block B portion of the project site, and a groundwater sample was collected from a boring near the center of Block B. One boring was located adjacent to the southwest side of the building on the Block A portion of the project site, and a groundwater sample was collected from this boring. Sampling was not performed within

[27] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.

[28] ENGEO, 2015. *Phase II Environmental Site Assessment, 430 Jackson Street, Oakland, California*, November, Revised December.

the building footprint on the Block A portion of the project site because the building is currently occupied and used as office space and could not be accessed. Soil samples were analyzed for petroleum hydrocarbons, volatile organic compounds (VOCs), SVOCs, PCBs, and metals. Groundwater samples were analyzed for oil and grease, VOCs, and dissolved metals in accordance with EBMUD's Wastewater Discharge Requirements (WDRs). A concentration of PCBs which slightly exceeds the applicable residential screening level was detected in a composite soil sample collected from the southwest corner of Block A of the project site. Groundwater samples exhibited low detectable concentrations of oil and grease, VOCs (benzene and toluene), total petroleum hydrocarbons (TPH) as gasoline, and dissolved metals. The Phase II ESA concluded that based on the proposed use of the project site as a podium structure with parking in the lower level, the detected level of PCBs is not expected to pose an environmental concern, and the groundwater analytical results should be provided to EBMUD to determine appropriate discharge requirements during construction dewatering activities. The Phase II ESA recommended no further investigation at this time, and recommended that a Site Management Plan (SMP) should be prepared to address potential unknown environmental issues (as described in more detail under b) below.

2. Thresholds of Significance

The project would have a significant impact on the environment if it would:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

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;

3. Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors [NOTE: Per the BAAQMD CEQA Guidelines, evaluate whether the project would result in persons being within the Emergency Response Planning Guidelines (ERPG) exposure level 2 for acutely hazardous air emissions either by siting a new source or a new sensitive receptor. For this threshold, sensitive receptors include residential uses, schools, parks, daycare centers, nursing homes, and medical centers];

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

5. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;

6. Result in less than two emergency access routes for streets exceeding 600 feet in length unless otherwise determined to be acceptable by the Fire Chief, or his/her designee, in specific instances due to climatic, geographic, topographic, or other conditions;

7. Be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, and would result in a significant safety hazard for people residing or working in the project area;

8. Be located within the vicinity of a private airstrip, and would result in a significant safety hazard for people residing or working in the project area;

9. Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

10. 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. Discussion

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

Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors

The project proposes the demolition of the existing structures and parking lot on the project site, and construction of two residential apartment buildings with lower level parking garages and commercial spaces. This type of land use typically does not involve transport, use, or disposal of significant quantities of hazardous materials. Generally, small quantities of hazardous materials, such as paints and cleaning chemicals, would be used for routine maintenance, and therefore a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors would not occur. Therefore the potential impact related to operational use of hazardous materials is less than significant.

During project construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. An accidental spill during transport, use, or disposal of these hazardous materials during construction activities could adversely affect the public or the environment, which is a potentially significant impact.

Transportation of Hazardous Materials. In 1990 and 1994, the federal Hazardous Material Transportation Act was amended to improve the protection of life, property, and the environment from the inherent risks of transporting hazardous material in all major modes of commerce. The U.S. Department of Transportation (USDOT) developed hazardous materials regulations, which govern the classification, packaging, communication, transportation, and handling of hazardous materials, as well as employee training and incident reporting. The transportation of hazardous materials is subject to both Resource Conservation and Recovery Act (RCRA) and USDOT regulations.

The California Highway Patrol, the California Department of Transportation (Caltrans), and DTSC are responsible for enforcing federal and State regulations pertaining to the transportation of hazardous materials. If a discharge or spill of hazardous materials occurs during transportation, the transporter is required to take appropriate immediate action to protect human health and the environment (e.g., notify local authorities and contain the spill), and is responsible for the discharge cleanup.

Use and Disposal of Hazardous Materials. The project would be required to comply with all applicable Occupational Safety and Health Administration (OSHA) regulations regarding worker safety related to the use and disposal of hazardous materials. Under OSHA jurisdiction, the Hazardous Waste Operations and Emergency Response regulations require training and medical supervision for workers at hazardous waste sites (Code of Federal Regulations, Title 29, Labor, Section 1910.120, Hazardous Waste Operations and Emergency Response). State worker health and safety regulations related to construction activities are enforced by the California Division of Occupational Safety and Health (Cal/OSHA). Regulations include requirements for protective clothing, training, and limits on exposure to hazardous materials. Compliance with these existing regulations would ensure that workers are protected from exposure to hazardous materials that may be used on-site.

Because the total project area is greater than 1 acre, management of hazardous materials at the site during construction activities would be subject to the requirements of SCA 46 (discussed in Hydrology and Water Quality) and the Stormwater Construction General Permit (CGP), which requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce the risk of spills or leaks from reaching the environment (which would also reduce the risk of exposure of workers and the public), including procedures to address minor spills of hazardous materials. Measures to control spills, leakage, and dumping, and to prevent illicit connections during construction must be addressed through structural as well as non-structural Best Management Practices (BMPs). For example, construction site operators must store chemicals in watertight containers (with appropriate secondary containment to prevent any spillage or leakage) or in a storage shed (completely enclosed). In addition, as required by the CGP, equipment and materials for cleanup of spills must be available on site and that spills and leaks must

be cleaned up immediately and disposed of properly. BMPs also include treatment requirements, operating procedures, and practice to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Additionally, the project would be required to comply with the City's SCAs which include the following:

SCA 34: Hazards Best Management Practices

Prior to commencement of demolition, grading, or construction: The project applicant and construction contractor shall ensure that Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction;
- Avoid overtopping construction equipment fuel gas tanks;
- During routine maintenance of construction equipment, properly contain and remove grease and oils;
- Properly dispose of discarded containers of fuels and other chemicals;
- Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all underground storage tanks (USTs), elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building.
- If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any USTs, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in SCAs, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

SCA 67: Best Management Practices for Soil and Groundwater Hazards

Ongoing throughout demolition, grading, and construction activities: The project applicant shall implement all of the following BMPs regarding potential soil and groundwater hazards.

- Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland.
- Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources).
- Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.

SCA 34 requires that the contractor "Properly dispose of discarded containers of fuels and other chemicals" (as listed above). SCA 67 requires the proper management of contaminated soil stockpliles and dewatering effluent. Implementation of these SCAs would ensure that impacts related to improper disposal of hazardous materials on the public and environment would not occur. Moreover, compliance with the regulations described above, including RCRA and USDOT regulations, the CGP, Title 29, Labor, Section 1910.120, and implementation of the City's SCA 34 (which requires that BMPs designed to minimize impacts related to mishandling hazardous materials, as described above) would ensure that the proposed project would not result in spills or leaks that could create a

significant hazard to the public or the environment associated with the transport, use, disposal, or emission of hazardous materials during and after construction by ensuring that these materials are properly handled, and if spills or leaks occur, they are properly and promptly cleaned up and the materials disposed of at an appropriate waste-handling facility. With implementation of the SCA's described above and project compliance with applicable state and federal laws, the project would have a less than significant impact related to the transportation, storage, use and disposal of hazardous materials.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment

There are two main ways that the public and/or the environment could be affected by the release of hazardous materials into the environment, including 1) exposing workers and/or the public to potentially contaminated soil and groundwater during construction and/or operation of the project; or 2) exposing workers and/or the public to hazardous building materials (e.g., lead paint, asbestos) during demolition of existing structures.

Potentially Contaminated Soil and Groundwater. To evaluate whether past uses of a property may have resulted in soil and groundwater contamination through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, which could affect construction workers, the public, or the environment as the result of redevelopment of the property, the City requires Environmental Site Assessments (ESAs) to be performed as described in the following SCA.

SCA 61: Phase I and/or Phase II Reports

Prior to the issuance of demolition, grading or building permit: Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.

In addition, SCA 68 requires the applicant to provide documentation in the Phase I/II documents that vapor intrusion would not be a significant hazard for the proposed development (and requires the analyses be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval).

SCA 68: Radon or Vapor Intrusion from Soil or Groundwater Sources

Ongoing: The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of

the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.

As described in detail above, two Phase I ESAs were prepared for the project site in February 2006[29] and December 2014,[30] and a Phase II ESA were prepared for the project site. The 2014 Phase I ESA concluded that there are comingled gasoline plumes in the vicinity of the project site and that these plumes may have migrated beneath the project site and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern.[31] The 2015 Phase II ESA indicated that groundwater samples from the project site exhibited low detectable concentrations of VOCs (benzene and toluene) and TPH-g, and recommended no further studies at this time.[32]

The SCAs 61 and 68 require that any actions recommended in the Phase I/II ESAs be implemented (after review and approval of Fire Prevention Bureau, Hazardous Materials Unit). To implement SCAs 61 and 68, the following recommendations from the Phase II ESA would be required:

A site management plan (SMP) must be developed and submitted to the appropriate City of Oakland agencies for review and approval prior to demolition and construction to address potential unknown environmental issues. The SMP must include protocols for the characterization and handling of excavated soil consistent with applicable regulatory agency guidelines and standards and must include the following:

- **Observation during site demolition and soil disturbing activities**. Observation of construction activities must be performed by a qualified environmental consultant during demolition activities including removal of concrete slabs, asphalt pavement, foundation features, subsurface utilities, or any other subsurface feature; and during soil disturbing activities including grading/scraping, excavation/trenching, and drilling. The environmental consultant must identify

[29] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

[30] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street Property, Oakland, California.* December.

[31] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.

[32] ENGEO, 2015. *Phase II Environmental Site Assessment, 430 Jackson Street, Oakland, California*, November, Revised December.

signs of potential impacts from hazardous materials in soil and/or groundwater such as staining/discoloration, odors, and presence of rubble/debris. The environmental consultant must also use a photoionization detector (PID) meter to screen soil for organic vapors. The environmental consultant must have the authority to stop work in an area where potential impacts from hazardous materials in soil or groundwater are identified until the nature and extent of the potential impacts are further evaluated.

- **Appropriate sample collection procedures.** If potentially impacted soil or groundwater is encountered at the project site, sampling of the potentially impacted soil or groundwater must be performed by a qualified environmental consultant to evaluate the nature and extent of the potential impacts and determine whether notification of appropriate regulatory agency(ies) and remediation may be necessary. The appropriate sample containers, sampling techniques, sample preservation, and laboratory analysis to be performed should be specified.
- **Protocols for confirmation sampling.** If impacted soil is encountered and removed, or if a spill occurs and impacted soil is removed, confirmation sampling must be performed by a qualified environmental consultant to evaluate whether the extent of impacted soil removal was sufficient and whether the remaining soil is of acceptable quality (e.g., the soil meets appropriate regulatory agency guidelines and standards for residential land use) to remain on-site.
- **Segregation of impacted soil from non-impacted soil.** If impacted soil is excavated, it must be placed in a segregated stockpile, or placed directly into trucks or roll off bins for off-site disposal to ensure that it is not mixed with clean soil.
- **Appropriate stockpile best management practices.** Stockpile management methods consistent with applicable regulatory standards must be specified to ensure that stockpiles are constructed in a manner that would prevent potential contamination of underlying soil, spilling of soil from stockpile areas, infiltration of rainwater into stockpiles, and dust, vapor, or odor emissions from stockpiles.
- **Dust control/air monitoring procedures.** Dust control procedures must include limiting vehicle and equipment speeds; regular application of water on routes of vehicle/equipment travel; sweeping of pavement surfaces if soil is tracked onto pavement surfaces by vehicles/equipment; and application of water to active soil disturbing activities such as excavation, grading, stockpiling, and truck loading, to ensure that potential emissions of fugitive dust are minimized to the maximum extent practicable. The application of water must be controlled to ensure that water does no runoff and cause ponding or enter storm drains. Air monitoring must include visual monitoring for dust. If visual dust is observed to be generated

at the project site, additional dust control measures should be implemented. If visual dust is observed to cross the site boundary, work should be suspended until the dust emissions can be controlled. If impacted soil or groundwater is encountered at the project site that could pose a health risk for construction workers or the surrounding public due to exposure to dust or vapors from impacted soil or vapors from the impacted groundwater, appropriate air monitoring procedures should be developed in accordance with applicable regulatory standards and implemented to ensure that emissions of dust and/or vapors are adequately controlled to prevent exposure of construction workers and the surrounding public to potential health risks.

- **Protocols for off-site waste disposal and protocols for soil re-use.** Excess soil or impacted soil to be removed from the project site must be sampled and characterized to ensure that it is disposed of at an appropriate off-site location. Soil impacted with hazardous materials must be disposed of at an appropriately permitted landfill and not be re-used as fill material on-site or at an off-site location. Soil that is sampled due to suspected contamination must only be re-used on-site if sampling results indicate that the soil meets the appropriate regulatory agency guidelines for residential land use. If soil that was suspected of contamination is proposed for on-site re-use based on waste characterization sampling results, additional sampling of the soil may need to be performed to demonstrate that the soil is suitable for re-use as a higher frequency of sampling should be specified for re-use of soil than for waste disposal characterization, as determined by a qualified environmental consultant. The appropriate sample containers, sampling techniques, sample preservation, and laboratory analysis should be specified for evaluation of soil proposed for off-site disposal or on-site re-use.
- **Construction dewatering and treatment/management procedures, if necessary.** If groundwater is encountered and requires dewatering, sampling and characterization of the groundwater must be performed to evaluate groundwater disposal options. If groundwater is impacted with hazardous materials, it may require treatment prior to discharging to sanitary sewer in accordance with EBMUD permit requirements.
- **Notifications and response procedures.** Procedures for notification of construction workers, construction management personnel, and the appropriate regulatory agency(ies) must be specified for situations where impacted soil or groundwater is encountered, or other features of environmental concern are discovered such as underground storage tanks, buried drums or other hazardous materials containers, pipelines containing hazardous materials, or buried asbestos containing materials such as asbestos-cement pipelines or pipelines wrapped in asbestos insulation. Response procedures for such situations must include

emergency response and evacuation procedures, further assessment/evaluation of the potentially hazardous conditions by appropriately trained personnel through use of field equipment and sampling, and retaining appropriately trained personnel to abate the hazards.

- **Contingency plan.** The contingency plan must describe how construction activities would be modified (e.g., temporary stopping of work, focusing on construction activities in a different area of the site, or designing and implementing engineering controls) if features of potential environmental concern or impacted soil and/or groundwater are identified which would require further evaluation and possibly remediation in accordance with applicable regulatory guidelines and standards.
- **Health and Safety Plan.** The Health and Safety Plan (HSP) must describe potential site hazards, training requirements, personal protective equipment, and safe work practices for site personnel in accordance with all applicable Cal/OSHA regulations and standards. All contractors working at the project site must either adopt and abide by this HSP or develop their own health safety plans which, at a minimum, meet the requirements of the HSP required by this paragraph.

Preparation and implementation of a comprehensive SMP (as required by City SCAs and described above) would ensure that the proposed project would not 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, including potential releases resulting from encountering previously unidentified soil and groundwater contamination. With implementation of the SCAs described above and project compliance with applicable state and federal laws, the project would have a less-than-significant impact related to upset and accidents conditions involving the release of hazardous materials into the environment.

Hazardous Building Materials (e.g., lead paint, asbestos). The Phase I ESAs indicated that due to the age of the buildings on the project site, there is a potential that hazardous building materials including asbestos containing materials (ACMs) and lead-based paint (LBP) are present.[33,34] The release of hazardous building materials during building demolition activities could pose an exposure risk to construction workers and the public, and could also result in adverse effects to the environment, which is a potentially significant impact. The project would be required to comply with the City's SCAs addressing hazardous building materials, which include the following (after each SCA, and summary of how the SCA would be implemented is provided):

[33] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

[34] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.

SCA 62: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment

Prior to issuance of any demolition, grading or building permit: The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of ACM, LBP, and any other building materials or stored materials classified as hazardous waste by state or federal law for review and approval.

An expert in identifying ACM and LBP would be retained to conduct the comprehensive assessment.

SCA 40: Asbestos Removal in Structures

Prior to issuance of a demolition permit: If ACMs are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations (CCR); Title 8, Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District (BAAQMD), Regulation 11, Rule 2, as may be amended.

Exposure to asbestos, a State-recognized carcinogen, can result in health ailments such as lung cancer, mesothelioma (cancer of the linings of the lungs and abdomen), and asbestosis (scarring of lung tissues that results in constricted breathing). ACMs such as thermal system insulation, surfacing materials, and asphalt and vinyl flooring may be present in buildings constructed prior to 1981 (California Code of Regulations, Title 8 Industrial Relations, Section 5208 Asbestos). Workers conducting asbestos abatement must be trained in accordance with State and federal OSHA requirements (Code of Federal Regulations, Title 29, Labor, Section 1926.1101, Asbestos). The BAAQMD oversees the removal of regulated ACMs. All friable (crushable by hand) ACMs or non-friable ACMs subject to damage must be abated prior to demolition in accordance with applicable requirements. Friable ACMs must be disposed of as an asbestos waste at an approved facility. Non-friable ACMs may be disposed of as non-hazardous waste at landfills that will accept such wastes.

Requirements for safely removing asbestos prior to renovation or demolition are included in the Bay Area Air Quality Management District Regulation 11, Rule 2. The purpose of this Rule is to control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and establish appropriate waste disposal procedures. Under the requirements, demolition sites must be monitored until there is no visible emissions to the outside air from any from any operation involving the demolition, renovation,

removal (11-2-302). This is accomplished by wetting asbestos-containing materials prior to handling or removal (subsection 303.1), exhaust collection method (subsection 303.2), and containing work areas with physical barriers (subsection 303.6), among other methods.

SCA 64: Lead-Based Paint Remediation

Prior to issuance of any demolition, grading or building permit: If LBP is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.

Exposure to lead, a State-recognized carcinogen, can result in health ailments such as stomach and lung cancer and impair nervous, renal, cardiovascular and reproductive systems. While the applications of LBP to residential structures was banned in 1978, this restriction didn't apply to commercial and industrial buildings; therefore, any commercial or industrial building, regardless of construction date, could have surfaces coated with LBP. Loose and peeling LBP must be disposed of as a State and/or federal hazardous waste if the concentration of lead equals or exceeds applicable waste thresholds. State and federal OSHA regulations require a supervisor who is certified to identify existing and predictable lead hazards to oversee air monitoring and other protective measures during demolition activities where LBP may be present (Code of Federal Regulations, Title 29, Labor, Section 1926.62 *et all*). Special protective measures and notification to Cal/OSHA are required for highly hazardous construction tasks related to lead, such as manual demolition, abrasive blasting, welding, cutting, or torch burning of structures where LBP is present.

SCA 65: Other Materials Classified as Hazardous Waste

Prior to issuance of any demolition, grading or building permit: If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.

Experts in identification and assessment of ACM and LBP also provide assessment services for other hazardous materials and wastes, including universal wastes. Universal wastes include a wide variety of hazardous wastes commonly produced from households and businesses. For example, universal wastes include electrical transformers, fluorescent lighting, electrical switches, heating/cooling equipment, and thermostats, which could contain hazardous materials such as PCBs, diethylhexyl phthalate, mercury, and other

metals. These disposal of these materials are regulated under the California Universal Waste Rule. To manage universal waste in accordance with the streamlined requirements for the State of California, generators must relinquish the waste to a universal waste transporter, another universal waste handler, or a universal waste destination facility.

SCA 66: Health and Safety Plan per Assessment

Prior to issuance of any demolition, grading or building permit: If the required LBP/coatings, asbestos, or polychlorinated biphenyl (PCB) assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal. The applicant shall implement the approved plan.

The control and monitoring methods and standards that are required by state and federal law and described above would be required to be documented in a Health and Safety Plan, as specified by SCA 66. These methods when properly implemented, have been demonstrated to be effective in protecting worker health and safety and the safety of the public.

Compliance with applicable regulations (described above) and the City's SCAs would ensure that the proposed project would not create a significant hazard to the public or the environment associated with the potential release of hazardous building materials during demolition activities. With implementation of the SCA's described above and project compliance with applicable state and federal laws, the project would have a less than significant impact related to expose to hazardous building materials.

c. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;

The Cortese List is a compilation of several different lists of hazardous material release sites that meet criteria specified in Section 65962.5 of the California Government Code. While there are documented trace levels of hazardous materials on the project site, there are currently no hazardous materials release sites on the project site that meet the criteria for inclusion on the Cortese List. Therefore, the project would have no impact related to development on a hazardous materials release site included on the Cortese List.

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

The only existing or proposed school located within ¼-mile of the project site is Laney College, a local community college located at 900 Fallon Street (approximately eight blocks from the project site) Given the distance between the project site and Laney

College, and the type and quantities of hazardous materials potentially occurring at the project site, no hazardous materials emissions with the potential to affect this school would be anticipated during demolition, construction, or operation of the project.

e. Be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport, or be located within the vicinity of a private air strip, and would result in a significant safety hazard for people residing or working in the project area;

Oakland International Airport is the closest airport to the project, and is located approximately 4 miles to the southeast. The project site is not located within a public airport land use plan or within 2 miles of a public use airport.[35] The project site is also not located within the vicinity of a private airstrip.[36] Thus, the proposed project would not result in an aviation-related safety hazard.

f. Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The proposed project would not affect the City street grid system and would therefore not impede an emergency access route or interfere with an emergency response or evacuation plan. Temporary, construction-related closures of streets would require traffic control plans to ensure emergency vehicle access, as required by SCAs described in Section IV.C, Traffic and Transportation, of this Draft EIR. Compliance with the SCAs would ensure that the proposed project would not create a significant hazard associated with emergency access, response, or evacuation.

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

The project site is surrounded by urbanized uses and is located several miles away from areas where wildland fires could occur (e.g., the Oakland Hills). The proposed project would be required to conform to the California Fire Code and Uniform Building Code, Oakland Building Code, and requirements of the Oakland Fire Department to reduce the potential for structural fires. Therefore, the proposed project would not expose people or structures to significant risks associated with wildland fires.

As a result of the findings discussed above, the project would not result in significant impacts related to hazards and hazardous materials.

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[35] Alameda County Community Development Agency, 2010. *Oakland International Airport, Airport Land Use Compatibility Plan,* December. http://www.acgov.org/cda/planning/generalplans/documents/OAK_ALUCP_122010_FULL.pdf.

[36] Skyvector, 2015. *San Francisco Sectional Chart*, www.skyvector.com, accessed January 13.

h. Cumulative Impacts

Development activities in the vicinity of the project site could increase the potential to expose people to hazardous materials, such as contaminated soil and groundwater, lead and asbestos and hazardous construction materials. However, the disposal, storage and use of hazardous materials has been increasingly regulated by federal, state, regional and local laws and regulations. Accordingly, there is an historical regulatory trend to strengthen legal standards regarding the transport, use, and handling of hazardous materials, thereby minimizing the risk to public health and safety. Cumulative development projects will all be subject to these more rigorous regulatory controls for site remediation and development. Moreover, there is no evidence that the other construction activities would be occurring in the immediate surrounding area, making it unlikely that any potential exposure from the project's construction activities would combine with other surrounding activities. Additionally, compliance with the strict regulatory requirements associated with handling of hazardous materials would ensure that the project would not make a cumulative considerable contribution to any potential cumulative impact related to hazards and hazardous materials. Thus, implementation of the proposed project together with other past, present, and future development would cause a significant cumulative impact.

Page 249, second paragraph and subsequent text under G. Hydrology and Water Quality, is revised:

If not properly managed, excavation and grading activities could result in erosion and sedimentation and the impacts to receiving water quality would be potentially significant. Stormwater discharges in the City of Oakland are regulated through compliance with National Pollution Discharge Elimination System (NPDES) permit requirements. The project site is approximately two acres in area, so construction of the project would be subject to the NPDES General Construction Permit. These requirements are included in SCA 74:

….

In addition, SCA 54 requires earthmoving activities to be performed under an Erosion and Sedimentation Control Plan, as described above under Geology and Soils, which would prevent excessive erosion and stormwater runoff of solid materials as a result of earthmoving activities. SCA 54 and 74 would mitigate potential project stormwater impacts during construction to a less-than-significant level by ensuring that construction-related stormwater pollution control at the project site meets all state and federal regulatory standards.

As the project would replace greater than 10,000 square feet of impervious surfaces, it could result in significant impacts to receiving water during the post-construction period by increasing runoff quantity and contributing a new source of pollutant loading. However, the project would be required to comply with the following Oakland SCAs, which

implement post-construction NPDES stormwater requirements, which reduce this impact to less than significant:

Page 251, last paragraph, is revised:

Based on field exploration for the Preliminary Geotechnical Assessment, groundwater at the project site is located at 5.7 to 10 feet below the ground surface (bgs).[37] Based on project design, which includes partially sub-grade parking, the Preliminary Geotechnical Assessment concluded that temporary dewatering for construction may be required, as well as waterproofing of foundation elements. Dewatering activities are typically conducted by either pumping water directly from open excavations or by installing dewatering wells adjacent to the open excavation. In either case (but more so with open excavation dewatering), dewatering effluent may contain turbid water (i.e., water that contains sediment). This turbid water, if discharged directly to receiving waters without treatment could cause degradation of the receiving water quality. For a project of this type (i.e., one that does not include extensive subsurface elements), the duration of dewatering would likely be less than a few months. Any groundwater dewatering would limited in duration and would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending on whether ~~if~~ the discharge is made~~were~~ to the sanitary sewer system or the storm sewer system. ~~Therefore the project would have no significant impacts on groundwater.~~

Under existing State law, it is illegal to allow unpermitted non-stormwater discharges to receiving water. As stated in the Construction General Permit:[38]

> Non-storm water discharges directly connected to receiving waters or the storm drain system have the potential to negatively impact water quality. The discharger must implement measures to control all non stormwater discharges during construction, and from dewatering activities associated with construction.

In addition, the Construction General permit states:[39]

> Discharging any pollutant-laden water that will cause or contribute to an exceedance of the applicable Regional Water Board's Basin Plan from a dewatering site or sediment basin into any receiving water or storm drain is prohibited.

The Construction General Permit allows the discharge of dewatering effluent if the water is properly filtered or treated, using appropriate technology that meets regulatory standards. These technologies include, but are not limited to retention in settling ponds (where sediments settle out prior to discharge of water) and filtration using gravel and sand filters (to mechanically remove the sediment). If the dewatering activity is deemed by the RWQCB not to be covered by the Construction General Permit, then the discharger would prepare a Report of Waste Discharge for approval by the RWQCB and be issued site-

specific Waste Discharge Requirements under the National Pollutant Discharge Elimination System (NPDES) regulations. Site-specific WDRs contain rigorous monitoring requirements and performance standards that, when implemented, ensure that receiving water quality is not substantially degraded and meets regulatory discharge standards.

If the water is not suitable for discharge to the storm drain (receiving water), as discussed above, dewatering effluent may be discharged to EBMUD's sanitary sewer system if special discharge criteria are met. These include, but are not limited to, application of treatment technologies or Best Management Practices (BMPs) which will result in achieving compliance with the wastewater discharge limits. Discharges to EBMUD's facilities must occur under a Special Discharge Permit. Per the EBMUD Wastewater Ordinance, "Wastewater may be discharged into community sewers for interception, treatment, and disposal by the District provided that such wastewater does not contain substances prohibited, or exceed limitations of wastewater strength, set forth in this Ordinance" (Title II, Section 1). In addition, per the EBMUD Wastewater Ordinance "All dischargers, other than residential, whose wastewater requires special regulation or contains industrial wastes requiring source control shall secure a wastewater discharge permit" (Title IV, Section 1). As demonstrated above, EBMUD regulates the inputs into its facilities. EBMUD also operates its wastewater treatment facilities in accordance with Waste Discharge Requirements issued by the RWQCB, which require rigorous monitoring of effluent to ensure discharges do not adversely impact receiving water quality.

Based on the information available from on-site soil and groundwater sampling, it is not expected that the dewatering effluent will be highly contaminated, but it may contain trace levels of contamination that may possibly exceed the discharge standards of EBMUD. In this case, the water would likely be treated to the standards required by the Special Discharge Permit program using proven technologies (e.g., filtration to remove sediment and/or advanced treatment technologies to remove other pollutants) to the degree the effluent could be discharged (under permit) to the storm or sanitary sewers. Compliance with permit requirements would ensure that the water is tested prior to discharge to ensure that the treatment technologies are effective. There is essentially no limit on quantity that could be discharged over time to the storm or sanitary sewer. For storm drains, the receiving water is the Bay, which has no quantity limit on the amount of water that can be received. EBMUD treats, on average, 63 million gallons of water a day, but can accommodate up to 415 million gallons per day. Based on the limited nature of subsurface excavation and required dewatering, it is estimated that the project would not likely generate more than 100,000 gallons of dewatering effluent. If all this water was discharged in one day, this represents about 0.02 percent of the total treatment capacity of the EBMUD's treatment facilities. This represents an extremely small quantity for EBMUD to manage and would have no ability to disrupt their treatment processes.

Since proper management of dewatering effluent is covered by existing State and local regulations, and implementation of these regulations would protect receiving water quality in accordance with applicable regulatory standards, the project would have no significant impacts on receiving water.

The project site is not located in a 100- or 500-year mapped flood hazard zone,....

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[38] State Water Resources Control Board (SWRCB), General Construction Activity Storm Water Permit (General Construction Permit), 2009 (as amended 2010 and 2012), page 31.

[39] State Water Resources Control Board (SWRCB), General Construction Activity Storm Water Permit (General Construction Permit), 2009 (as amended 2010 and 2012), page 8.

Page 252, I. Population and Housing, is revised:

The proposed project would result in the construction of approximately 330 additional residential units with ~~3~~up to 8,000 square feet of space and ~~365~~365 parking spaces in an urban area. The proposed project would replace an existing office use and parking lot. The existing office use is that of the corporate headquarters of Cost Plus World Market, which is being phased out independently of the proposed project due to the acquisition of Cost Plus World Market by Bed Bath & Beyond.

Page 260, 2. Wastewater Treatment and Collection, second paragraph, is revised:

....

In 2009, the SF Bay RWQCB reissued an NPDES permit to EBMUD to operate its wastewater treatment facilities. The EBMUD treats the City of Oakland's wastewater via EBMUD's wastewater service district (Special District No. 1 or SD-1). EBMUD's wastewater collection facilities are comprised of the interceptor system and collection system pumping stations.[66] The City of Oakland owns and maintains approximately 1,000 miles of sewer collection pipelines and seven pump stations.[67] Collected wastewater flows to EBMUD's Main Wastewater Treatment Plant (MWWTP). The MWWTP The plant provides secondary treatment[68] for a maximum flow, or capacity, of 168 million gallons per day.[69] Sewer demand calculations were performed to find the projected change in demand for the proposed project in relation to existing uses at the project site. The projected change in demand is shown in the Table V.L-2 below.

The proposed project would account for only 0.36 percent of the MWWTP's daily capacity.[70] Further, the City has both collection and treatment capacity to accommodate its share of the RHNA.[71] Wastewater from the project would be directed to existing facilities, which would continue to comply with all provisions of the NPDES program, as enforced by

TABLE V.L-2 WASTEWATER DEMAND[a]

	Existing (GPD)[b]	Proposed Project (GPD)	Projected Change (GPD)
Block A	12,014	357,120	345,106
Block B	0[c]	244,800	244,800

[a] The proposed demand for each portion of the project site (Block A and Block B) was calculated using the fixture count provided by the applicant and demand load curves from the Uniform Plumbing Code (UPC) 2013.
[b] Units are gallons per day (GPD).
[c] Due to lack of existing fixtures on Block B (currently a surface parking lot), the demand for this portion of the project site was assumed to be 0 GPD.
Source: Lea & Braze Engineering, 2016.

the SF Bay RWQCB. For the reasons described above, the project would not result in an exceedance of wastewater treatment requirements and the impact is less than significant. The project is also not expected to have a significant impact on wastewater collection system facilities or capacity on a cumulative basis, when considering other General Plan (including the *2015-2023 Housing Element*) projects anticipated in the General Plan and Housing Element EIRs.

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[66] East Bay Municipal Utility District (EBMUD), 2011. *Urban Water Management Plan 2010,* page 5-1, June.

[67] City of Oakland, 2014. *2015-2023 Housing Element*, pp. 247-248. December 9.

[68] Primary treatment removes floating materials, oils and greases, sand and silt and organic solids heavy enough to settle in water. Secondary treatment biologically removes most of the suspended and dissolved organic and chemical impurities that would deplete life-giving oxygen from the waters of the Bay if allowed to decompose naturally.

[69] East Bay Municipal Utility District (EBMUD), 2011. *Urban Water Management Plan 2010,* pages 5-1 to 5-3, June.

[70] 357,120 GPD + 244,800 GPD = 601,920 GPD / 168,000,000 GPD = 0.36 percent

VI ALTERNATIVES

Page 267, Section B, Alternatives Considered but Rejected from Further Discussion, is revised:

In considering the range of alternatives to be analyzed in an EIR, alternatives were identified that were not selected to be further analyzed in this document, given that they would not feasibly attain most of the project's basic objectives and avoid or substantially lessen any of the significant effects of the project. Given that the most severe impacts that would result from the proposed project are related to historic resources, the alternatives chosen to be further analyzed in this chapter were those that best addressed and mitigated the historic impacts identified.

A Reduced Density Alternative was considered, which would build a smaller number of units in Buildings A and B. This alternative would potentially reduce transportation and traffic impacts further, however it would not mitigate the historic impacts identified for the proposed project to a less-than-significant level and thus was rejected from further consideration. ~~Consideration of a~~An alternative that preserves façades of Building A and incorporates a minor setback and stepping of massing down into the District and accommodates 90 units (consistent with the description of Building A in Partial Preservation Alternative #2), paired with a Building B that is seven stories similar to the proposed project and accommodates 90 units was also considered. However, this alternative was also ~~considered but~~ found to be an infeasible alternative due to a severely reduced unit count (reduced total unit count from 330 to 180).

Page 269 is revised:

(5) Greenhouse Gas Emissions

The No Project/No Build Alternative would result in no ~~operational or~~ construction or additional operational activity at the project site. As a result, it would produce no new greenhouse gas (GHG) emissions. As would be the case under the proposed project, this alternative would not conflict with any plans or policies related to the reduction of GHGs. Unlike the proposed project, this alternative would generate no GHG emissions whatsoever. While construction and operation of the proposed project would result in numerous activities that contribute to GHG emissions, these emissions would not exceed BAAQMD thresholds. The No Project/No Build Alternative would result in no significant impacts related to GHGs.

Page 270, after (6) Noise and Vibration, text is added:

(7) Aesthetics, Shadow and Wind

The No Project/No Build Alternative would leave the existing structures intact and the project site would be unchanged from the single-story warehouse building and surface parking lot. Given that no new development would occur and that existing structures would remain without any change in height, orientation, façade design or change in land use, the No Project Alternative would not have a substantial adverse effect on a scenic vista, substantially damage scenic resources within a state scenic highway, substantially degrade the existing visual character or quality of the site and its surroundings, and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Thus, the No Project/No Build Alternative would have no impacts related to aesthetic resources, similar to the proposed project (with SCAs).

(8) Agriculture and Forest Resources

The project site is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. Neither the project

site nor any adjacent land has been identified as an agricultural resource or forest land, and there are no agricultural uses in the vicinity.[3,4] Given this, and that the No Project/No Build Alternative would maintain existing structures and uses and would not involve any new development, this alternative would not result in the loss of forest land or conversion of forest land to non-forest use. Thus, the No Project/No Build Alternative would have no impact on agriculture or forest resources, similar to the proposed project.

(9) Biological Resources

The existing office/warehouse structure on the project site is built out to the property lines on Block A, and is a fully paved parking lot to the edge of the property lines on Block B. The project site contains no trees or other plants, is not within or near a riparian corridor, does not provide a habitat for any plant or animal species, is not located within a designated habitat area, is unlikely to be a part of an established native resident or migratory wildlife corridor, and this alternative would not conflict with any local policies or ordinances protecting biological resources. The No Project/No Build Alternative would maintain the existing structures and uses and would not involve any construction or demolition activities, or tree removal. Thus, the No Project/No Build Alternative would not result in significant impacts on biological resources, similar to the proposed project.

(10) Cultural Resources

No new development would occur under the No Project/No Build Alternative. Given that the No Project/No Build Alternative would not involve any demolition, construction, or other land-disturbing activities, no impact to cultural resources would occur under the No Project/No Build Alternative. In comparison, the proposed project would have less-than-significant impact on cultural resources with SCAs.

(11) Geology and Soils

No new development would occur under the No Project/No Build Alternative. Given that the No Project/No Build Alternative would not involve any demolition, construction, or other land-disturbing activities, no impact related to geology, soils, and seismicity would occur under the No Project/No Build Alternative. In comparison, the proposed project would have less-than-significant impact relating to geology and soils with incorporation of the City's SCAs.

(12) Hazards and Hazardous Materials

No new development would occur under the No Project/No Build Alternative. Given that the No Project/No Build Alternative would not involve any demolition, construction, or other land-disturbing activities and would not change the existing pervious and impervious surfaces at the project site, no impact related to hazards and hazardous materials would occur under the No Project/No Build Alternative. In comparison, the

proposed project would have less-than-significant impact relating to hazards and hazardous materials with incorporation of the City's SCAs.

(13) Hydrology and Water Quality

No new development would occur under the No Project/No Build Alternative. Given that the No Project/No Build Alternative would not involve any demolition, construction, or other land-disturbing activities and would not change the existing pervious and impervious surfaces at the project site, no impact related to hydrology and water quality would occur under the No Project/No Build Alternative. In comparison, the proposed project would have less-than-significant impact relating to hydrology and water quality with incorporation of the City's SCAs.

(14) Population and Housing

No new development would occur under the No Project/No Build Alternative, and the existing land use would not change. Given that no changes from existing structures and uses would occur, the No Project/No Build Alternative would not result in substantial population growth in an area, directly or indirectly, and would not displace existing housing or people. As a result, the No Project/No Build Alternative would result in no impact to population and housing. In comparison, the No Project/No Build Alternative would have less-than-significant impact on population and housing, similar to the proposed project.

(15) Public Services

The project site is located in a completely developed urban area already served by public services. No new development would occur under the No Project/No Build Alternative, and the existing land use would not change such that new residents or users would be added to the area and physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities would occur. As a result, the No Project/No Build Alternative would result in no impact to public services. In comparison, the proposed project would have less-than-significant impact relating to public services with incorporation of the City's SCAs.

(16) Recreation

No new development would occur under the No Project/No Build Alternative, and the existing land use would not change. Given that no changes from existing structures and uses would occur, the No Project/No Build Alternative would not result in additional occupants or users that would increase the use of existing neighborhood or recreational facilities and does not include the construction or expansion of recreational facilities. As a result, the No Project/No Build Alternative would result in no impact in regard to recreation. In comparison, the No Project/No Build Alternative would have less-than-significant impact relating to recreation, similar to the proposed project.

(17) Utilities and Service Systems

The project site is located in a completely developed urban area already served by local and regional utilities infrastructure and services. No new development would occur under the No Project/No Build Alternative, and the existing land use would not change such that a change in demand for utilities services would occur. As a result, the No Project/No Build Alternative would result in no impact to utilities and service systems. In comparison, the proposed project would have less-than-significant impact relating to utilities and service systems with incorporation of the City's SCAs.

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[3] City of Oakland, 1996. *General Plan,* Open Space, Conservation, & Recreation Element, June.

[4] California Department of Conservation, 2015. Farmland Mapping and Monitoring Program, California Important Farmland Finder.

Page 270 and 273, last paragraph, is revised:

As noted, the size of the Block B building would increase under Partial Preservation Alternative #1, such that the total unit count remains identical to the proposed project. Building B under this alternative would retain the footprint of Building B under proposed project, but would increase in height to 16 stories in comparison to the proposed project's seven stories, with 12 residential levels over four levels of podium parking. As such, the building would accommodate 253 housing units and 240 parking spaces. This design accommodates greater density in comparison to Building B under the proposed project, which would contain 90 units and 109 parking spaces. Partial Preservation Alternative #1 would include a total of 330 units and 397 parking spaces, similar to the proposed ~~project~~project's 330 units and approximately 365 parking spaces.

Page 273, last two bullet points in list, are revised:

- Providing safe multi-modal access; and
- Bringing quality design and architectural character to the neighborhood.~~; and~~

Page 273 through 276 is revised:

(2) Historic Resources

Impacts to the Historic Resource

As explained above, Partial Preservation Alternative #1 is intended to reduce or avoid the significant and unavoidable impacts to the historic architectural resource that would result from the construction of the proposed project, while simultaneously allowing expansion of Block~~uilding~~ A to further the project sponsor's programmatic goals. Under this alternative, a three-story, L-shaped vertical addition would be constructed above (and incorporated into) the existing Block~~uilding~~ A warehouse, which would retain its existing exterior walls at the two elevations facing toward the historic district. The addition would

be located at the northeast corner of Block~~uilding~~ A, at what also would be the northeast corner of the WWD, and would rise approximately 30 to 40 feet above the roof of the existing Block A building. The interior of Building A would be used as parking for the residential units. Two exterior walls of the existing Block A warehouse building would be retained, but the roof would be removed to accommodate the addition and roof top open space (see Figure VI-1).

The Secretary of the Interior's Standards for the Treatment of Historic Properties guide the rehabilitation and expansion of historical resources, and these standards would apply to any proposed expansion of the existing Block A building ~~Building A~~. Standard #9 states, "New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment." The design of the vertical addition would therefore be differentiated from the existing building, but compatible with massing, size, scale and features. For example, the exterior of the addition could be clad in materials similar to the proposed project including stucco, fiber cement panels, and metal windows, awnings, balcony railings, and grills. The use of a variety of materials and greater articulation of the addition's elevations would differentiate the addition from the plain, unadorned concrete walls of Building A, and thus could differentiate the addition from the original structure.

~~However, only two~~Two of the four façades of the existing Block A warehouse building, at Jackson Street and 4th Street, would be preserved under this alternative. ~~The~~The preservation of these two facades would serve to minimize the impact of the proposed alternative on the historic resource. However, given that the two façades at Madison Street and 5th Street would not be preserved~~. As a result~~, the partial demolition of the existing Block A building ~~new construction~~ would ~~partially~~ destroy materials that help convey~~characterize~~ the property's significance as a contributing resource to an historic district. As a result, the building ~~therefore~~ would be at risk of losing ~~not retain~~ its status as either a contributing resource to the historic resource or as an individual resource under CEQA, though it would retain features that convey its historic significance that would otherwise be destroyed by the project. Partial Preservation Alternative #1 would therefore reduce historic impacts as compared to the project. If this alternative's destruction of two facades caused its delisting as a contributing resource, however, it would result in a significant unavoidable impact to the individual historic resource, similar to, though not as extensive as, the proposed project.

Impacts to the Historic District

The Building A addition would place a three-level vertical addition on ~~a~~an existing one-story structure. ~~By placing the~~The addition is located at the northeast corner of the building with substantial setbacks from the exterior walls of the existing buildings at the

south and west elevations from the corner of 4th and Jackson Streets~~, the visual intrusiveness of the addition will be diminished (see Figure VI-2). Also contributing to diminishing the appearance of the addition is the length of Building A along both 4th Street (300 feet) and Jackson Street (200 feet). Given its height~~. Because of its relative size, massing and scale, the addition could have a visual effect on the setting of the historic district. Similarly, given its height at 16 stories, Building B could have visual effects on the setting of the historic district. The physical features that constitute the setting of a historic property can be either natural or manmade. These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings. This is particularly important for historic districts.

Relative to the historic district, the Building A addition would be at the far northeast corner of the district at its boundary. Because of its location at the edge of the district, the visual intrusiveness of the addition will be diminished (see Figure VI-2). Also contributing to diminishing the appearance of the addition is the length of Building A's remaining elevations along both 4th Street (300 feet) and Jackson Street (200 feet). It would be obscured from views from within the historic district by the Allegro at Jack London Square development and is lower in height than the contributing or non-contributing properties to the historic district within one block of Building A. Based on these factors, together with its use of compatible materials, the addition would have a less-than-significant impact to the historic district.

Building B is located ~~a half a block~~outside the WWD and is adjacent to the Allegro at Jack London Square to the west. The Allegro is located between Building B and the eastern boundary of the WWD. Any effects related to the height of the Building B would be mitigated by the presence of the Allegro project which, at five stories and approximately 60 feet high would visually obscure Building B. In effect, Building B would be "set back" about 190 feet from the historic district boundary (middle of Jackson Street). The construction of Building B, in and of itself, would not significantly alter the physical characteristics of the historic district that convey its historic significance. Thus, this is a less-than-significant impact on the historic district.

In summary, both the Building A addition and Building B under this alternative would have less-than-significant impacts on the historic district. Thus, Partial Preservation Alternative #1 would result in less-than-significant effects to the historic district, similar to the proposed project.

Cumulative Impacts

Partial Preservation Alternative #1, similar to the proposed project, would result in the loss of ~~Building A~~the existing Block A warehouse as an historic resource under CEQA and as a contributing resource to the historic district. The alternative would involve

construction of a new vertical addition to the existing warehouse ~~building~~ within the boundaries of a designated National Register Historic District ~~and an API~~, which, combined with the other past, current, and reasonably foreseeable demolition; new construction; and other alterations to the WWD, has the potential to materially impair the significance of the historic district in a ~~manner that may be cumulatively significant if all of these projects are executed in the near future.~~cumulatively significant manner. Cumulative development, in combination with Partial Preservation Alternative #1, has and may continue to result in the development and redevelopment of infill and underutilized sites throughout the area. A review of cumulative development in the area, including past, present, existing, pending and reasonably foreseeable future development as contemplated in the General Plan and Estuary Policy Plan could collectively erode and cumulatively affect the historic character of the Historic District in an adverse manner that could threaten the District's continued eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources. As a result, similar to the proposed project, Partial Preservation Alternative #1 would result in a significant and unavoidable cumulative impact to the historic district.

(3) Traffic and Transportation

~~Like the proposed project, the~~Partial Preservation Alternative #1 would include the same land uses as the proposed project, primarily residential with ground floor retail and would share the exact same residential unit count. As such, this alternative would generate a similar number of vehicle trips as the proposed project, though it would provide a greater number of parking spaces. Thus, the alternative would result in potentially significant impacts to the surrounding transportation and traffic environment that would be very similar to those of the proposed project. The traffic and transportation mitigation measure recommended for the proposed project would also serve to mitigate potentially significant effects of Partial Preservation Alternative #1, so these same mitigation measures would also be recommended for this alternative. Thus, like the proposed project, Partial Preservation Alternative #1 would not result in any significant traffic and transportation impacts~~. The similarity~~ with implementation of ~~this alternative to the proposed project in terms of land uses, size, scale, residential unit count, and parking spaces means that impacts to the surrounding transportation and traffic environment would be similar as well~~ such mitigation measures. This alternative would also be subject to the same ~~four sets of~~SCAs applied to the proposed project, and the same three recommendations identified for the proposed project, related to (1) transportation hazards, (2) pedestrian safety, ~~automobile parking, and bicycle parking~~and (3) various strategies for inclusion in the TDM program. As a result, similar to the proposed project, Partial Preservation Alternative #1 would result in less-than-significant impacts related to transportation and traffic with implementation of recommended mitigation measures and SCAs.

(4) Air Quality

The Partial Preservation Alternative #1 would contribute to an increase in emissions affecting air quality due to construction activities ~~to a similar extent as the proposed project~~. Under this alternative, there would be construction activities and an increase in construction vehicle trips as compared with existing conditions. ~~The similar scale of development assumed under~~ Given that a Partial Preservation Alternative #1 would construct a tower 16 stories in height on Block B, which would require Type I construction, the construction-related emissions for this alternative would ~~result in a similar quantity~~be incrementally greater than those of the proposed project as the construction duration would likely be longer and more diesel powered equipment is needed for steel construction. However, the same SCAs applied and mitigation measures recommended to minimize the environmental effects of the ~~emissions effecting~~proposed project would be applied to and recommended to reduce the air quality~~.~~ impacts of Partial Preservation Alternative #1 to a less-than-significant level. Given the number of units is the same as the proposed project, the operational air quality impacts would be the same as the proposed project. As such, this alternative would likely result in the same~~,~~ less~~-~~than~~-~~significant air quality-related impacts as the proposed project.

(5) Greenhouse Gas Emissions

The Partial Preservation Alternative #1 would ~~result~~contribute to an increase in ~~similar operational and~~ greenhouse gas emissions due to construction ~~activity at the project site~~and operational activities. Under this alternative, there would be construction activities and an increase in vehicle trips as ~~the proposed project.~~ compared with existing conditions. As a result, development under this alternative would produce new greenhouse gas (GHG ~~emissions.~~) emissions. Given that a Partial Preservation Alternative #1 would construct a tower 16 stories in height on Block B, which would require Type I construction, the construction-related GHG emissions for this alternative would be incrementally greater than those of the proposed project. Building A under the alternative is of a slightly lesser size and scale than the proposed project. As would be the case under the proposed project, this alternative would not conflict with any plans or policies related to the reduction of GHGs. ~~Similar to the proposed project,~~The construction and operation of the alternative ~~project~~ would result in numerous activities that contribute to GHG emissions~~.~~, in a similar or incrementally greater level than the proposed project as the construction duration would likely be longer and more diesel powered equipment is needed for steel construction. However, these emissions would not exceed BAAQMD thresholds. Given the number of units is the same as the proposed project, the operational air quality impacts would be the same as the proposed project. The same SCAs required for the proposed project would be applied to Partial Preservation Alternative #1. As a result, the Partial Preservation Alternative #1 would not result in significant impacts related to GHGs.

(6) Noise and Vibration

The Partial Preservation Alternative #1 would result in noise impacts associated with the construction of the project, similar to or incrementally more severe than the impacts that would be the result of the proposed project. Given ~~the similarity~~that a Partial Preservation Alternative #1 would construct a tower 16 stories in ~~project size and scale, it is~~ height on Block B, which would require Type I construction, the noise impacts of this alternative would likely ~~that use of similar~~be incrementally greater than those of the proposed project as the construction duration would likely be longer and more diesel powered equipment is needed for steel construction. Additional construction equipment ~~over a similar timeframe~~ would be needed to implement development under this alternative as compared to the proposed project, given that this alternative would construct a tower on Block B, which would likely require driving piles. Further, the construction activities would likely require a longer timeframe than construction of Building B under the proposed project. Building A under the alternative is of a slightly lesser size and scale than the proposed project. Construction activities would generate minimal, temporary increases in noise levels for surrounding residences, ~~and new~~similar to or incrementally more severe than those of the proposed project. New traffic resulting from operation of the proposed project would also generate negligible increases in noise levels in the area. However, the same SCAs applied to the proposed project and mitigation measures recommended to reduce noise impacts of the proposed project would be applied to this alternative. As a result, noise impacts under Partial Preservation Alternative #1 would be less than significant.

(7) Aesthetics, Shadow, and Wind

Implementation of Partial Preservation Alternative #1 would result in similar land uses developed on the project site as those developed under the proposed project, including multi-family housing, resident-serving amenities and commercial uses. The main difference in relation to aesthetic impacts would be building height. Under this alternative, the Block A building would remain, with an additional 3 stories in height added at the northeastern corner. Building B under this alternative would retain the footprint of Building B under proposed project, but would increase in height to 16 stories in comparison to the proposed project's 7 stories, with 12 residential levels over four levels of podium parking. Although the Block B building would be taller than immediately adjacent buildings—the 10-story Sierra at Jack London Square being the closest in height and immediately east of Block B along Madison Street—the Block B building under this alternative would not result in significant impacts to scenic vistas because views in the area are limited due to the existing urban context and generally flat topography of surrounding areas, as discussed in Section V.A, Aesthetics, Shadow and Wind.

Partial Preservation Alternative #1 would be required to comply with the City's Design Review process, and would implement all applicable SCAs, similar to the proposed project. As a result, this alternative would not substantially degrade the existing visual character or quality of the site and its surroundings. These applicable SCAs include an SCA that

would require the preparation of a lighting plan. Implementation of this SCA would ensure that the alternative's potential impacts related to light and/or glare are less than significant. Additionally, given that no designated scenic highway is in the immediate vicinity of the project site, the alternative would not impact scenic resources in a scenic highway.

Given the height of Building B under this alternative, there is a potential that the alternative would cast shadow on an historic resource, the adjacent Block A warehouse, such that the shadow would materially impair the resource's historic significance by materially altering those physical characteristics of the resource that convey its historical significance and that justify its inclusion on or eligibility for listing in the National Register of Historic Places or California Register of Historical Resources. Further, given the height of Building B, the alternative could potentially generate winds that exceed 36 mph for more than 1 hour during daylight hours during the year. A solar study was prepared for this alternatives analysis that reflects the 15-story tower on the Block B site and the existing warehouse with a 3-story addition at Block A. Building B would cast shadows on the existing warehouse most extensively during the winter solstice; however, shadows would cover less than half the area of the structure (and particularly the area of the warehouse at the edge of the district) and would not persist for a long enough period of time to materially impair the resource's historic significance. Further, it is anticipated that the wind impacts could be mitigated to a less-than-significant level with refinements to the building design if needed. As a result, impacts relating to shade and shadow would be less than significant.

For the reasons described above, Partial Preservation Alternative #1 would have less-than-significant aesthetic, wind and shadow impacts, similar to the proposed project.

(8) Agriculture and Forest Resources

The project site is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. Neither the project site nor any adjacent land has been identified as an agricultural resource or forest land, and there are no agricultural uses in the vicinity.[5,6] Given this, Partial Preservation Alternative #1 would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and would not result in the loss of forest land or conversion of forest land to non-forest use and thus would not have any impact on agriculture or forest resources, similar to the proposed project.

(9) Biological Resources

The existing office/warehouse structure on the project site is built out to the property lines on Block A, and is a fully paved parking lot to the edge of the property lines on Block B. The project site contains no trees or other plants, is not within or near a riparian corridor, does not provide a habitat for any plant or animal species, is not located within a

designated habitat area, is unlikely to be a part of an established native resident or migratory wildlife corridor, and this alternative would not conflict with any local policies or ordinances protecting biological resources. Partial Preservation Alternative #1 would maintain the existing warehouse on Block A and would construct Building B on an existing parking lot that does not contain biological resources. Thus, Partial Preservation Alternative #1 would not result in significant impacts on biological resources, similar to the proposed project.

(10) Cultural Resources

The project site is located in an urban area that been subject to continuous urban development over the past century; thus, any archaeological or paleontological remains are likely to be buried by fill. The project area's low archaeological sensitivity is indicated by the absence of recorded archaeological sites, as determined by a records search (File # 15-0038) of the project area at the Northwest Information Center (NWIC) of the California Historical Resources Information System. Partial Preservation Alternative #1 would maintain the existing warehouse on Block A, but would require land-disturbing activities to construct Building B. However, SCAs would be required to ensure that if any archaeological or paleontological resources or human remains are encountered during excavation or construction activities on site, measures (e.g., halting construction activity, involvement of a qualified archaeologist) would be taken to ensure any potential adverse effects are reduced to a less-than-significant level. Similar to the proposed project, this alternative would have less-than-significant impact on cultural resources with SCAs.

(11) Geology and Soils

Partial Preservation #1 would involve land-disturbing activities on the same project site as the proposed project. The proposed project is required to obtain a grading permit subject to City approval and SCAs relevant to erosion and sedimentation control are applied. SCAs applied to the proposed project would also be applicable to this alternative. As a result, geology and soils impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(12) Hazards and Hazardous Materials

Similar to the proposed project, Partial Preservation #1 would involve land-disturbing activities on a site in an urban area that has a history of industrial land uses. Two Phase I ESAs were prepared for the project site in 2006 and 2014. Their recommendations are encapsulated in two SCAs included in the proposed project, and would also be applied to this alternative. Additional SCAs were applied to the proposed project that would also be applicable to this alternative. As a result, hazards and hazardous materials impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(13) Hydrology and Water Quality

Similar to the proposed project, Partial Preservation #1 would involve construction and land-disturbing activities. Given that the building footprint of the proposed project and this alternative are the same, the proportion of pervious and impervious surfaces at the project site under each would be similar. Partial Preservation Alternative #1 would be subject to the same SCAs and dewatering requirements as the proposed project. As a result, hydrology and water quality impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(14) Population and Housing

Partial Preservation Alternative #1 would add the same number of housing units to the area as the proposed project. Therefore, impacts relating to population and housing would be similar to those of the proposed project. Partial Preservation Alternative #1 thus would not result in substantial population growth in an area, directly or indirectly, and would not displace existing housing or people. As a result, this alternative would have less-than-significant impact on population and housing, similar to the proposed project.

(15) Public Services

The project site is located in a completely developed urban area already served by public services. Partial Preservation Alternative #1 would add the same number of dwelling units to the project site as the proposed project, and as a result, would likely add the same, or a similar, number of residents or users to the area. Thus, similar to the proposed project, physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities would not occur. As a result, Partial Preservation Alternative #1 would result in a less-than-significant impact relating to public services with incorporation of the City's SCAs, similar to the proposed project.

(16) Recreation

Partial Preservation Alternative #1 would add the same number of dwelling units to the project site as the proposed project, and as a result, would likely add the same, or a similar, number of residents or users to the area. Similar to the proposed project, the additional occupants or users introduced to the area would not increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Moreover, Partial Preservation Alternative #1 does not include the construction or expansion of recreational facilities. As a result, this alternative would result in a less-than-significant impact relating to recreation, similar to the proposed project.

(17) Utilities and Service Systems

The project site is located in a completely developed urban area already served by local and regional utilities infrastructure and services. Partial Preservation Alternative #1 would add the same number of dwelling units to the project site as the proposed project, and thus would result in a similar demand for utilities services. As a result, Partial Preservation Alternative #1 would result in a less-than-significant impact relating to utilities and service systems with incorporation of the City's SCAs, similar to the proposed project.

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[5] City of Oakland, 1996. *General Plan,* Open Space, Conservation, & Recreation Element, June.

[6] California Department of Conservation, 2015. Farmland Mapping and Monitoring Program, California Important Farmland Finder.

3. Partial Preservation Alternative #2

a. Principal Characteristics

Similar to Partial Preservation Alternative #1, Partial Preservation Alternative #2 would include a proposed Building A designed to preserve elements of the original, existing Block A building. Under Partial Preservation Alternative #2, all four of façades of the existing building would be preserved, the result of a new, "C"-shaped building that sits atop the original building but is inset on all four sides (see Figure VI-3). Both the height and building envelope of this building would be reduced, as compared to that of the proposed project. As a result, the Building A unit count under this alternative is less than that of the Building A unit count in the proposed project. Conversely, the height and unit count of Building B would be increased, to accommodate the difference. Figure VI-4 provides an aerial view showing the scale and massing of the Buildings A and B under this alternative. For informational and comparison purposes, Figure VI-5 provides an aerial view of the proposed project from the same perspective. The resulting, total unit count of Partial Preservation Alternative #2 is identical to that of the proposed project.

Page 278 is revised:

As noted, the size of the Building B would increase under Partial Preservation Alternative #2, such that total unit count remains identical to the proposed project. Building B would retain the footprint of Building B under the proposed project, but would increase in height to 15 stories (in comparison to the proposed project's seven stories), with 11 residential levels over four levels of podium parking. As such, Building B under Partial Preservation Alternative #2 would accommodate 240 housing units and 240 parking spaces. This is compared to Building B under the proposed project, which would contain 90 units and 109 parking spaces. Partial Preservation Alternative #2 would include 330 total units and 328 total parking spaces. The proposed project would contain 330 total units and ~~397~~approximately 335 parking spaces.

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-4
Jack London District 4th & Madison Project EIR
Partial Preservation Alternative #2 Aerial View
REVISED FOR RTC

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-5
Jack London District 4th & Madison Project EIR
Proposed Project Aerial View
REVISED FOR RTC

Pages 279 through 281 are revised, including new figures VI-6 through VI-9 added:

As described for Partial Preservation Alternative #1, the exterior of the addition could, for example, be clad in materials similar to the proposed project including stucco, fiber cement panels, and metal windows, awnings, balcony railings, and grills. The use of a variety of materials and greater articulation of the addition's elevations would differentiate the addition from the plain, unadorned concrete walls of Building A. All four façades of the existing building would be preserved, and the vertical addition would be set back from the facades at all sides. Additionally, based on street level views of Partial Preservation Alternative #2 looking at the northeast corner of Jackson Street and 4th Street (see Figure VI-6), and another looking toward the southeast corner of Jackson Street and 5th Street (see Figure VI-8), the two floors of the four story addition would be fully visible with a third partially rising above the shallow parapet of the existing building. Views of the proposed project at these intersections are also provided for informational and comparison purposes (see Figures VI-7 and VI-9). The new construction added in the form of a vertical addition would not destroy ~~historic~~ materials that help convey ~~characterize~~ the property's significance as a contributing resources to an historic district, and would instead preserve all four façades of the existing warehouse building. Therefore, Building A would retain its status as an individually contributing resource to the historic district and as an individual historic resource under CEQA. As a result, Partial Preservation Alternative #2 would have a less-than-significant impact on the individual historic resource, unlike the proposed project and the Setback/Stepped Alternative. This alternative's impacts on historic resources would also be reduced as compared to Partial Preservation Alternative #1 because it would retain more of Building A's architectural elements that help convey its historical significance.

Impacts to the Historic District

The Building A addition under Partial Preservation Alternative #2 would place a four-level vertical addition on ~~a~~an existing one-story structure. ~~Si have an intrusive effect on Building A. By placing the~~The addition is in the center of the existing building and set back from the exterior walls of the existing building on all sides. Similarly to Partial Preservation Alternative #1, its relative size, massing and scale could have a visual effect on the setting of the historic district. Building B under Partial Preservation Alterative #2 would be built to 11 residential levels over four levels of parking, for a total height of 15 stories. Given this height, Building B could have visual effects on the setting of the historic district.

With its placement at the center of the buildings with generous setbacks, the visual intrusiveness of the Building A addition ~~will~~ would be diminished similar to Partial Preservation Alternative #1 (see Figure VI-2). ~~However, relative~~Relative to the historic district, the addition would be partially obscured from views from within the historic district by the Allegro at Jack London Square development and is generally equal in height to contributing and non-contributing properties of the historic district within one block of

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-6
Jack London District 4th & Madison Project EIR
Partial Preservation Alternative #2 - View from Corner of Jackson Street and 4th Street
REVISED FOR RTC

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-7
Jack London District 4th & Madison Project EIR
Proposed Project – View from Corner of Jackson Street and 4th Street
REVISED FOR RTC

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-8
Jack London District 4th & Madison Project EIR
Partial Preservation Alternative #2- View from Corner of Jackson Street and 5th Street
REVISED FOR RTC

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-9
Jack London District 4th & Madison Project EIR
Proposed Project – View from Corner of Jackson Street and 5th Street
REVISED FOR RTC

Building A. Based on these factors, together with its use of compatible materials, the addition would have ~~an impact that is less severe than the impact of the proposed project, mitigating the project-level~~ a less-than-significant impact to the historic district ~~to a less-than-significant level~~.

Similarly to Partial Preservation Alterative #1, Building B under Partial Preservation Alterative #2 ~~could have visual effects on the setting of the historic district given its height (11 residential levels over four levels of podium parking). However, any~~is located outside the WWD and is adjacent to the Allegro at Jack London Square to the west. The Allegro is located between Building B and the eastern boundary of the WWD. Any effects related to the height of the Building B would be mitigated by the presence of the Allegro project which, at five stories and approximately 60 feet high would visually obscure Building B. In effect, Building B would be "set back" about 190 feet from the historic district boundary (middle of Jackson Street). The construction of Building B ~~under this alternative~~, in and of itself, would not significantly alter the physical characteristics of the historic district that convey its historic significance. Thus, this is a less-than-significant impact on the historic district.

In summary, construction of both the Building A addition and Building B under this alternative would have less-than-significant impacts on the historic district. Thus, Partial Preservation Alternative #2 would have a less-than-significant impact on the historic district ~~similarly to the proposed district~~.

Cumulative Impacts

Although the alternative would involve new construction within the boundaries of a designated National Register Historic District ~~and an API~~, Partial Preservation Alternative #2 would maintain ~~Building A~~the existing Block A warehouse as an historic resource under CEQA and as a contributing resource to the historic district. Further, Partial Preservation Alternative #2 would have a less-than-significant project-level impact to the historic district. Cumulative development, in combination with Partial Preservation Alternative #2, has and would continue to result in the development and redevelopment of infill and underutilized or sites throughout the area. A review of cumulative development in the area, including past, present, existing, pending and reasonably foreseeable future development as contemplated in the General Plan and Estuary Policy Plan could collectively erode and cumulatively affect the historic character of the District in an adverse manner that could threaten the District's continued eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources. However, because the existing warehouse would maintain its status as a contributing resource to the historic district, the project would not make ~~result in~~ a cumulatively considerable contribution to this impact. As a result, Partial Preservation Alternative #2 would result in less-than-significant cumulative impact to the historic district. In comparison to the proposed project, ~~The~~ the cumulative impact of this alternative on the

historic district is ~~reduced to a~~less severe than that of the proposed project less-than-significant ~~level~~versus significant unavoidable, respectively) ~~in comparison to the proposed project, which has a significant and unavoidable cumulative impact on the historic district~~.

(3) Traffic and Transportation

~~Like the proposed project, the~~ Partial Preservation Alternative #2 would ~~not result in any significant traffic and transportation impacts. The similarity of Partial Preservation Alternative #2 to~~include the same land uses as the proposed project, primarily residential with ground floor retail; would share the ~~proposed project in terms of land uses, size, scale,~~exact same residential unit count~~, and~~; and would include slightly fewer parking spaces ~~means that~~ than the proposed project. Thus, the alternative would result in potentially significant impacts to the surrounding transportation and traffic environment ~~would be similar as well.~~that would be very similar to those of the proposed project. The traffic and transportation mitigation measures recommended for the proposed project would also serve to mitigate potentially significant effects of Partial Preservation Alternative #2, so these same mitigation measures would also be recommended for this alternative. Thus, like the proposed project, Partial Preservation Alternative #1 would not result in any significant traffic and transportation impacts with implementation of recommended mitigation measures. This alternative would also be subject to the same ~~four sets of~~SCAs applied to the proposed project, and the same three recommendations identified for the proposed project, related to (1) transportation hazards, (2) pedestrian safety, ~~automobile parking, and bicycle parking.~~and (3) various strategies for inclusion in the TDM program. As a result, similar to the proposed project, Partial Preservation Alternative #2 would result in less-than-significant impacts related to transportation and traffic with implementation of recommended mitigation measures and SCAs.

(4) Air Quality

The Partial Preservation Alternative #2 would contribute to an increase in emissions affecting air quality due to construction and operational activities ~~to a similar extent as the proposed project.~~ . Under this alternative, there would be construction activities and an increase in vehicle trips as compared with existing conditions. ~~The similar scale of development assumed under this alternative would result in~~ Given that a ~~similar quantity of the~~ Partial Preservation Alternative #2 would construct a tower 15 stories in height on Block B, which would require Type I construction, the construction-related emissions ~~effecting~~for this alternative would be incrementally greater than those of the proposed project as the construction duration would likely be longer and more diesel powered equipment is needed for steel construction. Given the number of units is the same as the proposed project, the operational air quality impacts would be the same as the proposed project. The same SCAs applied and mitigation measures recommended to minimize the environmental effects of the proposed project would be applied to and recommended to reduce the air quality ~~.~~ impacts of Partial Preservation Alternative #2 to a less-than-

significant level. As such, this alternative would likely result in the same, less than significant air quality-related impacts as the proposed project.

(5) Greenhouse Gas Emissions

The Partial Preservation Alternative #2 would ~~result~~contribute to an increase in ~~similar operational and~~ greenhouse gas emissions affecting due to construction ~~activity at the project site~~and operational activities. Under this alternative, there would be construction activities and an increase in vehicle trips as ~~the proposed project~~compared with existing conditions. As a result, development under this alternative would produce new ~~GHG emissions.~~greenhouse gas (GHG) emissions. Given that a Partial Preservation Alternative #2 would construct a tower 15 stories in height on Block B, which would require Type I construction, the construction-related GHG emissions for this alternative would be incrementally greater than those of the proposed project. Building A under the alternative is of a slightly lesser size and scale than the proposed project. Given the number of units is the same as the proposed project, the operational air quality impacts would be the same as the proposed project. As would be the case under the proposed project, this alternative would not conflict with any plans or policies related to the reduction of GHGs. ~~Similar to the proposed project,~~ The construction and operation of the alternative ~~project~~ would result in numerous activities that contribute to GHG emissions~~.~~, in a similar or incrementally greater level than the proposed project. However, these emissions would not exceed BAAQMD thresholds. ~~As a result,~~ Further, the same SCAs required for the proposed project would be applied to Partial Preservation Alternative #~~1~~2. As a result, the Partial Preservation Alternative #2 would not result in significant impacts related to GHGs. The Partial Preservation Alternative #2 would ~~result~~contribute to an increase in ~~similar operational and~~ greenhouse gas emissions affecting due to construction ~~activity at the project site~~and operational activities. Under this alternative, there would be construction activities and an increase in vehicle trips as ~~the proposed project~~compared with existing conditions. As a result, development under this alternative would produce new GHG emissions. Given that a Partial Preservation Alternative #2 would construct a tower 15 stories in height on Block B, which would require Type I construction, the construction-related GHG emissions for this alternative would be incrementally greater than those of the proposed project. Building A under the alternative is of a slightly lesser size and scale than the proposed project. Given the number of units is the same as the proposed project, the operational air quality impacts would be the same as the proposed project. As would be the case under the proposed project, this alternative would not conflict with any plans or policies related to the reduction of GHGs. ~~Similar to the proposed project,~~ The construction and operation of the alternative ~~project~~ would result in numerous activities that contribute to GHG emissions~~.~~, in a similar or incrementally greater level than the proposed project. However, these emissions would not exceed BAAQMD thresholds. ~~As a result,~~ Further, the same SCAs required for the proposed project would be applied to Partial Preservation Alternative #~~1~~2. As a result, the Partial Preservation Alternative #2 would not result in significant impacts related to GHGs.

(6) Noise and Vibration

The Partial Preservation Alternative #2 would result in noise impacts associated with the construction of the project, similar to or incrementally more severe than the impacts that would be the result of the proposed project. Given ~~the similarity~~that a Partial Preservation Alternative #2 would construct a tower 15 stories in ~~project size and scale, it is~~ height on Block B, which would require Type I construction, the noise impacts of this alternative would likely ~~that use of similar~~be incrementally greater than those of the proposed project. Additional construction equipment ~~over a similar timeframe~~ would be needed to implement development under this alternative as compared to the proposed project, given that this alternative would construct a tower on Block B, which would likely require driving piles. Further, the construction activities would likely require a longer timeframe than construction of Building B under the proposed project. Building A under the alternative is of a slightly lesser size and scale than the proposed project. Construction activities would generate minimal, temporary increases in noise levels for surrounding residences, ~~and new~~similar to or incrementally more severe than those of the proposed project. New traffic resulting from operation of the proposed project would generate negligible increases in noise levels in the area. However, the same SCAs applied to the proposed project and mitigation measures recommended to reduce noise impacts of the proposed project would be applied to this alternative. As a result, noise impacts under Partial Preservation Alternative #2 would be less than significant.

(7) Aesthetics, Shadow and Wind

Implementation of Partial Preservation Alternative #2 would result in similar land uses developed on the project site as those developed under the proposed project, including multi-family housing, resident-serving amenities and commercial uses. The main difference in relation to aesthetic impacts would be building height. Under this alternative, the Block A building would remain, with a 4-story addition constructed atop the existing warehouse, with the massing of the addition concentrated in the center of the building. Building B under this alternative would retain the footprint of Building B under proposed project, but would increase in height to 15 stories in comparison to the proposed project's 7 stories, with 11 residential levels over four levels of podium parking. Although the Block B building would be taller than immediately adjacent buildings—the 10-story Sierra at Jack London Square being the closest in height and immediately east of Block B along Madison Street—the Block B building under this alternative would not result in significant impacts to scenic vistas because views in the area are limited due to the existing urban context and generally flat topography of surrounding areas, as discussed in Section V.A, Aesthetics, Shadow and Wind.

Partial Preservation Alternative #2 would be required to comply with the City's Design Review process, and would implement all applicable SCAs, similar to the proposed project. As a result, this alternative would not substantially degrade the existing visual character or quality of the site and its surroundings. These applicable SCAs include an SCA that

would require the preparation of a lighting plan. Implementation of this SCA would ensure that the alternative's potential impacts related to light and/or glare are less than significant. Additionally, given that no designated scenic highway is in the immediate vicinity of the project site, the alternative would not impact scenic resources in a scenic highway.

Given the height of Building B under this alternative, there is a potential that the alternative would cast shadow on an historic resource, the adjacent Block A warehouse, such that the shadow would materially impair the resource's historic significance by materially altering those physical characteristics of the resource that convey its historical significance and that justify its inclusion on or eligibility for listing in the National Register of Historic Places or California Register of Historical Resources. Further, given the height of Building B, the alternative could potentially generate winds that exceed 36 mph for more than one hour during daylight hours during the year. A solar study was prepared for this alternatives analysis that reflects the 15-story tower on the Block B site and the existing warehouse with a 3-story addition at Block A (exact specifications relate to Partial Preservation Alternative #1; however, the building heights of the two alternatives are almost identical and this solar study can be applied to both). Building B would cast shadows on the existing warehouse most extensively during the winter solstice; however, shadows would cover less than half the area of the structure (and particularly the area of the warehouse at the edge of the district) and would not persist for a long enough period of time to materially impair the resource's historic significance. Further, it is anticipated that the wind impacts could be mitigated to a less-than-significant level with refinements to the building design if needed. As a result, impacts relating to shade and shadow would be less than significant.

For the reasons described above, Partial Preservation Alternative #2 would have less-than-significant aesthetic, wind and shadow impacts, similar to the proposed project.

(8) Agriculture and Forest Resources

The project site is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. Neither the project site nor any adjacent land has been identified as an agricultural resource or forest land, and there are no agricultural uses in the vicinity.[3,4] Given this, Partial Preservation Alternative #2 would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and would not result in the loss of forest land or conversion of forest land to non-forest use and thus would not have any impact on agriculture or forest resources, similar to the proposed project.

(9) Biological Resources

The existing office/warehouse structure on the project site is built out to the property lines on Block A, and is a fully paved parking lot to the edge of the property lines on Block

B. The project site contains no trees or other plants, is not within or near a riparian corridor, does not provide a habitat for any plant or animal species, is not located within a designated habitat area, is unlikely to be a part of an established native resident or migratory wildlife corridor, and this alternative would not conflict with any local policies or ordinances protecting biological resources. Partial Preservation Alternative #2 would maintain the existing warehouse on Block A and would construct Building B on an existing parking lot that does not contain biological resources. Thus, Partial Preservation Alternative #2 would not result in significant impacts on biological resources, similar to the proposed project.

(10) Cultural Resources

The project site is located in an urban area that been subject to continuous urban development over the past century; thus, any archaeological or paleontological remains are likely to be buried by fill. The project area's low archaeological sensitivity is indicated by the absence of recorded archaeological sites, as determined by a records search (File # 15-0038) of the project area at the Northwest Information Center (NWIC) of the California Historical Resources Information System. Partial Preservation Alternative #2 would maintain the existing warehouse on Block A, but would require land-disturbing activities to construct Building B. However, SCAs would be required to ensure that if any archaeological or paleontological resources or human remains are encountered during excavation or construction activities on site, measures (e.g., halting construction activity, involvement of a qualified archaeologist) would be taken to ensure any potential adverse effects are reduced to a less-than-significant level. Similar to the proposed project, this alternative would have less-than-significant impact on cultural resources with SCAs.

(11) Geology and Soils

Partial Preservation #1 would involve land-disturbing activities on the same project site as the proposed project. The proposed project is required to obtain a grading permit subject to City approval and SCAs relevant to erosion and sedimentation control are applied. SCAs applied to the proposed project would also be applicable to this alternative. As a result, geology and soils impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(12) Hazards and Hazardous Materials

Similar to the proposed project, Partial Preservation #1 would involve land-disturbing activities on a site in an urban area that has a history of industrial land uses. Two Phase I ESAs were prepared for the project site in 2006 and 2014. Their recommendations are encapsulated in two SCAs included in the proposed project, and would also be applied to this alternative. Additional SCAs were applied to the proposed project that would also be applicable to this alternative. As a result, hazards and hazardous materials impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(13) Hydrology and Water Quality

Similar to the proposed project, Partial Preservation #1 would involve construction and land-disturbing activities. Given that the building footprint of the proposed project and this alternative are the same, the proportion of pervious and impervious surfaces at the project site under each would be similar. Partial Preservation Alternative #2 would be subject to the same SCAs and dewatering requirements as the proposed project. As a result, hydrology and water quality impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(14) Population and Housing

Partial Preservation Alternative #2 would add the same number of housing units to the area as the proposed project. Therefore, impacts relating to population and housing would be similar to those of the proposed project. Partial Preservation Alternative #2 thus would not result in substantial population growth in an area, directly or indirectly, and would not displace existing housing or people. As a result, this alternative would have less-than-significant impact on population and housing, similar to the proposed project.

(15) Public Services

The project site is located in a completely developed urban area already served by public services. Partial Preservation Alternative #2 would add the same number of dwelling units to the project site as the proposed project, and as a result, would likely add the same, or a similar, number of residents or users to the area. Thus, similar to the proposed project, physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities would occur. As a result, Partial Preservation Alternative #2 would result in a less-than-significant impact relating to public services with incorporation of the City's SCAs, similar to the proposed project.

(16) Recreation

Partial Preservation Alternative #2 would add the same number of dwelling units to the project site as the proposed project, and as a result, would likely add the same, or a similar, number of residents or users to the area. Similar to the proposed project, the additional occupants or users introduced to the area would not increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Moreover, Partial Preservation Alternative #2 does not include the construction or expansion of recreational facilities. As a result, this alternative would result in a less-than-significant impact relating to recreation, similar to the proposed project.

(17) Utilities and Service Systems

The project site is located in a completely developed urban area already served by local and regional utilities infrastructure and services. Partial Preservation Alternative #2 would add the same number of dwelling units to the project site as the proposed project, and thus would result in a similar demand for utilities services. As a result, Partial Preservation Alternative #2 would result in a less-than-significant impact relating to utilities and service systems with incorporation of the City's SCAs, similar to the proposed project.

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[3] City of Oakland, 1996. *General Plan,* Open Space, Conservation, & Recreation Element, June.

[4] California Department of Conservation, 2015. Farmland Mapping and Monitoring Program, California Important Farmland Finder.

Page 281 and Figure IV-4, is revised:

4. Setback/Stepped Alternative

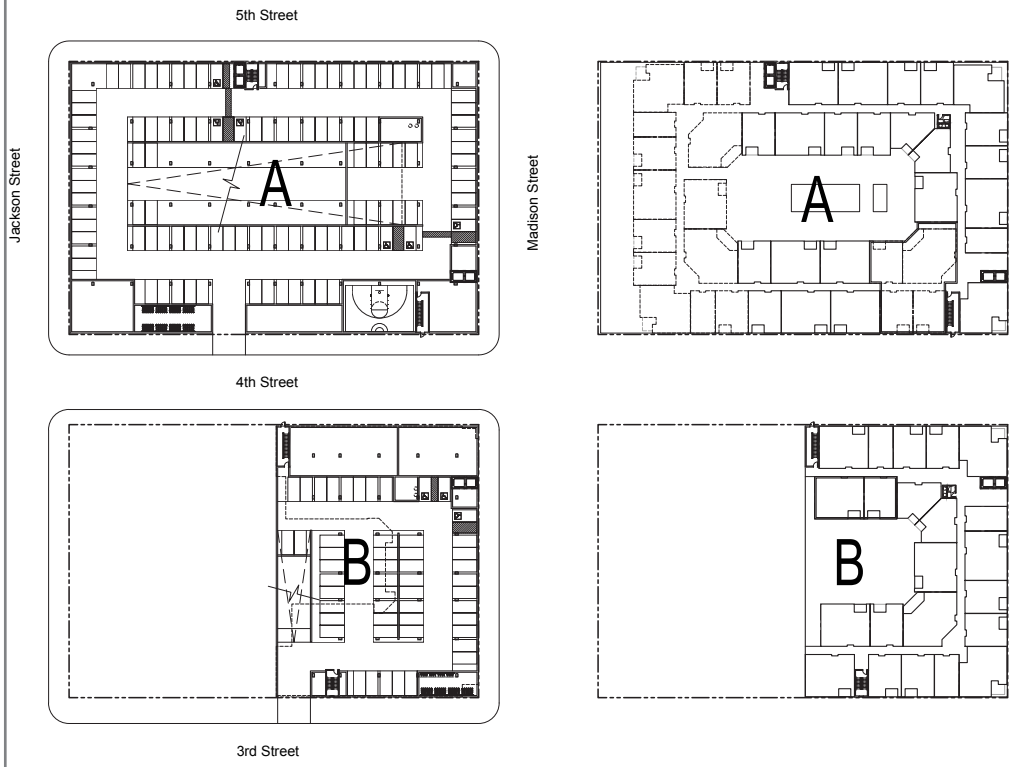
a. Principal Characteristics

The defining characteristic of the Setback/Stepped Alternative would be the stepped massing of Building A. Unlike the partial preservation alternatives described above, this alternative would not preserve any of the existing Block A warehouse façades. Rather, the Building A podium would be the same as that of the proposed project, with a footprint matching that of the existing building. The design of Building A, described below, would be intended to mitigate visual impacts to the WWD and preserve relevant viewsheds.

Under the Setback/Stepped Alternative, Building A would increase in height from Jackson Street to Madison Street. The building would be podium level height beginning at Jackson Street. It would then increase to two residential levels over two levels of parking podium at a distance of 20 feet back from Jackson Street. It would step up once more further toward Madison Street, increasing to five residential levels over of the two-level parking podium (see Figure VI-~~4~~10). Under this alternative, Building A would be reduced in in total floor area. It would accommodate 148 dwelling units and 228 parking spaces. This is significantly less dense than the proposed project, under which Building A contains 240 dwelling units and 256 parking spaces.

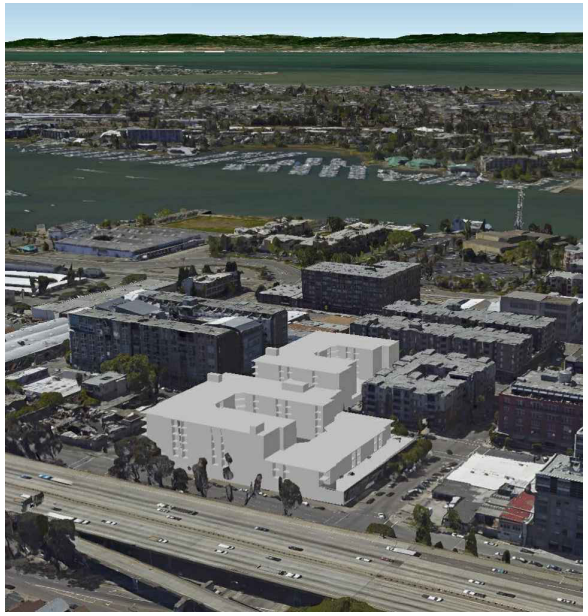
Building B would be located on the same site as Building B of the proposed project, with the same height and design. Like the proposed project, it would include five levels of residential uses atop two levels of parking, and contain 91 dwelling units and 109 parking spaces.

The Setback/Stepped Alternative would include 239 total units and 337 parking spaces, substantially less dense than the proposed project, which would include 330 units and ~~397~~approximately 335 parking spaces.



GROUND FLOOR PLAN

PODIUM LEVEL PLAN



SITE A:

20' SETBACK FROM JACKSON ST. & STEPPED MASSING
2 & 5 RESIDENTIAL LEVELS OVER 2 LEVELS OF PARKING
(TYPE III PODIUM CONSTRUCTION)

148 UNITS
228 PARKING SPACES

SITE B:

5 RESIDENTIAL LEVELS OVER 2 PARKING LEVELS
(TYPE III PODIUM CONSTRUCTION)

91 UNITS
109 PARKING SPACES

0 20 40 80

12.23.2015 P:\14-023 CPCP\PRODUCTS\Graphics
Source: KTGY, Inc.

Figure VI-10
Jack London District 4th & Madison Project EIR
Setback/Stepped Alternative
REVISED FOR RTC

Page 282 is revised:

Similar to the proposed project, this alternative would result in the replacement of the existing Block A warehouse. As explained in *Section IV.B, Historic Resources*, this warehouse is a contributor to a designated National Register Historic District ~~that is located within an Area of Primary Importance (API)~~. According to City policy, these factors place the building on the City's Local Register of Historic Resources. Thus, similar to the proposed project, the demolition of the warehouse would result in a significant adverse effect to an individual historic resource under CEQA.

As would be the case with the partial preservation alternatives, Building A under this alternative has elements that may reduce the severity of its impact on the surrounding historic district, as compared to the impact of the proposed project. The visual intrusiveness of the stepped building would be less severe than the proposed project from Jackson, 4th, and 5th Streets. The setback, lower sections would be further obscured from views from within the historic district by the Allegro at Jack London Square development, and the building is generally equal in height to contributing and non-contributing properties of the historic district within one block of Building A. However, the building would still be visible from within the historic district, and, unlike the partial preservation alternatives, it would be devoid of original elements of the existing warehouse building. As such, the building would result in a loss of workmanship through the loss of the majority of materials; a loss of the physical features that convey the building's historic character; and a loss of physical features that convey the relationship of the building to its history as a warehouse. Regardless of its design, Building A under the Setback/Stepped Alternative would constitute a significant impact to the individual historic resource, similar to the proposed project.

Page 284 through 286 is revised:

Impacts to the Historic District

Building A would have the same podium footprint the proposed project, and would not preserve any elements of the existing Block A building. It would increase in height beginning 20 feet back from Jackson Street, stepping up to two residential levels over two levels of parking, and then to five residential levels over two levels of parking. The result would be a reduction in overall building size as compared to the proposed project. Similarly to the proposed project, Building A in its stepped form could have an impact on the integrity of the historic district.

Given the location of Building A at the far northeast corner of the District, its height in relationship to both nearby contributing resources and newer developments, and the use of varied industrially-themed materials to achieve elements of visual coordination and prevent overall visual impact, Building A would not result in effects that would impair the

historic district's eligibility for listing in the National Register, California Register, local register, or historical resource survey. The construction of Building A, in and of itself, would not significantly alter the physical characteristics of the Historic District that convey its historic significance.

Building B is located ~~a half a block~~ outside the WWD and is adjacent to the Allegro at Jack London Square to the west. The Allegro is located between Building B and the eastern boundary of the WWD. As explained in *Section IV.B, Historic Resources*, the height of Building B could have visual effects on the setting of the historic district. However, any effects related to the height of the Building B would be mitigated by the presence of the Allegro project, which, at five stories and approximately 60 feet high, would visually obscure Building B. In effect, Building B would be "set back" about 190 feet from the historic district boundary (middle of Jackson Street). Given its similar height and design as Building B under the proposed project, the construction of Building B under this alternative, in and of itself, would not significantly alter the physical characteristics of the historic district that convey its historic significance.

As a result, similar to the proposed project and the other alternatives, the new construction introduced into the historic district by Buildings A and B would not constitute a significant impact in and of itself, and overall the Setback/Stepped Alternative would have a less-than-significant project-level impact to the historic district, similar to the proposed project.

Cumulative Impacts

The Setback/Stepped Alternative, similar to the proposed project, would result in the loss of Building A as an historic resource under CEQA and as a contributing resource to the historic district. The alternative would involve construction of a new building within the boundaries of a designated National Register Historic District, which, combined with the other past, current, and reasonably foreseeable demolition; new construction; and other alterations to the WWD, has the potential to materially impair the significance of the historic district in a manner that may be cumulatively significant if all of these projects are executed in the near future. Cumulative development, in combination with the Setback/Stepped Alternative, has and would continue to result in the development and redevelopment of infill and underutilized or sites throughout the area. A review of cumulative development in the area, including past, present, existing, pending and reasonably foreseeable future development as contemplated in the General Plan and Estuary Policy Plan could collectively erode and cumulatively affect the historic character of the District in an adverse manner that could threaten the District's continued eligibility for listing in the National Register of Historic Places and the California Register of Historical Resources. As a result, ~~similar to the proposed project,~~ the Setback/Stepped

Alternative would result in a significant and unavoidable cumulative impact to the historic district, similar to the proposed project.

(3) Traffic and Transportation

Like the proposed project, the Setback/Stepped Alternative would not result in any significant traffic and transportation impacts. The reduced scale, size and residential unit count associated with Setback/Stepped Alternative, and similarity to the proposed project in terms of land uses, means that impacts to the surrounding transportation and traffic environment would be either less severe or similar. The traffic and transportation mitigation measures recommended for the proposed project would also serve to mitigate potentially significant effects of the Setback/Stepped Alternative, so these same mitigation measures would also be recommended for this alternative. Thus, like the proposed project, the Setback/Stepped Alternative would not result in any significant traffic and transportation impacts with implementation of recommended mitigation measures. This alternative would also be subject to the same four sets of SCAs applied to the proposed project, and the same three recommendations identified for the proposed project, related to (1) transportation hazards, (2) pedestrian safety, ~~automobile parking, and bicycle parking.~~ and (3) various traffic reduction strategies for inclusion in a project-specific TDM program. As a result, similar to the proposed project, Partial Preservation Alternative #1 would result in less-than-significant impacts related to transportation and traffic with implementation of recommended mitigation measures and SCAs.

(4) Air Quality

The Setback/Stepped Alternative would contribute to an increase in emissions affecting air quality due to construction activities to a similar extent as the proposed project. Under this alternative, there would be construction activities and an increase in vehicle trips as compared with existing conditions. The similar scale and type of development assumed under this alternative would result in a similar quantity of the emissions effecting air quality. The air quality mitigation measures recommended for the proposed project would also serve to mitigate potentially significant effects of the Setback/Stepped Alternative, so these same mitigation measures would also be recommended for this alternative; all SCAs applied to the proposed project would also apply to this alternative. Thus, like the proposed project, the Setback/Stepped Alternative would not result in any significant air quality impacts with implementation of recommended mitigation measures. As such, this alternative would likely result in the same, less than significant air quality-related impacts as the proposed project.

(5) Greenhouse Gas Emissions

The Setback/Stepped Alternative would result in similar operational and construction activity at the project site as the proposed project. As a result, development under this alternative would produce new GHG emissions. As would be the case under the proposed project, this alternative would not conflict with any plans or policies related to the

reduction of GHGs. Similar to the proposed project, construction and operation of the alternative project would result in numerous activities that contribute to GHG emissions. However, these emissions would not exceed BAAQMD thresholds. ~~As a result~~Further, all SCAs applied to the proposed project would apply to this alternative. Thus, like the proposed project, the Setback/Stepped Alternative would not result in any significant impacts related to ~~GHGs~~GHG emissions.

(6) Noise and Vibration

The Setback/Stepped Alternative would result in noise impacts associated with the construction of the project, similar to the impacts that would be the result of the proposed project. Given the similarity in project size, scale and construction type, it is likely that use of similar construction equipment over a similar timeframe would be needed to implement development under this alternative. Construction activities would generate minimal, temporary increases in noise levels for surrounding residences, and new traffic resulting from operation of the proposed project would generate negligible increases in noise levels in the area. The noise-related mitigation measures recommended for the proposed project would also serve to mitigate potentially significant effects of the Setback/Stepped Alternative, and all SCAs applied to the proposed project would apply to this alternative. Thus, like the proposed project, the Setback/Stepped Alternative would not result in any significant noise impacts with implementation of recommended mitigation measures.

(7) Aesthetics, Shadow and Wind

Implementation of the Setback/Stepped Alternative would result in similar land uses developed on the project site as those developed under the proposed project, including multi-family housing, resident-serving amenities and commercial uses. Under this alternative, both Building A and Building B would be 7 stories, similar to the proposed project. However, Building A would step down in height and massing toward Jackson Street. Given that this alternative is at the same site as the proposed project, and is similar to the proposed project in height and massing, with lesser height and massing at Jackson Street, this alternative would have similar or lesser impacts on scenic vistas as compared to the proposed project.

The Setback/Stepped Alternative would be required to comply with the City's Design Review process, and would implement all applicable SCAs, similar to the proposed project. As a result, this alternative would not substantially degrade the existing visual character or quality of the site and its surroundings. These applicable SCAs include an SCA that would require the preparation of a lighting plan. Implementation of this SCA would ensure that the alternative's potential impacts related to light and/or glare are less than significant. Additionally, given that no designated scenic highway is in the immediate vicinity of the project site, the alternative would not impact scenic resources in a scenic highway. Given that the height and massing of this alternative is equal to or lesser than

that of the proposed project, this alternative would have less-than-significant impacts in regard to shadow and wind.

As result of the above, the Setback/Stepped Alternative would have less-than-significant aesthetics, shadow and wind impacts with implementation of applicable SCAs, similar to the proposed project.

(8) Agriculture and Forest Resources

The project site is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. Neither the project site nor any adjacent land has been identified as an agricultural resource or forest land, and there are no agricultural uses in the vicinity.[5,6] Given this, the Setback/Stepped Alternative would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and would not result in the loss of forest land or conversion of forest land to non-forest use and thus would not have any impact on agriculture or forest resources, similar to the proposed project.

(9) Biological Resources

The existing office/warehouse structure on the project site is built out to the property lines on Block A, and is a fully paved parking lot to the edge of the property lines on Block B. The project site contains no trees or other plants, is not within or near a riparian corridor, does not provide a habitat for any plant or animal species, is not located within a designated habitat area, is unlikely to be a part of an established native resident or migratory wildlife corridor, and this alternative would not conflict with any local policies or ordinances protecting biological resources. Thus, the Setback/Stepped Alternative would not result in significant impacts on biological resources, similar to the proposed project.

(10) Cultural Resources

The project site is located in an urban area that been subject to continuous urban development over the past century; thus, any archaeological or paleontological remains are likely to be buried by fill. The project area's low archaeological sensitivity is indicated by the absence of recorded archaeological sites, as determined by a records search (File # 15-0038) of the project area at the Northwest Information Center (NWIC) of the California Historical Resources Information System. Implementation of the Setback/Stepped Alternative would result in construction, demolition and land-disturbing to an equal or lesser extent as the proposed project. However, SCAs would be required to ensure that if any archaeological or paleontological resources or human remains are encountered during excavation or construction activities on site, measures (e.g., halting construction activity, involvement of a qualified archaeologist) would be taken to ensure any potential adverse effects are reduced to a less-than-significant level. Similar to the proposed project, this alternative would have less-than-significant impact on cultural resources with SCAs.

(11) Geology and Soils

The Setback/Stepped Alternative would involve land-disturbing activities on the same project site as the proposed project. The proposed project is required to obtain a grading permit subject to City approval and SCAs relevant to erosion and sedimentation control are applied. SCAs applied to the proposed project would also be applicable to this alternative. As a result, geology and soils impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(12) Hazards and Hazardous Materials

Similar to the proposed project, the Setback/Stepped Alternative would involve land-disturbing activities on a site in an urban area that has a history of industrial land uses. Two Phase I ESAs were prepared for the project site in 2006 and 2014. Their recommendations are encapsulated in two SCAs included in the proposed project, and would also be applied to this alternative. Additional SCAs were applied to the proposed project that would also be applicable to this alternative. As a result, hazards and hazardous materials impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(13) Hydrology and Water Quality

Similar to the proposed project, the Setback/Stepped Alternative would involve construction and land-disturbing activities. Given that the building footprint of the proposed project and this alternative are the same, the proportion of pervious and impervious surfaces at the project site under each would be similar. The Setback/Stepped Alternative would be subject to the same SCAs and dewatering requirements as the proposed project. As a result, hydrology and water quality impacts under this alternative would be less than significant with incorporation of the City's SCAs, similar to the proposed project.

(14) Population and Housing

The Setback/Stepped Alternative would add fewer housing units to the area than the proposed project. The Setback/Stepped Alternative thus would not result in substantial population growth in an area, directly or indirectly, and given that the project site is not currently used for housing, would not displace existing housing or people. Therefore, impacts relating to population and housing would be less severe or similar to those of the proposed project. As a result, this alternative would have less-than-significant impact on population and housing, similar to the proposed project.

(15) Public Services

The project site is located in a completely developed urban area already served by public services. The Setback/Stepped Alternative would add fewer dwelling units to the project site than the proposed project, and as a result, would likely add a lesser number of

residents or users to the area. Thus, similar to the proposed project, physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities would not occur. As a result, The Setback/Stepped Alternative would result in a less-than-significant impact relating to public services with incorporation of the City's SCAs, similar to the proposed project.

(16) Recreation

The Setback/Stepped Alternative would add fewer dwelling units to the project site than the proposed project, and as a result, would likely add a lesser number of residents or users to the area. Similar to the proposed project, the additional occupants or users introduced to the area would not increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Moreover, the Setback/Stepped Alternative does not include the construction or expansion of recreational facilities. As a result, this alternative would result in a less-than-significant impact relating to recreation, similar to the proposed project.

(17) Utilities and Service Systems

The project site is located in a completely developed urban area already served by local and regional utilities infrastructure and services. The Setback/Stepped Alternative would add fewer dwelling units to the project site than the proposed project, and thus would result in a lesser demand for utilities services. As a result, the Setback/Stepped Alternative would result in a less-than-significant impact relating to utilities and service systems with incorporation of the City's SCAs, similar to the proposed project.

D. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of the environmentally superior alternative in an EIR. The No Project/No Build Alternative is considered the environmentally superior alternative in the strict sense that environmental impacts associated with its implementation would be the least of all the scenarios examined (including the project). To maintain the project site at its current conditions would avoid each of the impacts that would result from the project. In cases like this where the No Project Alternative is the environmentally superior alternative, CEQA requires that the second most environmentally superior alternative be identified. Comparison of the environmental impacts associated with each alternative as described above, indicates that the Partial Preservation Alternative #2 would represent the next-best alternative in terms of the fewest significant environmental impacts. Both the proposed project and Partial Preservation Alternative #2 would result in a less-than-significant project-level impact to the historic district. However, Partial Preservation Alternative #2 ~~This alternative~~ would result in a less-than-significant~~reducing~~ project-level impact~~s~~ to the individual historic resource ~~to~~ and a less-than-significant ~~level and the~~

cumulative impact to the historic district, whereas the proposed project would cause these impacts to be significant and unavoidable. ~~to a less-than-significant level as compared to the proposed project~~. Accordingly, excluding the No Project Alternative, Partial Preservation Alternative #2 is the environmentally superior alternative.

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[5] City of Oakland, 1996. *General Plan,* Open Space, Conservation, & Recreation Element, June.

[6] California Department of Conservation, 2015. Farmland Mapping and Monitoring Program, California Important Farmland Finder.

VIII REPORT PREPARATION AND REFERENCES

Page 294 through 299, B. References, have been revised:

Alameda County Airport Land Use Commission (ALUC), 2010. *Oakland International Airport Land Use Compatibility Plan*, December.

Alameda County Transportation Commission (CTC), 2013. *Congestion Management Program,* page 81, October.

Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), 2011. *Plan Bay Area,* pages 1-16 and 2.

Bay Area Air Quality Management District (BAAQMD), 2011. *CEQA Air Quality Guidelines*, May, page 2-1.

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City of Oakland, 1996. *General Plan,* Open Space, Conservation, & Recreation Element, June.

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Elaine Louie, "Communing After All These Years," *New York Times,* August 10, 1995, accessed October 27, 2015, http://www.nytimes.com/1995/08/10/garden/communing-after-all-these-years.html.

ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street Property, Oakland, California.* December.

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Handwritten note on Oakland Cultural Heritage Survey Evaluation Tally Sheet, 400-430 Jackson Street/175 5th Street, page1, undated.

~~Jack London District Association, 2015. http://www.jlda.org/search/label/trashcan, accessed April 2.~~

LSA Associates, Inc., 2016. *Cost Plus Building Analysis, 200 4th Street, Oakland, Alameda County, California* (LSA Project #CPV1601), page 5, January 20.

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United States National Park Service, Department of Interior, "Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines." http://www.cr.nps.gov/local-law/arch_stnds_6.htm, accessed July 1, 2014.

United States Department of Housing and Urban Development, undated. Noise Notebook, Chapter 4 Supplement, Sound Transmission Class Guidance.

Page 300, C. Personal Communications, has been revised:

Savlan Hauser, Jack London Improvement District. Email to Hisashi Sugaya, Carey & Co., Inc., July 2, 2015. Attachment: Jack London Maintenance of Historical Warehouse District Markers.pdf.

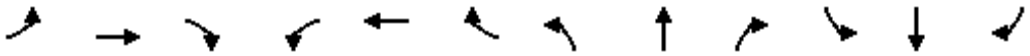
APPENDICES

Appendices C, D, and E have been revised as shown in the following pages.

Appendix F, Waterfront Warehouse District: 1985-2000-2015, Appendix G, Interior Walkthrough Memorandum, and Appendix H, Historic Resources – LSA Peer Review Memorandum, have been added, as shown in the following pages.

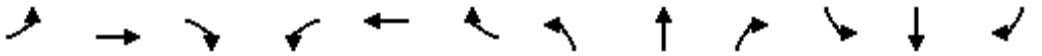
APPENDIX C

Traffic and Transportation –
Revised Level of Service Calculations



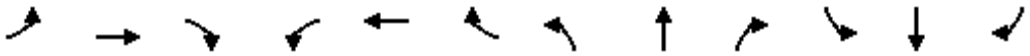
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	282	423	512	0	0	0	0	208	18	63	57	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			0.97	
Frt		0.94						0.99			1.00	
Flt Protected		0.99						1.00			0.97	
Satd. Flow (prot)		4634						1831			1767	
Flt Permitted		0.99						1.00			0.76	
Satd. Flow (perm)		4634						1831			1387	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	282	423	512	0	0	0	0	208	18	63	57	0
RTOR Reduction (vph)	0	291	0	0	0	0	0	7	0	0	0	0
Lane Group Flow (vph)	0	926	0	0	0	0	0	219	0	0	120	0
Confl. Peds. (#/hr)	16		8	8		16	18		82	82		18
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		16.5						17.5			17.5	
Effective Green, g (s)		16.5						17.5			17.5	
Actuated g/C Ratio		0.37						0.39			0.39	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1699						712			539	
v/s Ratio Prot								c0.12				
v/s Ratio Perm		0.20									0.09	
v/c Ratio		0.55						0.31			0.22	
Uniform Delay, d1		11.3						9.5			9.2	
Progression Factor		1.00						1.00			0.96	
Incremental Delay, d2		1.3						1.1			0.5	
Delay (s)		12.5						10.7			9.3	
Level of Service		B						B			A	
Approach Delay (s)		12.5			0.0			10.7			9.3	
Approach LOS		B			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	12.0	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.42		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	68.4%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			



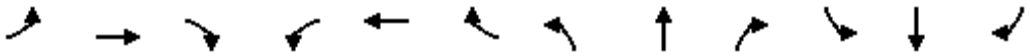
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	4	284	57	238	219	0	0	95	1556
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.87	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1591	1676			1381	1354
Flt Permitted				0.95	1.00	1.00	0.23	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	383	1676			1381	1354
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	4	284	57	238	219	0	0	95	1556
RTOR Reduction (vph)	0	0	0	0	0	36	0	0	0	0	245	0
Lane Group Flow (vph)	0	0	0	4	284	21	238	219	0	0	581	825
Confl. Peds. (#/hr)			1	1			6		93	93		
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)				16.5	16.5	16.5	17.5	17.5			17.5	45.0
Effective Green, g (s)				16.5	16.5	16.5	17.5	17.5			17.5	45.0
Actuated g/C Ratio				0.37	0.37	0.37	0.39	0.39			0.39	1.00
Clearance Time (s)				5.5	5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)				584	614	522	148	651			537	1354
v/s Ratio Prot				0.00	0.17			0.13			0.42	
v/s Ratio Perm						0.01	c0.62					c0.61
v/c Ratio				0.01	0.46	0.04	1.61	0.34			1.08	0.61
Uniform Delay, d1				9.0	10.9	9.2	13.8	9.7			13.8	0.0
Progression Factor				0.79	0.75	0.77	0.86	0.82			1.00	1.00
Incremental Delay, d2				0.0	2.4	0.1	299.7	1.2			62.8	2.0
Delay (s)				7.2	10.6	7.2	311.5	9.2			76.6	2.0
Level of Service				A	B	A	F	A			E	A
Approach Delay (s)		0.0			10.0			166.6			39.3	
Approach LOS		A			A			F			D	

Intersection Summary			
HCM 2000 Control Delay	58.9	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.22		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	86.1%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			



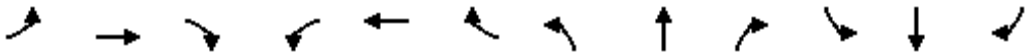
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	349	586	142	0	0	0	0	212	80	3	115	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.98						0.96			1.00	
Flt Protected		0.98						1.00			1.00	
Satd. Flow (prot)		4892						3362			1860	
Flt Permitted		0.98						1.00			0.99	
Satd. Flow (perm)		4892						3362			1847	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	349	586	142	0	0	0	0	212	80	3	115	0
RTOR Reduction (vph)	0	45	0	0	0	0	0	53	0	0	0	0
Lane Group Flow (vph)	0	1032	0	0	0	0	0	239	0	0	118	0
Confl. Peds. (#/hr)	6		10	10		6	161		27	27		161
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2391						1120			615	
v/s Ratio Prot		c0.21						c0.07				
v/s Ratio Perm											0.06	
v/c Ratio		0.43						0.21			0.19	
Uniform Delay, d1		7.4						10.8			10.7	
Progression Factor		1.00						1.00			1.26	
Incremental Delay, d2		0.6						0.4			0.7	
Delay (s)		8.0						11.2			14.2	
Level of Service		A						B			B	
Approach Delay (s)		8.0			0.0			11.2			14.2	
Approach LOS		A			A			B			B	

Intersection Summary			
HCM 2000 Control Delay	9.1	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.34		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	46.0%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



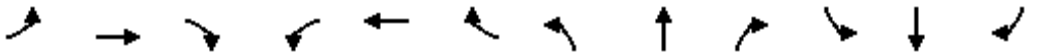
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	120	66	700	96	410	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.98		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.90	0.85		1.00				
Flt Protected					0.99	1.00		0.99				
Satd. Flow (prot)					2692	1275		3155				
Flt Permitted					0.99	1.00		0.99				
Satd. Flow (perm)					2692	1275		3155				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	120	66	700	96	410	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	92	92	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	444	258	0	506	0	0	0	0
Confl. Peds. (#/hr)	6		2	2		6	168		24	24		168
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1316	623		1051				
v/s Ratio Prot					0.16			c0.16				
v/s Ratio Perm						c0.20						
v/c Ratio					0.34	0.41		0.48				
Uniform Delay, d1					7.0	7.4		11.9				
Progression Factor					1.00	1.00		0.99				
Incremental Delay, d2					0.7	2.0		1.5				
Delay (s)					7.7	9.4		13.2				
Level of Service					A	A		B				
Approach Delay (s)		0.0			8.4			13.2			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	10.2	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.44		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	55.1%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	368	548	373	0	0	0	0	332	33	98	82	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			0.98	
Frt		0.96						0.99			1.00	
Flt Protected		0.99						1.00			0.97	
Satd. Flow (prot)		4733						1827			1777	
Flt Permitted		0.99						1.00			0.69	
Satd. Flow (perm)		4733						1827			1257	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	368	548	373	0	0	0	0	332	33	98	82	0
RTOR Reduction (vph)	0	123	0	0	0	0	0	6	0	0	0	0
Lane Group Flow (vph)	0	1166	0	0	0	0	0	359	0	0	180	0
Confl. Peds. (#/hr)			14	14			7		59	59		7
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		19.5						29.0			29.0	
Effective Green, g (s)		19.5						29.0			29.0	
Actuated g/C Ratio		0.33						0.49			0.49	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1551						890			612	
v/s Ratio Prot								c0.20				
v/s Ratio Perm		0.25									0.14	
v/c Ratio		0.75						0.40			0.29	
Uniform Delay, d1		17.8						9.7			9.1	
Progression Factor		1.00						1.00			1.00	
Incremental Delay, d2		3.4						1.4			1.2	
Delay (s)		21.3						11.1			10.3	
Level of Service		C						B			B	
Approach Delay (s)		21.3			0.0			11.1			10.3	
Approach LOS		C			A			B			B	

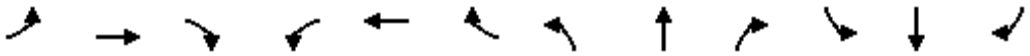
Intersection Summary			
HCM 2000 Control Delay	18.2	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.54		
Actuated Cycle Length (s)	59.5	Sum of lost time (s)	11.0
Intersection Capacity Utilization	73.8%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	1	384	56	370	324	0	0	187	1159
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			0.99	0.99
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.89	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1590	1676			1401	1334
Flt Permitted				0.95	1.00	1.00	0.26	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	436	1676			1401	1334
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	1	384	56	370	324	0	0	187	1159
RTOR Reduction (vph)	0	0	0	0	0	42	0	0	0	0	57	0
Lane Group Flow (vph)	0	0	0	1	384	14	370	324	0	0	628	661
Confl. Peds. (#/hr)							9		22	22		9
Confl. Bikes (#/hr)												1
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Effective Green, g (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Actuated g/C Ratio				0.24	0.24	0.24	0.58	0.58			0.58	1.00
Clearance Time (s)				5.5	5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)				384	405	344	250	963			805	1334
v/s Ratio Prot				0.00	c0.23			0.19			0.45	
v/s Ratio Perm						0.01	c0.85					0.50
v/c Ratio				0.00	0.95	0.04	1.48	0.34			0.78	0.50
Uniform Delay, d1				17.3	22.4	17.4	12.8	6.7			9.8	0.0
Progression Factor				1.00	1.00	1.00	1.00	1.00			0.90	1.00
Incremental Delay, d2				0.0	33.4	0.2	236.3	0.9			7.3	1.3
Delay (s)				17.3	55.8	17.6	249.0	7.7			16.2	1.3
Level of Service				B	E	B	F	A			B	A
Approach Delay (s)		0.0			50.9			136.4			8.9	
Approach LOS		A			D			F			A	

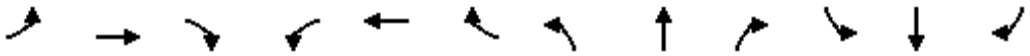
Intersection Summary			
HCM 2000 Control Delay	52.0	HCM 2000 Level of Service	D
HCM 2000 Volume to Capacity ratio	1.32		
Actuated Cycle Length (s)	60.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	96.9%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group



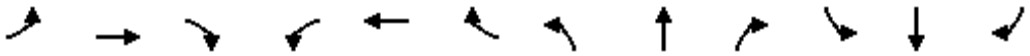
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	331	827	127	0	0	0	0	424	178	6	85	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.99						0.96			1.00	
Flt Protected		0.99						1.00			1.00	
Satd. Flow (prot)		4933						3350			1856	
Flt Permitted		0.99						1.00			0.96	
Satd. Flow (perm)		4933						3350			1786	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	331	827	127	0	0	0	0	424	178	6	85	0
RTOR Reduction (vph)	0	30	0	0	0	0	0	70	0	0	0	0
Lane Group Flow (vph)	0	1255	0	0	0	0	0	532	0	0	91	0
Confl. Peds. (#/hr)	4		19	19		4	125		24	24		125
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2411						1116			595	
v/s Ratio Prot		c0.25						c0.16				
v/s Ratio Perm											0.05	
v/c Ratio		0.52						0.48			0.15	
Uniform Delay, d1		7.9						11.9			10.5	
Progression Factor		1.00						1.00			1.24	
Incremental Delay, d2		0.8						1.5			0.5	
Delay (s)		8.7						13.3			13.6	
Level of Service		A						B			B	
Approach Delay (s)		8.7			0.0			13.3			13.6	
Approach LOS		A			A			B			B	

Intersection Summary			
HCM 2000 Control Delay	10.3	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.50		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	52.6%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



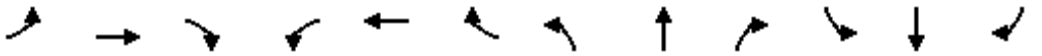
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	68	64	465	160	598	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.99		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.90	0.85		1.00				
Flt Protected					0.99	1.00		0.99				
Satd. Flow (prot)					2711	1280		3152				
Flt Permitted					0.99	1.00		0.99				
Satd. Flow (perm)					2711	1280		3152				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	68	64	465	160	598	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	44	44	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	321	188	0	758	0	0	0	0
Confl. Peds. (#/hr)	1		3	3		1	164		18	18		164
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1325	625		1050				
v/s Ratio Prot					0.12			c0.24				
v/s Ratio Perm						c0.15						
v/c Ratio					0.24	0.30		0.72				
Uniform Delay, d1					6.7	6.9		13.2				
Progression Factor					1.00	1.00		0.76				
Incremental Delay, d2					0.4	1.2		3.8				
Delay (s)					7.1	8.1		13.8				
Level of Service					A	A		B				
Approach Delay (s)		0.0			7.5			13.8			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	11.0	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.47		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	51.6%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



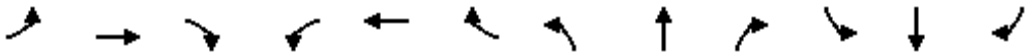
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	282	423	512	0	0	0	0	234	18	63	57	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			0.97	
Frt		0.94						0.99			1.00	
Flt Protected		0.99						1.00			0.97	
Satd. Flow (prot)		4634						1834			1769	
Flt Permitted		0.99						1.00			0.75	
Satd. Flow (perm)		4634						1834			1369	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	282	423	512	0	0	0	0	234	18	63	57	0
RTOR Reduction (vph)	0	291	0	0	0	0	0	6	0	0	0	0
Lane Group Flow (vph)	0	926	0	0	0	0	0	246	0	0	120	0
Confl. Peds. (#/hr)	16		8	8		16	18		82	82		18
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		16.5						17.5			17.5	
Effective Green, g (s)		16.5						17.5			17.5	
Actuated g/C Ratio		0.37						0.39			0.39	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1699						713			532	
v/s Ratio Prot								c0.13				
v/s Ratio Perm		0.20									0.09	
v/c Ratio		0.55						0.34			0.23	
Uniform Delay, d1		11.3						9.7			9.2	
Progression Factor		1.00						1.00			0.96	
Incremental Delay, d2		1.3						1.3			0.5	
Delay (s)		12.5						11.0			9.3	
Level of Service		B						B			A	
Approach Delay (s)		12.5			0.0			11.0			9.3	
Approach LOS		B			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	12.1	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.44		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	68.9%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			



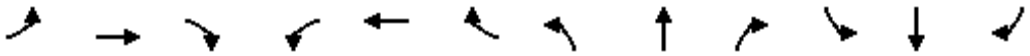
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	4	284	57	257	226	0	0	95	1556
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.87	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1591	1676			1381	1354
Flt Permitted				0.95	1.00	1.00	0.23	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	383	1676			1381	1354
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	4	284	57	257	226	0	0	95	1556
RTOR Reduction (vph)	0	0	0	0	0	36	0	0	0	0	245	0
Lane Group Flow (vph)	0	0	0	4	284	21	257	226	0	0	581	825
Confl. Peds. (#/hr)			1	1			6		93	93		
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)				16.5	16.5	16.5	17.5	17.5			17.5	45.0
Effective Green, g (s)				16.5	16.5	16.5	17.5	17.5			17.5	45.0
Actuated g/C Ratio				0.37	0.37	0.37	0.39	0.39			0.39	1.00
Clearance Time (s)				5.5	5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)				584	614	522	148	651			537	1354
v/s Ratio Prot				0.00	0.17			0.13			0.42	
v/s Ratio Perm						0.01	c0.67					c0.61
v/c Ratio				0.01	0.46	0.04	1.74	0.35			1.08	0.61
Uniform Delay, d1				9.0	10.9	9.2	13.8	9.7			13.8	0.0
Progression Factor				0.81	0.75	0.78	0.82	0.79			1.00	1.00
Incremental Delay, d2				0.0	2.4	0.1	355.1	1.3			62.8	2.0
Delay (s)				7.3	10.6	7.3	366.4	9.0			76.6	2.0
Level of Service				A	B	A	F	A			E	A
Approach Delay (s)		0.0			10.0			199.1			39.3	
Approach LOS		A			A			F			D	

Intersection Summary			
HCM 2000 Control Delay	66.4	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.28		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	87.3%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			



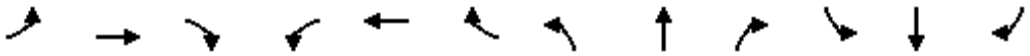
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	349	586	142	0	0	0	0	217	105	3	117	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.98						0.95			1.00	
Flt Protected		0.98						1.00			1.00	
Satd. Flow (prot)		4892						3328			1860	
Flt Permitted		0.98						1.00			0.99	
Satd. Flow (perm)		4892						3328			1846	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	349	586	142	0	0	0	0	217	105	3	117	0
RTOR Reduction (vph)	0	45	0	0	0	0	0	70	0	0	0	0
Lane Group Flow (vph)	0	1032	0	0	0	0	0	252	0	0	120	0
Confl. Peds. (#/hr)	6		10	10		6	161		27	27		161
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2391						1109			615	
v/s Ratio Prot		c0.21						c0.08				
v/s Ratio Perm											0.07	
v/c Ratio		0.43						0.23			0.20	
Uniform Delay, d1		7.4						10.8			10.7	
Progression Factor		1.00						1.00			1.27	
Incremental Delay, d2		0.6						0.5			0.7	
Delay (s)		8.0						11.3			14.2	
Level of Service		A						B			B	
Approach Delay (s)		8.0			0.0			11.3			14.2	
Approach LOS		A			A			B			B	

Intersection Summary			
HCM 2000 Control Delay	9.2	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.35		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	46.0%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



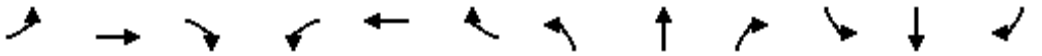
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	123	68	698	96	415	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.98		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.90	0.85		1.00				
Flt Protected					0.99	1.00		0.99				
Satd. Flow (prot)					2694	1275		3156				
Flt Permitted					0.99	1.00		0.99				
Satd. Flow (perm)					2694	1275		3156				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	123	68	698	96	415	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	90	90	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	450	259	0	511	0	0	0	0
Confl. Peds. (#/hr)	6		2	2		6	168		24	24		168
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1317	623		1052				
v/s Ratio Prot					0.17			c0.16				
v/s Ratio Perm						c0.20						
v/c Ratio					0.34	0.42		0.49				
Uniform Delay, d1					7.1	7.4		11.9				
Progression Factor					1.00	1.00		1.00				
Incremental Delay, d2					0.7	2.0		1.5				
Delay (s)					7.8	9.4		13.4				
Level of Service					A	A		B				
Approach Delay (s)		0.0			8.4			13.4			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	10.2	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.44		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	55.2%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	368	548	395	0	0	0	0	339	33	98	90	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			0.98	
Frt		0.95						0.99			1.00	
Flt Protected		0.99						1.00			0.97	
Satd. Flow (prot)		4723						1828			1781	
Flt Permitted		0.99						1.00			0.69	
Satd. Flow (perm)		4723						1828			1269	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	368	548	395	0	0	0	0	339	33	98	90	0
RTOR Reduction (vph)	0	130	0	0	0	0	0	6	0	0	0	0
Lane Group Flow (vph)	0	1181	0	0	0	0	0	366	0	0	188	0
Confl. Peds. (#/hr)			14	14			7		59	59		7
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		19.5						29.0			29.0	
Effective Green, g (s)		19.5						29.0			29.0	
Actuated g/C Ratio		0.33						0.49			0.49	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1547						890			618	
v/s Ratio Prot								c0.20				
v/s Ratio Perm		0.25									0.15	
v/c Ratio		0.76						0.41			0.30	
Uniform Delay, d1		17.9						9.8			9.2	
Progression Factor		1.00						1.00			1.00	
Incremental Delay, d2		3.6						1.4			1.3	
Delay (s)		21.6						11.2			10.4	
Level of Service		C						B			B	
Approach Delay (s)		21.6			0.0			11.2			10.4	
Approach LOS		C			A			B			B	

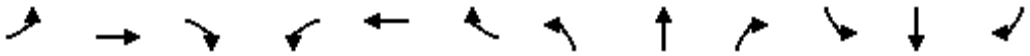
Intersection Summary			
HCM 2000 Control Delay	18.4	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.55		
Actuated Cycle Length (s)	59.5	Sum of lost time (s)	11.0
Intersection Capacity Utilization	74.7%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	1	384	56	375	326	0	0	195	1159
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			0.99	0.99
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.89	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1590	1676			1404	1334
Flt Permitted				0.95	1.00	1.00	0.25	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	426	1676			1404	1334
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	1	384	56	375	326	0	0	195	1159
RTOR Reduction (vph)	0	0	0	0	0	42	0	0	0	0	57	0
Lane Group Flow (vph)	0	0	0	1	384	14	375	326	0	0	636	661
Confl. Peds. (#/hr)							9		22	22		9
Confl. Bikes (#/hr)												1
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Effective Green, g (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Actuated g/C Ratio				0.24	0.24	0.24	0.58	0.58			0.58	1.00
Clearance Time (s)				5.5	5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)				384	405	344	244	963			807	1334
v/s Ratio Prot				0.00	c0.23			0.19			0.45	
v/s Ratio Perm						0.01	c0.88					0.50
v/c Ratio				0.00	0.95	0.04	1.54	0.34			0.79	0.50
Uniform Delay, d1				17.3	22.4	17.4	12.8	6.7			9.9	0.0
Progression Factor				1.00	1.00	1.00	1.00	1.00			0.90	1.00
Incremental Delay, d2				0.0	33.4	0.2	261.1	1.0			7.6	1.3
Delay (s)				17.3	55.8	17.6	273.9	7.7			16.6	1.3
Level of Service				B	E	B	F	A			B	A
Approach Delay (s)		0.0			50.9			150.1			9.1	
Approach LOS		A			D			F			A	

Intersection Summary			
HCM 2000 Control Delay	56.1	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	1.36		
Actuated Cycle Length (s)	60.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	97.7%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group

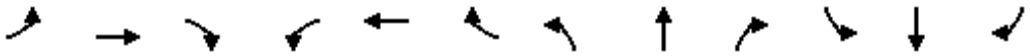


Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	331	827	127	0	0	0	0	425	185	6	95	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.99						0.95			1.00	
Flt Protected		0.99						1.00			1.00	
Satd. Flow (prot)		4933						3346			1856	
Flt Permitted		0.99						1.00			0.96	
Satd. Flow (perm)		4933						3346			1792	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	331	827	127	0	0	0	0	425	185	6	95	0
RTOR Reduction (vph)	0	30	0	0	0	0	0	70	0	0	0	0
Lane Group Flow (vph)	0	1255	0	0	0	0	0	540	0	0	101	0
Confl. Peds. (#/hr)	4		19	19		4	125		24	24		125
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2411						1115			597	
v/s Ratio Prot		c0.25						c0.16				
v/s Ratio Perm											0.06	
v/c Ratio		0.52						0.48			0.17	
Uniform Delay, d1		7.9						11.9			10.6	
Progression Factor		1.00						1.00			1.25	
Incremental Delay, d2		0.8						1.5			0.6	
Delay (s)		8.7						13.4			13.8	
Level of Service		A						B			B	
Approach Delay (s)		8.7			0.0			13.4			13.8	
Approach LOS		A			A			B			B	

Intersection Summary			
HCM 2000 Control Delay	10.4	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.51		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	52.9%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			

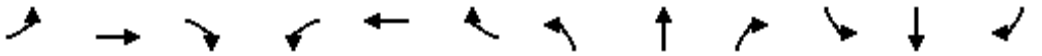
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	78	85	465	160	599	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.99		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.91	0.85		1.00				
Flt Protected					0.99	1.00		0.99				
Satd. Flow (prot)					2734	1280		3152				
Flt Permitted					0.99	1.00		0.99				
Satd. Flow (perm)					2734	1280		3152				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	78	85	465	160	599	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	44	44	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	352	188	0	759	0	0	0	0
Confl. Peds. (#/hr)	1		3	3		1	164		18	18		164
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1336	625		1050				
v/s Ratio Prot					0.13			c0.24				
v/s Ratio Perm						c0.15						
v/c Ratio					0.26	0.30		0.72				
Uniform Delay, d1					6.7	6.9		13.2				
Progression Factor					1.00	1.00		0.76				
Incremental Delay, d2					0.5	1.2		3.8				
Delay (s)					7.2	8.1		13.8				
Level of Service					A	A		B				
Approach Delay (s)		0.0			7.6			13.8			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	11.0	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.47		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	51.7%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



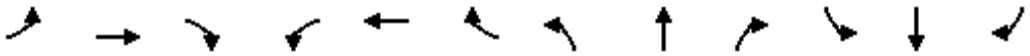
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	330	500	650	0	0	0	0	270	30	60	90	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			0.98	
Frt		0.93						0.99			1.00	
Flt Protected		0.99						1.00			0.98	
Satd. Flow (prot)		4620						1823			1793	
Flt Permitted		0.99						1.00			0.78	
Satd. Flow (perm)		4620						1823			1435	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	330	500	650	0	0	0	0	270	30	60	90	0
RTOR Reduction (vph)	0	314	0	0	0	0	0	9	0	0	0	0
Lane Group Flow (vph)	0	1167	0	0	0	0	0	291	0	0	150	0
Confl. Peds. (#/hr)	16		8	8		16	18		82	82		18
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		16.5						17.5			17.5	
Effective Green, g (s)		16.5						17.5			17.5	
Actuated g/C Ratio		0.37						0.39			0.39	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1694						708			558	
v/s Ratio Prot								c0.16				
v/s Ratio Perm		0.25									0.10	
v/c Ratio		0.69						0.41			0.27	
Uniform Delay, d1		12.1						10.0			9.4	
Progression Factor		1.00						1.00			0.96	
Incremental Delay, d2		2.3						1.8			0.1	
Delay (s)		14.4						11.8			9.1	
Level of Service		B						B			A	
Approach Delay (s)		14.4			0.0			11.8			9.1	
Approach LOS		B			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	13.6	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.55		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	77.2%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	0	320	60	300	260	0	0	140	1700
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor					1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes					1.00	1.00	1.00	1.00			1.00	1.00
Flpb, ped/bikes					1.00	1.00	1.00	1.00			1.00	1.00
Frt					1.00	0.85	1.00	1.00			0.87	0.85
Flt Protected					1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)					1676	1425	1592	1676			1390	1354
Flt Permitted					1.00	1.00	0.23	1.00			1.00	1.00
Satd. Flow (perm)					1676	1425	383	1676			1390	1354
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	0	320	60	300	260	0	0	140	1700
RTOR Reduction (vph)	0	0	0	0	0	38	0	0	0	0	215	0
Lane Group Flow (vph)	0	0	0	0	320	22	300	260	0	0	707	918
Confl. Peds. (#/hr)			1	1			6		93	93		
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)					16.5	16.5	17.5	17.5			17.5	45.0
Effective Green, g (s)					16.5	16.5	17.5	17.5			17.5	45.0
Actuated g/C Ratio					0.37	0.37	0.39	0.39			0.39	1.00
Clearance Time (s)					5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)					614	522	148	651			540	1354
v/s Ratio Prot					0.19			0.16			0.51	
v/s Ratio Perm						0.02	c0.78					c0.68
v/c Ratio					0.52	0.04	2.03	0.40			1.31	0.68
Uniform Delay, d1					11.2	9.2	13.8	9.9			13.8	0.0
Progression Factor					0.75	0.75	0.80	0.76			1.00	1.00
Incremental Delay, d2					3.1	0.1	480.8	1.5			152.0	2.7
Delay (s)					11.4	7.0	491.9	9.0			165.7	2.7
Level of Service					B	A	F	A			F	A
Approach Delay (s)		0.0			10.7			267.7			84.4	
Approach LOS		A			B			F			F	

Intersection Summary			
HCM 2000 Control Delay	111.3	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	1.48		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	97.9%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			

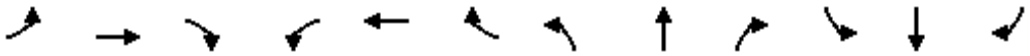


Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	400	710	170	0	0	0	0	590	240	10	280	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.98						0.96			1.00	
Flt Protected		0.98						1.00			1.00	
Satd. Flow (prot)		4894						3352			1859	
Flt Permitted		0.98						1.00			0.97	
Satd. Flow (perm)		4894						3352			1797	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	400	710	170	0	0	0	0	590	240	10	280	0
RTOR Reduction (vph)	0	45	0	0	0	0	0	97	0	0	0	0
Lane Group Flow (vph)	0	1235	0	0	0	0	0	733	0	0	290	0
Confl. Peds. (#/hr)	6		10	10		6	161		27	27		161
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2392						1117			599	
v/s Ratio Prot		c0.25						c0.22				
v/s Ratio Perm											0.16	
v/c Ratio		0.52						0.66			0.48	
Uniform Delay, d1		7.9						12.8			11.9	
Progression Factor		1.00						1.00			1.23	
Incremental Delay, d2		0.8						3.0			2.7	
Delay (s)		8.7						15.8			17.3	
Level of Service		A						B			B	
Approach Delay (s)		8.7			0.0			15.8			17.3	
Approach LOS		A			A			B			B	

Intersection Summary			
HCM 2000 Control Delay	12.2	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.57		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	60.2%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

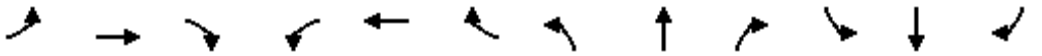
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	220	70	700	130	530	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.98		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.92	0.85		1.00				
Flt Protected					0.98	1.00		0.99				
Satd. Flow (prot)					2728	1275		3154				
Flt Permitted					0.98	1.00		0.99				
Satd. Flow (perm)					2728	1275		3154				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	220	70	700	130	530	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	56	56	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	584	294	0	660	0	0	0	0
Confl. Peds. (#/hr)	6		2	2		6	168		24	24		168
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1333	623		1051				
v/s Ratio Prot					0.21			c0.21				
v/s Ratio Perm						c0.23						
v/c Ratio					0.44	0.47		0.63				
Uniform Delay, d1					7.5	7.6		12.6				
Progression Factor					1.00	1.00		0.85				
Incremental Delay, d2					1.0	2.6		2.2				
Delay (s)					8.5	10.2		12.9				
Level of Service					A	B		B				
Approach Delay (s)		0.0			9.1			12.9			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	10.6	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.53		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	59.9%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	430	690	540	0	0	0	0	610	40	100	120	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						1.00			1.00	
Flpb, ped/bikes		1.00						1.00			0.99	
Frt		0.95						0.99			1.00	
Flt Protected		0.99						1.00			0.98	
Satd. Flow (prot)		4705						1839			1807	
Flt Permitted		0.99						1.00			0.46	
Satd. Flow (perm)		4705						1839			844	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	430	690	540	0	0	0	0	610	40	100	120	0
RTOR Reduction (vph)	0	146	0	0	0	0	0	4	0	0	0	0
Lane Group Flow (vph)	0	1514	0	0	0	0	0	646	0	0	220	0
Confl. Peds. (#/hr)			14	14			7		59	59		7
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		19.5						29.0			29.0	
Effective Green, g (s)		19.5						29.0			29.0	
Actuated g/C Ratio		0.33						0.49			0.49	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1541						896			411	
v/s Ratio Prot								c0.35				
v/s Ratio Perm		0.32									0.26	
v/c Ratio		0.98						0.72			0.54	
Uniform Delay, d1		19.8						12.1			10.6	
Progression Factor		1.00						1.00			1.00	
Incremental Delay, d2		19.1						5.0			4.9	
Delay (s)		39.0						17.0			15.5	
Level of Service		D						B			B	
Approach Delay (s)		39.0			0.0			17.0			15.5	
Approach LOS		D			A			B			B	

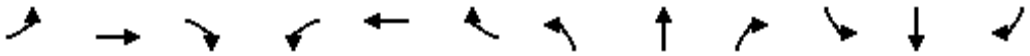
Intersection Summary			
HCM 2000 Control Delay	31.3	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.83		
Actuated Cycle Length (s)	59.5	Sum of lost time (s)	11.0
Intersection Capacity Utilization	96.5%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	10	450	70	540	390	0	0	260	1250
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			0.99	0.99
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.90	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1591	1676			1418	1334
Flt Permitted				0.95	1.00	1.00	0.20	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	330	1676			1418	1334
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	10	450	70	540	390	0	0	260	1250
RTOR Reduction (vph)	0	0	0	0	0	53	0	0	0	0	39	0
Lane Group Flow (vph)	0	0	0	10	450	17	540	390	0	0	734	737
Confl. Peds. (#/hr)							9		22	22		9
Confl. Bikes (#/hr)												1
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Effective Green, g (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Actuated g/C Ratio				0.24	0.24	0.24	0.58	0.58			0.58	1.00
Clearance Time (s)				5.5	5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)				384	405	344	189	963			815	1334
v/s Ratio Prot				0.01	c0.27			0.23			0.52	
v/s Ratio Perm						0.01	c1.64					0.55
v/c Ratio				0.03	1.11	0.05	2.86	0.40			0.90	0.55
Uniform Delay, d1				17.4	22.8	17.5	12.8	7.1			11.2	0.0
Progression Factor				1.00	1.00	1.00	1.00	1.00			0.94	1.00
Incremental Delay, d2				0.1	78.4	0.3	850.1	1.3			14.9	1.6
Delay (s)				17.5	101.1	17.7	862.9	8.3			25.4	1.6
Level of Service				B	F	B	F	A			C	A
Approach Delay (s)		0.0			88.5			504.5			13.8	
Approach LOS		A			F			F			B	

Intersection Summary			
HCM 2000 Control Delay	180.8	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	2.33		
Actuated Cycle Length (s)	60.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	117.5%	ICU Level of Service	H
Analysis Period (min)	15		

c Critical Lane Group

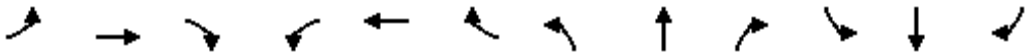


Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	370	990	150	0	0	0	0	950	500	10	260	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.99						0.95			1.00	
Flt Protected		0.99						1.00			1.00	
Satd. Flow (prot)		4935						3319			1859	
Flt Permitted		0.99						1.00			0.53	
Satd. Flow (perm)		4935						3319			980	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	370	990	150	0	0	0	0	950	500	10	260	0
RTOR Reduction (vph)	0	30	0	0	0	0	0	44	0	0	0	0
Lane Group Flow (vph)	0	1480	0	0	0	0	0	1406	0	0	270	0
Confl. Peds. (#/hr)	4		19	19		4	125		24	24		125
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2412						1106			326	
v/s Ratio Prot		c0.30						c0.42				
v/s Ratio Perm											0.28	
v/c Ratio		0.61						1.27			0.83	
Uniform Delay, d1		8.4						15.0			13.8	
Progression Factor		1.00						1.00			1.26	
Incremental Delay, d2		1.2						129.3			20.5	
Delay (s)		9.6						144.3			37.9	
Level of Service		A						F			D	
Approach Delay (s)		9.6			0.0			144.3			37.9	
Approach LOS		A			A			F			D	

Intersection Summary			
HCM 2000 Control Delay	72.4	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.88		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	82.1%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			

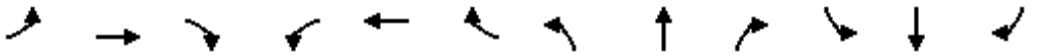
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	200	70	490	190	800	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.99		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.93	0.85		1.00				
Flt Protected					0.98	1.00		0.99				
Satd. Flow (prot)					2763	1280		3155				
Flt Permitted					0.98	1.00		0.99				
Satd. Flow (perm)					2763	1280		3155				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	200	70	490	190	800	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	19	19	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	496	226	0	990	0	0	0	0
Confl. Peds. (#/hr)	1		3	3		1	164		18	18		164
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1350	625		1051				
v/s Ratio Prot					c0.18			c0.31				
v/s Ratio Perm						0.18						
v/c Ratio					0.37	0.36		0.94				
Uniform Delay, d1					7.2	7.1		14.6				
Progression Factor					1.00	1.00		0.96				
Incremental Delay, d2					0.8	1.6		2.3				
Delay (s)					7.9	8.8		16.2				
Level of Service					A	A		B				
Approach Delay (s)		0.0			8.2			16.2			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	12.7	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.60		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	60.0%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



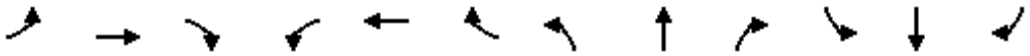
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	330	500	650	0	0	0	0	296	30	60	90	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.99						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			0.98	
Frt		0.93						0.99			1.00	
Flt Protected		0.99						1.00			0.98	
Satd. Flow (prot)		4620						1826			1795	
Flt Permitted		0.99						1.00			0.78	
Satd. Flow (perm)		4620						1826			1420	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	330	500	650	0	0	0	0	296	30	60	90	0
RTOR Reduction (vph)	0	314	0	0	0	0	0	8	0	0	0	0
Lane Group Flow (vph)	0	1167	0	0	0	0	0	318	0	0	150	0
Confl. Peds. (#/hr)	16		8	8		16	18		82	82		18
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		16.5						17.5			17.5	
Effective Green, g (s)		16.5						17.5			17.5	
Actuated g/C Ratio		0.37						0.39			0.39	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1694						710			552	
v/s Ratio Prot								c0.17				
v/s Ratio Perm		0.25									0.11	
v/c Ratio		0.69						0.45			0.27	
Uniform Delay, d1		12.1						10.2			9.4	
Progression Factor		1.00						1.00			0.95	
Incremental Delay, d2		2.3						2.0			0.1	
Delay (s)		14.4						12.2			9.1	
Level of Service		B						B			A	
Approach Delay (s)		14.4			0.0			12.2			9.1	
Approach LOS		B			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	13.6	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.56		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	78.6%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	0	320	60	319	267	0	0	140	1700
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor					1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes					1.00	1.00	1.00	1.00			1.00	1.00
Flpb, ped/bikes					1.00	1.00	1.00	1.00			1.00	1.00
Frt					1.00	0.85	1.00	1.00			0.87	0.85
Flt Protected					1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)					1676	1425	1592	1676			1390	1354
Flt Permitted					1.00	1.00	0.23	1.00			1.00	1.00
Satd. Flow (perm)					1676	1425	383	1676			1390	1354
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	0	320	60	319	267	0	0	140	1700
RTOR Reduction (vph)	0	0	0	0	0	38	0	0	0	0	215	0
Lane Group Flow (vph)	0	0	0	0	320	22	319	267	0	0	707	918
Confl. Peds. (#/hr)			1	1			6		93	93		
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)					16.5	16.5	17.5	17.5			17.5	45.0
Effective Green, g (s)					16.5	16.5	17.5	17.5			17.5	45.0
Actuated g/C Ratio					0.37	0.37	0.39	0.39			0.39	1.00
Clearance Time (s)					5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)					614	522	148	651			540	1354
v/s Ratio Prot					0.19			0.16			0.51	
v/s Ratio Perm						0.02	c0.83					c0.68
v/c Ratio					0.52	0.04	2.16	0.41			1.31	0.68
Uniform Delay, d1					11.2	9.2	13.8	10.0			13.8	0.0
Progression Factor					0.75	0.75	0.77	0.74			1.00	1.00
Incremental Delay, d2					3.1	0.1	537.5	1.5			152.0	2.7
Delay (s)					11.5	7.0	548.1	8.9			165.7	2.7
Level of Service					B	A	F	A			F	A
Approach Delay (s)		0.0			10.7			302.4			84.4	
Approach LOS		A			B			F			F	

Intersection Summary			
HCM 2000 Control Delay	120.0	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	1.54		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	99.1%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			

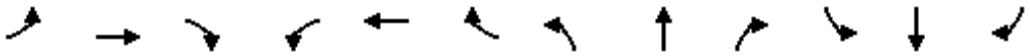


Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	400	710	170	0	0	0	0	595	265	10	282	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.98						0.95			1.00	
Flt Protected		0.98						1.00			1.00	
Satd. Flow (prot)		4894						3340			1859	
Flt Permitted		0.98						1.00			0.96	
Satd. Flow (perm)		4894						3340			1795	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	400	710	170	0	0	0	0	595	265	10	282	0
RTOR Reduction (vph)	0	45	0	0	0	0	0	102	0	0	0	0
Lane Group Flow (vph)	0	1235	0	0	0	0	0	758	0	0	292	0
Confl. Peds. (#/hr)	6		10	10		6	161		27	27		161
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2392						1113			598	
v/s Ratio Prot		c0.25						c0.23				
v/s Ratio Perm											0.16	
v/c Ratio		0.52						0.68			0.49	
Uniform Delay, d1		7.9						12.9			11.9	
Progression Factor		1.00						1.00			1.22	
Incremental Delay, d2		0.8						3.4			2.7	
Delay (s)		8.7						16.3			17.3	
Level of Service		A						B			B	
Approach Delay (s)		8.7			0.0			16.3			17.3	
Approach LOS		A			A			B			B	

Intersection Summary			
HCM 2000 Control Delay	12.4	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.58		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	61.2%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

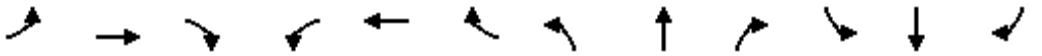
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	222	70	700	130	535	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.98		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.92	0.85		1.00				
Flt Protected					0.98	1.00		0.99				
Satd. Flow (prot)					2729	1275		3154				
Flt Permitted					0.98	1.00		0.99				
Satd. Flow (perm)					2729	1275		3154				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	222	70	700	130	535	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	55	55	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	587	295	0	665	0	0	0	0
Confl. Peds. (#/hr)	6		2	2		6	168		24	24		168
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1334	623		1051				
v/s Ratio Prot					0.22			c0.21				
v/s Ratio Perm						c0.23						
v/c Ratio					0.44	0.47		0.63				
Uniform Delay, d1					7.5	7.6		12.7				
Progression Factor					1.00	1.00		0.86				
Incremental Delay, d2					1.1	2.6		2.2				
Delay (s)					8.5	10.2		13.2				
Level of Service					A	B		B				
Approach Delay (s)		0.0			9.1			13.2			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	10.8	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.54		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	60.0%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	430	690	562	0	0	0	0	617	40	100	128	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.5						5.5			5.5	
Lane Util. Factor		0.91						1.00			1.00	
Frpb, ped/bikes		0.98						1.00			1.00	
Flpb, ped/bikes		1.00						1.00			0.99	
Frt		0.95						0.99			1.00	
Flt Protected		0.99						1.00			0.98	
Satd. Flow (prot)		4697						1839			1810	
Flt Permitted		0.99						1.00			0.45	
Satd. Flow (perm)		4697						1839			840	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	430	690	562	0	0	0	0	617	40	100	128	0
RTOR Reduction (vph)	0	152	0	0	0	0	0	4	0	0	0	0
Lane Group Flow (vph)	0	1530	0	0	0	0	0	653	0	0	228	0
Confl. Peds. (#/hr)			14	14			7		59	59		7
Turn Type	Perm	NA						NA		Perm	NA	
Protected Phases		4						2			6	
Permitted Phases	4									6		
Actuated Green, G (s)		19.5						29.0			29.0	
Effective Green, g (s)		19.5						29.0			29.0	
Actuated g/C Ratio		0.33						0.49			0.49	
Clearance Time (s)		5.5						5.5			5.5	
Lane Grp Cap (vph)		1539						896			409	
v/s Ratio Prot								c0.36				
v/s Ratio Perm		0.33									0.27	
v/c Ratio		0.99						0.73			0.56	
Uniform Delay, d1		19.9						12.1			10.7	
Progression Factor		1.00						1.00			1.00	
Incremental Delay, d2		21.6						5.2			5.4	
Delay (s)		41.5						17.3			16.1	
Level of Service		D						B			B	
Approach Delay (s)		41.5			0.0			17.3			16.1	
Approach LOS		D			A			B			B	

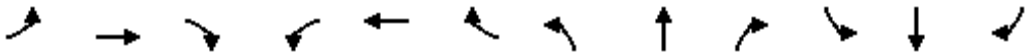
Intersection Summary			
HCM 2000 Control Delay	33.1	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.84		
Actuated Cycle Length (s)	59.5	Sum of lost time (s)	11.0
Intersection Capacity Utilization	97.4%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	10	450	70	545	392	0	0	268	1250
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	5.5	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			0.99	0.99
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.90	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1591	1676			1420	1334
Flt Permitted				0.95	1.00	1.00	0.19	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	321	1676			1420	1334
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	10	450	70	545	392	0	0	268	1250
RTOR Reduction (vph)	0	0	0	0	0	53	0	0	0	0	39	0
Lane Group Flow (vph)	0	0	0	10	450	17	545	392	0	0	742	737
Confl. Peds. (#/hr)							9		22	22		9
Confl. Bikes (#/hr)												1
Turn Type				Split	NA	Perm	Perm	NA			NA	Free
Protected Phases				8	8			2			6	
Permitted Phases						8	2					Free
Actuated Green, G (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Effective Green, g (s)				14.5	14.5	14.5	34.5	34.5			34.5	60.0
Actuated g/C Ratio				0.24	0.24	0.24	0.58	0.58			0.58	1.00
Clearance Time (s)				5.5	5.5	5.5	5.5	5.5			5.5	
Lane Grp Cap (vph)				384	405	344	184	963			816	1334
v/s Ratio Prot				0.01	c0.27			0.23			0.52	
v/s Ratio Perm						0.01	c1.70					0.55
v/c Ratio				0.03	1.11	0.05	2.96	0.41			0.91	0.55
Uniform Delay, d1				17.4	22.8	17.5	12.8	7.1			11.4	0.0
Progression Factor				1.00	1.00	1.00	1.00	1.00			0.94	1.00
Incremental Delay, d2				0.1	78.4	0.3	897.4	1.3			15.8	1.6
Delay (s)				17.5	101.1	17.7	910.2	8.4			26.5	1.6
Level of Service				B	F	B	F	A			C	A
Approach Delay (s)		0.0			88.5			532.9			14.4	
Approach LOS		A			F			F			B	

Intersection Summary			
HCM 2000 Control Delay	190.3	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	2.41		
Actuated Cycle Length (s)	60.0	Sum of lost time (s)	11.0
Intersection Capacity Utilization	118.2%	ICU Level of Service	H
Analysis Period (min)	15		

c Critical Lane Group

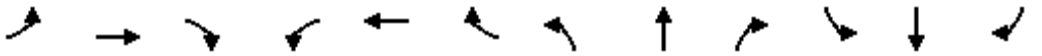


Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	370	990	150	0	0	0	0	951	507	10	270	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0						4.0			4.0	
Lane Util. Factor		0.91						0.95			1.00	
Frpb, ped/bikes		1.00						0.99			1.00	
Flpb, ped/bikes		1.00						1.00			1.00	
Frt		0.99						0.95			1.00	
Flt Protected		0.99						1.00			1.00	
Satd. Flow (prot)		4935						3317			1859	
Flt Permitted		0.99						1.00			0.53	
Satd. Flow (perm)		4935						3317			980	
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	370	990	150	0	0	0	0	951	507	10	270	0
RTOR Reduction (vph)	0	30	0	0	0	0	0	44	0	0	0	0
Lane Group Flow (vph)	0	1480	0	0	0	0	0	1414	0	0	280	0
Confl. Peds. (#/hr)	4		19	19		4	125		24	24		125
Turn Type	Split	NA						NA		Perm	NA	
Protected Phases	4	4						2			6	
Permitted Phases										6		
Actuated Green, G (s)		22.0						15.0			15.0	
Effective Green, g (s)		22.0						15.0			15.0	
Actuated g/C Ratio		0.49						0.33			0.33	
Clearance Time (s)		4.0						4.0			4.0	
Lane Grp Cap (vph)		2412						1105			326	
v/s Ratio Prot		c0.30						c0.43				
v/s Ratio Perm											0.29	
v/c Ratio		0.61						1.28			0.86	
Uniform Delay, d1		8.4						15.0			14.0	
Progression Factor		1.00						1.00			1.26	
Incremental Delay, d2		1.2						132.9			23.7	
Delay (s)		9.6						147.9			41.3	
Level of Service		A						F			D	
Approach Delay (s)		9.6			0.0			147.9			41.3	
Approach LOS		A			A			F			D	

Intersection Summary			
HCM 2000 Control Delay	74.4	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.88		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	82.3%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			

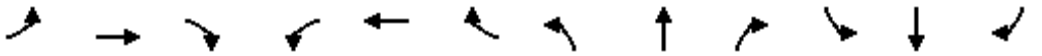
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	210	91	490	190	801	0	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					4.0	4.0		4.0				
Lane Util. Factor					0.91	0.91		0.95				
Frpb, ped/bikes					0.99	0.99		1.00				
Flpb, ped/bikes					1.00	1.00		1.00				
Frt					0.93	0.85		1.00				
Flt Protected					0.98	1.00		0.99				
Satd. Flow (prot)					2778	1280		3155				
Flt Permitted					0.98	1.00		0.99				
Satd. Flow (perm)					2778	1280		3155				
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	210	91	490	190	801	0	0	0	0
RTOR Reduction (vph)	0	0	0	0	19	19	0	0	0	0	0	0
Lane Group Flow (vph)	0	0	0	0	522	231	0	991	0	0	0	0
Confl. Peds. (#/hr)	1		3	3		1	164		18	18		164
Turn Type				Split	NA	Perm	Split	NA				
Protected Phases				8	8		2	2				
Permitted Phases						8						
Actuated Green, G (s)					22.0	22.0		15.0				
Effective Green, g (s)					22.0	22.0		15.0				
Actuated g/C Ratio					0.49	0.49		0.33				
Clearance Time (s)					4.0	4.0		4.0				
Lane Grp Cap (vph)					1358	625		1051				
v/s Ratio Prot					c0.19			c0.31				
v/s Ratio Perm						0.18						
v/c Ratio					0.38	0.37		0.94				
Uniform Delay, d1					7.2	7.2		14.6				
Progression Factor					1.00	1.00		0.96				
Incremental Delay, d2					0.8	1.7		2.3				
Delay (s)					8.1	8.9		16.3				
Level of Service					A	A		B				
Approach Delay (s)		0.0			8.3			16.3			0.0	
Approach LOS		A			A			B			A	

Intersection Summary			
HCM 2000 Control Delay	12.7	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.61		
Actuated Cycle Length (s)	45.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	60.3%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	0	320	60	319	267	0	0	140	1700
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)					5.5	5.5	4.0	5.5			5.5	4.0
Lane Util. Factor					1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes					1.00	1.00	1.00	1.00			1.00	1.00
Flpb, ped/bikes					1.00	1.00	1.00	1.00			1.00	1.00
Frt					1.00	0.85	1.00	1.00			0.87	0.85
Flt Protected					1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)					1676	1425	1593	1676			1390	1354
Flt Permitted					1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (perm)					1676	1425	1593	1676			1390	1354
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	0	320	60	319	267	0	0	140	1700
RTOR Reduction (vph)	0	0	0	0	0	44	0	0	0	0	108	0
Lane Group Flow (vph)	0	0	0	0	320	16	319	267	0	0	814	918
Confl. Peds. (#/hr)			1	1			6		93	93		
Turn Type				Split	NA	Perm	Prot	NA			NA	Free
Protected Phases				8	8		5	2			6	
Permitted Phases						8						Free
Actuated Green, G (s)					16.0	16.0	8.0	33.0			21.0	60.0
Effective Green, g (s)					16.0	16.0	8.0	33.0			21.0	60.0
Actuated g/C Ratio					0.27	0.27	0.13	0.55			0.35	1.00
Clearance Time (s)					5.5	5.5	4.0	5.5			5.5	
Lane Grp Cap (vph)					446	380	212	921			486	1354
v/s Ratio Prot					0.19		c0.20	0.16			c0.59	
v/s Ratio Perm						0.01						c0.68
v/c Ratio					0.72	0.04	1.50	0.29			1.68	0.68
Uniform Delay, d1					20.0	16.3	26.0	7.2			19.5	0.0
Progression Factor					1.00	1.00	1.00	1.00			0.96	1.00
Incremental Delay, d2					9.5	0.2	250.1	0.8			312.3	2.6
Delay (s)					29.5	16.5	276.1	8.0			331.0	2.6
Level of Service					C	B	F	A			F	A
Approach Delay (s)		0.0			27.4			154.0			167.2	
Approach LOS		A			C			F			F	

Intersection Summary			
HCM 2000 Control Delay	145.5	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	1.37		
Actuated Cycle Length (s)	60.0	Sum of lost time (s)	15.0
Intersection Capacity Utilization	97.8%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	10	450	70	545	392	0	0	268	1250
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				5.5	5.5	5.5	4.0	5.5			5.5	4.0
Lane Util. Factor				1.00	1.00	1.00	1.00	1.00			0.95	0.95
Frpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			0.99	0.99
Flpb, ped/bikes				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Frt				1.00	1.00	0.85	1.00	1.00			0.90	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1593	1676	1425	1593	1676			1419	1334
Flt Permitted				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (perm)				1593	1676	1425	1593	1676			1419	1334
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj. Flow (vph)	0	0	0	10	450	70	545	392	0	0	268	1250
RTOR Reduction (vph)	0	0	0	0	0	56	0	0	0	0	21	0
Lane Group Flow (vph)	0	0	0	10	450	15	545	392	0	0	760	737
Confl. Peds. (#/hr)							9		22	22		9
Confl. Bikes (#/hr)												1
Turn Type				Split	NA	Perm	Prot	NA			NA	Free
Protected Phases				8	8		5	2			6	
Permitted Phases						8						Free
Actuated Green, G (s)				14.5	14.5	14.5	9.0	44.5			31.5	70.0
Effective Green, g (s)				14.5	14.5	14.5	9.0	44.5			31.5	70.0
Actuated g/C Ratio				0.21	0.21	0.21	0.13	0.64			0.45	1.00
Clearance Time (s)				5.5	5.5	5.5	4.0	5.5			5.5	
Vehicle Extension (s)				3.0	3.0	3.0	3.0	3.0			3.0	
Lane Grp Cap (vph)				329	347	295	204	1065			638	1334
v/s Ratio Prot				0.01	c0.27		c0.34	0.23			c0.54	
v/s Ratio Perm						0.01						0.55
v/c Ratio				0.03	1.30	0.05	2.67	0.37			1.19	0.55
Uniform Delay, d1				22.1	27.8	22.2	30.5	6.1			19.2	0.0
Progression Factor				1.00	1.00	1.00	1.00	1.00			1.00	1.00
Incremental Delay, d2				0.0	153.3	0.1	766.1	1.0			101.1	1.7
Delay (s)				22.2	181.1	22.3	796.6	7.0			120.3	1.7
Level of Service				C	F	C	F	A			F	A
Approach Delay (s)		0.0			157.1			466.3			62.7	
Approach LOS		A			F			F			E	

Intersection Summary			
HCM 2000 Control Delay	206.1	HCM 2000 Level of Service	F
HCM 2000 Volume to Capacity ratio	1.46		
Actuated Cycle Length (s)	70.0	Sum of lost time (s)	15.0
Intersection Capacity Utilization	117.0%	ICU Level of Service	H
Analysis Period (min)	15		
c Critical Lane Group			

APPENDIX D

Traffic and Transportation –
Revised Memoranda

FEHR PEERS

DRAFT MEMORANDUM

Date: December 1, 2015

To: Lynette Dias and Hayley Cox, Urban Planning Partners, Inc.

From: Huma Husain and Sam Tabibnia

Subject: Jack London Square 4th & Madison Project – Updated Transportation Impact Analysis

OK15-0045

This memorandum summarizes the results of the updated transportation impact analysis that Fehr & Peers completed for the proposed 4th & Madison Project at 200 4th Street in Oakland, which would consist of a mixed residential and retail development (Project). This memorandum updated the analysis presented in the Traffic and Transportation Chapter of the *Jack London Square 4th & Madison Project Draft EIR* (August 2015), to replace the 2013 existing traffic data with more recent 2015 existing traffic data, and to account for the increase in the amount of commercial space included in the Project from 2,900 to 8,000 square feet, and for the relocation of the Building B driveway from 3rd Street to Madison Street. Our analysis assumptions and results are summarized below.

EXISTING CONDITIONS

Intersection turning movement counts were collected in April 2015 during the morning and evening peak periods (7:00 to 9:00 AM and 4:00 to 6:00 PM). The counts were conducted on non-holiday weekdays, when local area schools were in normal session.

Based on the volumes and roadway configurations, Fehr & Peers calculated the Level of Service (LOS) at the study intersections using the 2000 *Highway Capacity Manual* (HCM) methodologies. **Table 1** summarizes the intersection LOS under Existing Conditions. As shown, three of the study intersections currently operate at LOS B or better. The Jackson Street/6th Street intersection operates at LOS E during the AM peak hour and LOS D during the PM peak hour.

TABLE 1:
EXISTING SIGNALIZED INTERSECTION LEVELS OF SERVICE

Intersection	Control[1]	Peak Hour	Delay (seconds)	LOS
1. Jackson Street/5th Street	Signal	AM PM	12.0 18.2	B B
2. Jackson Street/6th Street	Signal	AM PM	58.9 52.0	E D
3. Oak Street/5th Street	Signal	AM PM	9.1 10.3	A B
4. Oak Street/6th Street	Signal	AM PM	10.2 11.0	B B

1. Signal = intersection is controlled by a traffic signal
2. For signalized intersections, average intersection delay and LOS based on the 2000 HCM method is shown.

Source: Fehr & Peers, 2015

TRIP GENERATION

The Project would consist of two buildings:

- Building A would occupy the entire block bound by 5th, Madison, 4th, and Jackson Streets. It would replace the existing Cost Plus Headquarters with 239 multi-family residential units and up to 4,000 square feet of commercial space. Building A would provide two levels of parking with 242 parking spaces accessed via a driveway on 4th Street.
- Building B will occupy the east half of the block bound by 4th, Madison, 3rd, and Jackson Streets. It would replace the existing parking lot for Cost Plus with 91 multi-family residential units and up to 4,000 square feet of commercial space. Building B would provide two levels of parking with 86 parking spaces accessed via a driveway on Madison Street.

The Project would consist of a total of 330 residential units and up to 8,000 square feet of commercial space. **Table 2** provides a detailed summary of the net trips generated by the project, based on the same methodology used in the Draft EIR.

The trip generation estimates account for trips currently generated by the existing office uses that would be removed with the Project. The existing trip generation at the site is based on data collected in February 2015. Accounting for non-auto and existing trips, the Project is estimated to generate about 65 net new AM peak hour and 99 PM net new peak hour trips.

TABLE 2:
PROJECT AUTOMBILE TRIP GENERATION

Land Use	ITE Code	Size[1]	Daily Trips	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
PROPOSED PROJECT									
Apartment[2]	220	330 DU	2,195	34	134	168	133	72	205
Retail[3]	820	8.0 KSF	342	5	3	8	14	16	30
ITE Trip Generation Subtotal			***2,537***	***39***	***137***	***176***	***147***	***88***	***235***
Non-Auto Reduction (-43%) [4]			*-1,091*	*-17*	*-59*	*-76*	*-63*	*-38*	*-101*
Adjusted Total Project Trips			**1,446**	**22**	**78**	**100**	**84**	**50**	**134**
EXISTING LAND USE									
Total Existing Trips[5]			N/A	-28	-7	-35	-4	-31	-35
Net Trips			**N/A**	**-6**	**71**	**65**	**80**	**19**	**99**

1. DU= dwelling units KSF= 1,000 square feet
2. ITE Trip Generation (9th Edition) land use category 220 (Apartment):
   Daily: 6.65 trips per DU
   AM Peak Hour: Average Rate = 0.51 trips per DU (20% in, 80% out)
   PM Peak Hour: Average Rate = 0.62 trips per DU (65% in, 35% out)
3. ITE Trip Generation (9th Edition) land use category 820 (Shopping Center):
   Daily: 42.70 trips per DU
   AM Peak Hour: Average Rate = 0.96 trips per DU (62% in, 38% out)
   PM Peak Hour: Average Rate = 3.71 trips per DU (48% in, 52% out)
4. City of Oakland *Transportation Impact Study Guidelines* based on BATS 2000 data.
5. Based on counts at existing facility conducted in February 2015

Source: Fehr & Peers, 2015.

EXISTING PLUS PROJECT CONDITIONS

Table 3 summarizes the intersection operations results for the Existing No Project and Existing Plus Project conditions. With the addition of the Project generated traffic, three of the four study intersections would continue to operate at LOS B or better during both AM and PM peak hours. The Jackson Street/6th Street intersection would operate at LOS E during both AM and PM Peak hours. All four study intersections are located within Downtown Oakland, where the LOS standard for intersection operations is LOS F. Therefore, the proposed Project would not cause a significant impact at the study intersections under Existing Plus Project conditions.

TABLE 3:
EXISTING PLUS PROJECT INTERSECTION LEVELS OF SERVICE

Intersection	Control	Peak Hour	Existing		Existing Plus Project		Significant Impact?
			Delay	LOS	Delay	LOS	
1. Jackson Street/5th Street	Signal	AM PM	12.0 18.2	B B	12.1 18.4	B B	No No
2. Jackson Street/6th Street	Signal	AM PM	58.9 52.0	E D	66.4 56.1	E E	No No
3. Oak Street/5th Street	Signal	AM PM	9.1 10.3	A B	9.2 10.4	A B	No No
4. Oak Street/6th Street	Signal	AM PM	10.2 11.0	B B	10.2 11.0	B B	No No

1. Signal = intersection is controlled by a traffic signal
2. For signalized intersections, average intersection delay and LOS based on the 2000 HCM method is shown.

Source: Fehr & Peers, 2015

2035 INTERSECTION ANALYSIS

Year 2035 cumulative conditions represent projected conditions in 2035, including traffic estimates for probable future developments.

Cumulative volumes were derived from the JLS Addendum, which used the Alameda County Transportation Commission (ACTC) Travel Demand Model (version released in June 2011 and based on Association of Bay Area Government [ABAG] Projections 2009) to estimate 2035 volumes. Since the *JLS Addendum* forecasts did not account for the proposed Project, the 2035 No Project analysis presented in this evaluation uses the JLS Addendum 2035 Plus Project forecasts and applies the difference in traffic volumes between the Existing (2013) Conditions and 2035 Plus Project conditions presented in the JLS Addendum to the Existing (2015) volumes used in this evaluation.

2035 Intersection Operations

Table 4 summarizes intersection LOS calculations for Year 2035 No Project and Year 2035 Plus Project conditions. As shown, three of the four study intersections would continue to operate at LOS D or better. The Jackson Street/6th Street intersection would operate at LOS F during AM and PM peak hours under 2035 conditions regardless of the Project. As described below, this is considered a significant impact.

Impact TRANS-1: Traffic generated by the proposed Project would increase the total intersection v/c ratio by 0.03 or more and increase the critical movement v/c ratio by 0.05 or more at the Jackson Street/6th Street intersection, which would operate at LOS F regardless of the proposed Project under 2035 conditions.

> Mitigation Measure TRANS-1: Implement the following measures at the Jackson Street/ 6th Street intersection:
>
> a) Provide a protected left-turn phase for the northbound approach at the intersection.
> b) Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group.

After implementation of this measure, the intersection would continue to operate at LOS F during both AM and PM peak hours. However, the mitigation measures would reduce the v/c ratio for the intersection and the critical movements to less than significant levels.

Please contact us with questions or comments.

TABLE 4:
CUMULATIVE AND CUMLATIVE PLUS PROJECT INTERSECTION LEVELS OF SERVICE

Intersection	Peak Hour	2035 No Project		2035 Plus Project		Significant Impact?	2035 Plus Project Mitigated		Significance after Mitigation?
		Delay[1]	LOS	Delay[1]	LOS		Delay[1]	LOS	
Jackson Street/5th Street	AM PM	13.6 31.3	B C	13.6 33.1	B C	No No			
Jackson Street/6th Street	AM PM	**111.3 (v/c=1.48)** **120.0 (v/c=2.33)**	**F** **F**	**>120 (v/c=1.54)** **>120 (v/c=2.41)**	**F** **F**	**Yes [2]** **Yes [2]**	**>120 (v/c=1.37)** **>120 (v/c=1.46)**	**F** **F**	Less than significant Less than significant
Oak Street/5th Street	AM PM	12.2 72.4	B E	12.4 74.4	B E	No No			
Oak Street/6th Street	AM PM	10.6 12.7	B B	10.8 12.7	B B	No No			

1. For signalized intersections, the delay shown is the weighted average for all movements in seconds per vehicle. For intersections operating at LOS F, both delay and volume-to-capacity (v/c) ratio are shown.

2. The impact is significant because the project would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more (Significant Threshold #5) at an intersection that would operate at LOS F regardless of the project.

Source: Fehr & Peers, 2015.

FEHR PEERS

MEMORANDUM

Date: June 17, 2015

To: Lynette Dias and Hayley Cox, Urban Planning Partners, Inc.

From: Huma Husain and Sam Tabibnia

Subject: 200 4th Street – Intersection Operation Results Comparison

OK15-0045

We recently submitted the Jack London Square 4th & Madison Project Administrative Draft EIR (EIR) for review. The intersection analysis for the EIR was based on the analysis completed for the Jack London Square Redevelopment Project Addendum to the 2004 EIR (JLS). These intersection results differ from those presented in the Lake Merritt Station Area Plan EIR (LMSP). This memorandum summarizes the differences between the JLS and LMSP intersection analysis results and assumptions and summarizes those that were used for the 4th and Madison EIR. The memo focuses on the following four study intersections:

- Jackson Street/5th Street
- Jackson Street/6th Street
- Oak Street/5th Street
- Oak Street/6th Street

Table 1 compares the delay and levels of service (LOS) results from the LMSP and JLS traffic studies at these four intersections. As shown in the table, the results of the LOS analysis have some significant differences, particularly in the Cumulative 2035 plus Project scenarios. The JLS study reports the four study intersections operating at LOS C or better under all analyzed scenarios, while the LMSP study reports LOS E or LOS F for the four study intersections under the Cumulative 2035 plus Project scenario. The differences in results between the two studies can generally be attributed to the following:

- LMSP assumes a peak hour factor for each intersection turning movement while JLS assumes a global peak hour factor of 1.0. This difference has a substantial effect on LOS.
- LMSP generally used higher Cumulative 2035 traffic volumes.
- LMSP assumptions, such as use of pedestrian volumes, lost time, and cycle lengths, contribute to a higher intersection delay than JLS.
- LMSP and JLS assume different lane configurations for all four intersections.

This remainder of this memorandum compares the intersection volumes, analysis assumptions, and lane configurations in further detail for Existing and Cumulative 2035 plus Project scenarios for the two projects.

For the 4th and Madison EIR analysis, we used JLS intersection volumes and assumptions as a base because they were the latest published data; however, we adjusted factors, such as the lane configurations and cycle lengths, to reflect actual existing conditions.

TABLE 1 – INTERSECTION LOS COMPARISON

Scenario[1]	Jackson/5th		Jackson/6th		Oak/5th		Oak/6th	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
LMSP EIR								
EX AM	15.9	B	15.9	B	12.3	B	11.1	B
EX PM	25.5	C	18.5	B	43.1	D	9.0	A
2035 + P AM	**58.4**	**E**	**412.8**	**F**	**148.4**	**F**	**395.3**	**F**
2035 + P PM	**113.2**	**F**	**187.1**	**F**	**129.0**	**F**	**451.6**	**F**
JLS ADDENDUM								
EX AM	13.9	B	11.9	B	8.8	A	8.9	A
EX PM	16.2	B	11.6	B	9.7	A	8.8	A
2035 + P AM	15.2	B	19.5	B	12.3	B	9.9	A
2035 + P PM	30.9	C	14.6	B	31.8	C	11.1	B

1. EX = Existing Scenario, 2035+P = Cumulative 2035 plus Project scenario
Source: Jack London Square EIR Addendum and Lake Merritt Specific Plan EIR

INTERSECTION VOLUMES

Table 2 summarizes the AM and PM peak hour intersection volumes for the two projects. LMSP used volumes collected in 2012 and JLS used volumes collected in 2013. The volumes under Existing conditions do not vary by more than five percent between the two projects, which is within the expected day-to-day fluctuation in traffic volumes, with the exception of the Jackson Street/6th Street intersection during the AM peak hour, where LMSP has 24 percent less volume. For this intersection, JLS has more than double the southbound right-turn volume.

TABLE 2: PEAK HOUR INTERSECTION VOLUMES

Scenario[1]	Jackson/5th			Jackson/6th			Oak/5th			Oak/6th		
	LMSP	JLS	% Diff	LMSP	JLS	% Diff	LMSP	JLS	% Diff	LMSP	JLS	% Diff
EX AM	1,342	1,337	0%	1,796	2,221	-24%	1,306	1,298	1%	1,196	1,188	1%
EX PM	1,596	1,635	-2%	1,588	1,635	-3%	1,790	1,739	3%	1,304	1,237	5%
2035 + P AM	1,676	1,695	-1%	2,286	2,575	-13%	2,221	2,242	-1%	2,150	1,381	36%
2035 + P PM	2,650	2,319	13%	2,413	2,107	13%	2,416	2,934	-21%	2,207	1,630	26%

1. EX = Existing Scenario, 2035+P = Cumulative 2035 plus Project scenario

Source: Jack London Square EIR Addendum and Lake Merritt Specific Plan

Both reports used the Alameda County Transportation Commission's 2009 Travel Demand Model to forecast 2035 volumes. Under Cumulative 2035 plus Project conditions, the volume differences are more varied across the two reports and peak hours. During the AM peak hour, JLS forecasts are higher at all intersections except the Oak Street/6th Street intersection, where the northbound approach volume for LMSP is more than double the JLS northbound approach volume. During the PM peak hour, LMSP forecasts are higher at all intersections except the Oak Street/5th Street intersection, where the northbound and southbound approach volumes are nearly double for JLS.

INTERSECTION ANALYSIS ASSUMPTIONS

Both JLS and LMSP analyzed the four intersections using Synchro 8 software and HCM 2000. However, the projects differed in the following assumptions:

- Peak Hour Factor (PHF) – As specified by the City of Oakland Transportation Impact Study Guidelines, JLS uses a universal PHF of 1.0. The PHF for LMSP varies by intersection movement, which generally ranges between 0.80 and 0.95. Consistent with the JLS assumptions and City's guidelines, we used a PHF of 1.0.
- Conflicting Pedestrian Volumes – LMSP accounts for pedestrian volumes. JLS does not. We included the LMSP pedestrian volumes in our analysis.
- Total Lost Time – LMSP uses a universal lost time of 4.0 seconds. JLS uses 5.5 seconds for the Jackson Street intersections and 4.0 seconds for the Oak Street intersections. Our analysis is consistent with the JLS assumptions.
- Cycle Length/Signal Timings – LMSP and JLS use different cycle lengths and signal timings. Based on our review of City's signal timing sheets and field observations, the LMSP assumptions are correct. We used these assumptions in our analysis.

INTERSECTION LANE CONFIGURATIONS

The JLS and LMSP projects assume different lane configurations at each of the four study intersections. The lane configurations do not change between Existing and Cumulative 2035 plus Project scenarios in either report. The differences are as follows:

- **Jackson Street/5th Street** – JLS assumes two southbound lanes, one through lane and one left-turn only lane. LMSP assumes one southbound shared left-turn/through lane. The LMSP configuration is correct and is used in our analysis.
- **Jackson Street/6th Street** - JLS includes the westbound right-turn only movement as part of the signalized intersection, while LMSP includes this movement as a stop-

controlled right-turn, not controlled by the signal. For JLS, the southbound approach is configured with two lanes, a through lane and right-turn only lane. The LMSP includes two southbound lanes, a shared through/right-turn lane and a channelized right-turn only lane with a yield bar and merge lane in the westbound movement. The LMSP configuration is correct and is used in our analysis.

- **Oak Street/5th Street** – JLS assumes three eastbound lanes, one shared through/right-turn lane, one through lane, and one through/left-turn lane. LMSP assumes three eastbound lanes as well, but shows a right-turn only lane instead of a shared through/right-turn lane. In the northbound direction, JLS assumes two lanes, one through lane and one shared through/right-turn lane. LMSP assumes one northbound shared lane. The JLS configuration is correct and is used in our analysis.
- **Oak Street/6th Street** – JLS does not include the one-way westbound 6th Street approach. LMSP includes this approach. The LMSP configuration is correct and is used for our analysis.

Please contact us with questions or concerns.

APPENDIX E

Air Quality and Greenhouse Gas Emissions – Revised CalEEMod, Report, HRA Dispersion Model and ISCST3 Model

Jack London Square 4th and Madison Project

San Francisco Bay Area Air Basin, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	20.84	1000sqft	0.00	20,840.00	0
Enclosed Parking with Elevator	118.60	1000sqft	0.00	118,600.00	0
Apartments Mid Rise	330.00	Dwelling Unit	2.07	372,140.00	944
Convenience Market (24 Hour)	8.00	1000sqft	0.00	8,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	5			**Operational Year**	2017
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - In accordance with CalEEMod Guidelines, the total lot acreage (2.07 acres) was assigned to the residential portion. The default square footage for the residential portion changed based on the project description.

Construction Phase - No site preparation (i.e., vegetation removal) included in the project.

Demolition - Based on the Project description, 60,000 square feet of existing buildings would be demolished.

Grading -

Architectural Coating - BAAQMD Regulation 8, Rule 3: Architechtural Coatings. Assumed nonflat-high-gloss coatings.

Vehicle Trips - According to the DEIR Section IV.C Traffic and Transportation (Table IV.C-4 Trip generation Summary - Project), the Project would generate 1,446 net weekday trips. This value was assigned to the 330 residential units.

Vechicle Emission Factors -

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Vechicle Emission Factors -

Woodstoves - No woodstoves or fireplaces.

Area Coating - BAAQMD Regulation 8, Rule 3: Architechtural Coatings. Assumed nonflat-high-gloss coatings.

Water And Wastewater - EBMUD services at the project site and applies 100 percent aerobic process and 100 percent cogeneration

Construction Off-road Equipment Mitigation - Incorporates the City's Standard Conditions of Approval SCA-A requirements for dust control and off-road heavy diesel engines meeting CARB's most recent certification standard (Tier 4).

Mobile Land Use Mitigation -

Area Mitigation -

Waste Mitigation -

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Interior	250.00	150.00
tblAreaCoating	Area_EF_Nonresidential_Exterior	250	150
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00

tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	7.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblFireplaces	NumberGas	181.50	0.00
tblFireplaces	NumberNoFireplace	3.30	0.00
tblFireplaces	NumberWood	46.20	0.00
tblLandUse	LandUseSquareFeet	330,000.00	372,140.00
tblLandUse	LotAcreage	0.48	0.00

tblLandUse	LotAcreage	2.72	0.00
tblLandUse	LotAcreage	8.68	2.07
tblLandUse	LotAcreage	0.18	0.00
tblProjectCharacteristics	OperationalYear	2014	2017
tblVehicleTrips	WD_TR	6.59	4.38
tblVehicleTrips	WD_TR	737.99	0.00
tblVehicleTrips	WD_TR	11.01	0.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWoodstoves	NumberCatalytic	6.60	0.00

tblWoodstoves	NumberNoncatalytic	6.60	0.00

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2017	2.4064	3.7335	4.6163	8.3500e-003	0.3928	0.1983	0.5911	0.1069	0.1887	0.2956	0.0000	678.2693	678.2693	0.0765	0.0000	679.8756
2018	2.7123	6.8000e-003	0.0131	3.0000e-005	1.6100e-003	4.6000e-004	2.0700e-003	4.3000e-004	4.6000e-004	8.9000e-004	0.0000	2.1156	2.1156	1.4000e-004	0.0000	2.1185
Total	**5.1188**	**3.7403**	**4.6294**	**8.3800e-003**	**0.3944**	**0.1987**	**0.5932**	**0.1073**	**0.1892**	**0.2965**	**0.0000**	**680.3849**	**680.3849**	**0.0766**	**0.0000**	**681.9941**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2017	2.0370	1.2274	4.3901	8.3500e-003	0.3658	0.0157	0.3815	0.0989	0.0148	0.1137	0.0000	678.2690	678.2690	0.0765	0.0000	679.8753
2018	2.7115	1.1700e-003	0.0130	3.0000e-005	1.6100e-003	2.0000e-005	1.6300e-003	4.3000e-004	2.0000e-005	4.5000e-004	0.0000	2.1156	2.1156	1.4000e-004	0.0000	2.1185
Total	**4.7485**	**1.2285**	**4.4031**	**8.3800e-003**	**0.3674**	**0.0157**	**0.3831**	**0.0993**	**0.0148**	**0.1141**	**0.0000**	**680.3846**	**680.3846**	**0.0766**	**0.0000**	**681.9938**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**7.23**	**67.15**	**4.89**	**0.00**	**6.86**	**92.08**	**35.41**	**7.47**	**92.15**	**61.51**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.8424	0.0289	2.4764	1.3000e-004		0.0134	0.0134		0.0134	0.0134	0.0000	4.0051	4.0051	4.0200e-003	0.0000	4.0897
Energy	0.0182	0.1572	0.0763	9.9000e-004		0.0126	0.0126		0.0126	0.0126	0.0000	871.3166	871.3166	0.0347	9.7700e-003	875.0746
Mobile	1.9105	3.4681	16.6106	0.0280	1.9094	0.0425	1.9519	0.5124	0.0391	0.5515	0.0000	2,153.8138	2,153.8138	0.0944	0.0000	2,155.7963
Waste						0.0000	0.0000		0.0000	0.0000	39.6340	0.0000	39.6340	2.3423	0.0000	88.8223
Water						0.0000	0.0000		0.0000	0.0000	9.1290	53.3195	62.4485	0.0338	0.0204	69.4680
Total	**4.7711**	**3.6542**	**19.1633**	**0.0291**	**1.9094**	**0.0686**	**1.9779**	**0.5124**	**0.0651**	**0.5776**	**48.7630**	**3,082.4550**	**3,131.2180**	**2.5093**	**0.0301**	**3,193.2508**

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.8424	0.0289	2.4764	1.3000e-004		0.0134	0.0134		0.0134	0.0134	0.0000	4.0051	4.0051	4.0200e-003	0.0000	4.0897
Energy	0.0182	0.1572	0.0763	9.9000e-004		0.0126	0.0126		0.0126	0.0126	0.0000	871.3166	871.3166	0.0347	9.7700e-003	875.0746
Mobile	1.9105	3.4681	16.6106	0.0280	1.9094	0.0425	1.9519	0.5124	0.0391	0.5515	0.0000	2,153.8138	2,153.8138	0.0944	0.0000	2,155.7963
Waste						0.0000	0.0000		0.0000	0.0000	39.6340	0.0000	39.6340	2.3423	0.0000	88.8223
Water						0.0000	0.0000		0.0000	0.0000	9.1290	53.3195	62.4485	0.0340	0.0204	69.4825
Total	**4.7711**	**3.6542**	**19.1633**	**0.0291**	**1.9094**	**0.0686**	**1.9779**	**0.5124**	**0.0651**	**0.5776**	**48.7630**	**3,082.4550**	**3,131.2180**	**2.5094**	**0.0302**	**3,193.2654**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**-0.01**	**-0.13**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2017	1/27/2017	5	20	
2	Grading	Grading	1/28/2017	2/6/2017	5	6	
3	Building Construction	Building Construction	2/7/2017	12/11/2017	5	220	
4	Paving	Paving	12/12/2017	12/25/2017	5	10	
5	Architectural Coating	Architectural Coating	12/26/2017	1/8/2018	5	10	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 3

Acres of Paving: 0

Residential Indoor: 753,584; Residential Outdoor: 251,195; Non-Residential Indoor: 221,213; Non-Residential Outdoor: 73,738 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Rubber Tired Dozers	1	8.00	255	0.40
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Graders	1	8.00	174	0.41
Grading	Rubber Tired Dozers	1	8.00	255	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	8.00	226	0.29
Building Construction	Forklifts	2	7.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	8.00	9	0.56
Paving	Pavers	1	8.00	125	0.42
Paving	Paving Equipment	1	8.00	130	0.36
Paving	Rollers	2	8.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	273.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	8	297.00	59.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	59.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Water Unpaved Roads

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

3.2 Demolition - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0295	0.0000	0.0295	4.4700e-003	0.0000	4.4700e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0272	0.2659	0.2087	2.4000e-004		0.0161	0.0161		0.0150	0.0150	0.0000	22.2938	22.2938	5.6600e-003	0.0000	22.4126
Total	**0.0272**	**0.2659**	**0.2087**	**2.4000e-004**	**0.0295**	**0.0161**	**0.0456**	**4.4700e-003**	**0.0150**	**0.0195**	**0.0000**	**22.2938**	**22.2938**	**5.6600e-003**	**0.0000**	**22.4126**

3.2 Demolition - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.9800e-003	0.0366	0.0335	1.0000e-004	2.3000e-003	4.7000e-004	2.7700e-003	6.3000e-004	4.3000e-004	1.0600e-003	0.0000	9.2048	9.2048	7.0000e-005	0.0000	9.2062
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.4000e-004	6.4000e-004	6.1500e-003	1.0000e-005	1.1800e-003	1.0000e-005	1.1900e-003	3.1000e-004	1.0000e-005	3.2000e-004	0.0000	1.0294	1.0294	5.0000e-005	0.0000	1.0305
Total	**3.4200e-003**	**0.0373**	**0.0397**	**1.1000e-004**	**3.4800e-003**	**4.8000e-004**	**3.9600e-003**	**9.4000e-004**	**4.4000e-004**	**1.3800e-003**	**0.0000**	**10.2342**	**10.2342**	**1.2000e-004**	**0.0000**	**10.2367**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0133	0.0000	0.0133	2.0100e-003	0.0000	2.0100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.8400e-003	0.0123	0.1484	2.4000e-004		3.8000e-004	3.8000e-004		3.8000e-004	3.8000e-004	0.0000	22.2938	22.2938	5.6600e-003	0.0000	22.4125
Total	**2.8400e-003**	**0.0123**	**0.1484**	**2.4000e-004**	**0.0133**	**3.8000e-004**	**0.0137**	**2.0100e-003**	**3.8000e-004**	**2.3900e-003**	**0.0000**	**22.2938**	**22.2938**	**5.6600e-003**	**0.0000**	**22.4125**

3.2 Demolition - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.9800e-003	0.0366	0.0335	1.0000e-004	2.3000e-003	4.7000e-004	2.7700e-003	6.3000e-004	4.3000e-004	1.0600e-003	0.0000	9.2048	9.2048	7.0000e-005	0.0000	9.2062
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.4000e-004	6.4000e-004	6.1500e-003	1.0000e-005	1.1800e-003	1.0000e-005	1.1900e-003	3.1000e-004	1.0000e-005	3.2000e-004	0.0000	1.0294	1.0294	5.0000e-005	0.0000	1.0305
Total	**3.4200e-003**	**0.0373**	**0.0397**	**1.1000e-004**	**3.4800e-003**	**4.8000e-004**	**3.9600e-003**	**9.4000e-004**	**4.4000e-004**	**1.3800e-003**	**0.0000**	**10.2342**	**10.2342**	**1.2000e-004**	**0.0000**	**10.2367**

3.3 Grading - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0197	0.0000	0.0197	0.0101	0.0000	0.0101	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.0900e-003	0.0845	0.0569	6.0000e-005		4.6700e-003	4.6700e-003		4.2900e-003	4.2900e-003	0.0000	5.7277	5.7277	1.7500e-003	0.0000	5.7646
Total	**8.0900e-003**	**0.0845**	**0.0569**	**6.0000e-005**	**0.0197**	**4.6700e-003**	**0.0243**	**0.0101**	**4.2900e-003**	**0.0144**	**0.0000**	**5.7277**	**5.7277**	**1.7500e-003**	**0.0000**	**5.7646**

3.3 Grading - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-004	1.5000e-004	1.4200e-003	0.0000	2.7000e-004	0.0000	2.7000e-004	7.0000e-005	0.0000	7.0000e-005	0.0000	0.2376	0.2376	1.0000e-005	0.0000	0.2378
Total	**1.0000e-004**	**1.5000e-004**	**1.4200e-003**	**0.0000**	**2.7000e-004**	**0.0000**	**2.7000e-004**	**7.0000e-005**	**0.0000**	**7.0000e-005**	**0.0000**	**0.2376**	**0.2376**	**1.0000e-005**	**0.0000**	**0.2378**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					8.8500e-003	0.0000	8.8500e-003	4.5500e-003	0.0000	4.5500e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.5000e-004	3.2500e-003	0.0381	6.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	5.7277	5.7277	1.7500e-003	0.0000	5.7646
Total	**7.5000e-004**	**3.2500e-003**	**0.0381**	**6.0000e-005**	**8.8500e-003**	**1.0000e-004**	**8.9500e-003**	**4.5500e-003**	**1.0000e-004**	**4.6500e-003**	**0.0000**	**5.7277**	**5.7277**	**1.7500e-003**	**0.0000**	**5.7646**

3.3 Grading - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-004	1.5000e-004	1.4200e-003	0.0000	2.7000e-004	0.0000	2.7000e-004	7.0000e-005	0.0000	7.0000e-005	0.0000	0.2376	0.2376	1.0000e-005	0.0000	0.2378
Total	**1.0000e-004**	**1.5000e-004**	**1.4200e-003**	**0.0000**	**2.7000e-004**	**0.0000**	**2.7000e-004**	**7.0000e-005**	**0.0000**	**7.0000e-005**	**0.0000**	**0.2376**	**0.2376**	**1.0000e-005**	**0.0000**	**0.2378**

3.4 Building Construction - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.3660	2.5144	1.7874	2.7400e-003		0.1608	0.1608		0.1540	0.1540	0.0000	232.9955	232.9955	0.0518	0.0000	234.0829
Total	**0.3660**	**2.5144**	**1.7874**	**2.7400e-003**		**0.1608**	**0.1608**		**0.1540**	**0.1540**	**0.0000**	**232.9955**	**232.9955**	**0.0518**	**0.0000**	**234.0829**

3.4 Building Construction - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0749	0.5829	0.9024	1.5400e-003	0.0418	8.3900e-003	0.0502	0.0120	7.7200e-003	0.0197	0.0000	137.9836	137.9836	1.0700e-003	0.0000	138.0060
Worker	0.1099	0.1607	1.5467	3.5300e-003	0.2964	2.3600e-003	0.2987	0.0788	2.1700e-003	0.0810	0.0000	258.6957	258.6957	0.0135	0.0000	258.9798
Total	**0.1848**	**0.7436**	**2.4490**	**5.0700e-003**	**0.3381**	**0.0108**	**0.3489**	**0.0908**	**9.8900e-003**	**0.1007**	**0.0000**	**396.6792**	**396.6792**	**0.0146**	**0.0000**	**396.9859**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0361	0.4250	1.6367	2.7400e-003		3.8500e-003	3.8500e-003		3.8500e-003	3.8500e-003	0.0000	232.9952	232.9952	0.0518	0.0000	234.0827
Total	**0.0361**	**0.4250**	**1.6367**	**2.7400e-003**		**3.8500e-003**	**3.8500e-003**		**3.8500e-003**	**3.8500e-003**	**0.0000**	**232.9952**	**232.9952**	**0.0518**	**0.0000**	**234.0827**

3.4 Building Construction - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0749	0.5829	0.9024	1.5400e-003	0.0418	8.3900e-003	0.0502	0.0120	7.7200e-003	0.0197	0.0000	137.9836	137.9836	1.0700e-003	0.0000	138.0060
Worker	0.1099	0.1607	1.5467	3.5300e-003	0.2964	2.3600e-003	0.2987	0.0788	2.1700e-003	0.0810	0.0000	258.6957	258.6957	0.0135	0.0000	258.9798
Total	**0.1848**	**0.7436**	**2.4490**	**5.0700e-003**	**0.3381**	**0.0108**	**0.3489**	**0.0908**	**9.8900e-003**	**0.1007**	**0.0000**	**396.6792**	**396.6792**	**0.0146**	**0.0000**	**396.9859**

3.5 Paving - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	8.2000e-003	0.0823	0.0603	9.0000e-005		5.1100e-003	5.1100e-003		4.7100e-003	4.7100e-003	0.0000	8.0625	8.0625	2.4200e-003	0.0000	8.1134
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**8.2000e-003**	**0.0823**	**0.0603**	**9.0000e-005**		**5.1100e-003**	**5.1100e-003**		**4.7100e-003**	**4.7100e-003**	**0.0000**	**8.0625**	**8.0625**	**2.4200e-003**	**0.0000**	**8.1134**

3.5 Paving - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.5000e-004	3.7000e-004	3.5500e-003	1.0000e-005	6.8000e-004	1.0000e-005	6.9000e-004	1.8000e-004	0.0000	1.9000e-004	0.0000	0.5939	0.5939	3.0000e-005	0.0000	0.5945
Total	**2.5000e-004**	**3.7000e-004**	**3.5500e-003**	**1.0000e-005**	**6.8000e-004**	**1.0000e-005**	**6.9000e-004**	**1.8000e-004**	**0.0000**	**1.9000e-004**	**0.0000**	**0.5939**	**0.5939**	**3.0000e-005**	**0.0000**	**0.5945**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	1.0400e-003	4.4900e-003	0.0640	9.0000e-005		1.4000e-004	1.4000e-004		1.4000e-004	1.4000e-004	0.0000	8.0625	8.0625	2.4200e-003	0.0000	8.1134
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**1.0400e-003**	**4.4900e-003**	**0.0640**	**9.0000e-005**		**1.4000e-004**	**1.4000e-004**		**1.4000e-004**	**1.4000e-004**	**0.0000**	**8.0625**	**8.0625**	**2.4200e-003**	**0.0000**	**8.1134**

3.5 Paving - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.5000e-004	3.7000e-004	3.5500e-003	1.0000e-005	6.8000e-004	1.0000e-005	6.9000e-004	1.8000e-004	0.0000	1.9000e-004	0.0000	0.5939	0.5939	3.0000e-005	0.0000	0.5945
Total	**2.5000e-004**	**3.7000e-004**	**3.5500e-003**	**1.0000e-005**	**6.8000e-004**	**1.0000e-005**	**6.9000e-004**	**1.8000e-004**	**0.0000**	**1.9000e-004**	**0.0000**	**0.5939**	**0.5939**	**3.0000e-005**	**0.0000**	**0.5945**

3.6 Architectural Coating - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.8073					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.6000e-004	4.3700e-003	3.7400e-003	1.0000e-005		3.5000e-004	3.5000e-004		3.5000e-004	3.5000e-004	0.0000	0.5107	0.5107	5.0000e-005	0.0000	0.5118
Total	**1.8079**	**4.3700e-003**	**3.7400e-003**	**1.0000e-005**		**3.5000e-004**	**3.5000e-004**		**3.5000e-004**	**3.5000e-004**	**0.0000**	**0.5107**	**0.5107**	**5.0000e-005**	**0.0000**	**0.5118**

3.6 Architectural Coating - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-004	5.8000e-004	5.5900e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.9344	0.9344	5.0000e-005	0.0000	0.9354
Total	**4.0000e-004**	**5.8000e-004**	**5.5900e-003**	**1.0000e-005**	**1.0700e-003**	**1.0000e-005**	**1.0800e-003**	**2.8000e-004**	**1.0000e-005**	**2.9000e-004**	**0.0000**	**0.9344**	**0.9344**	**5.0000e-005**	**0.0000**	**0.9354**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.8073					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.0000e-005	2.6000e-004	3.6600e-003	1.0000e-005		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	0.5107	0.5107	5.0000e-005	0.0000	0.5118
Total	**1.8073**	**2.6000e-004**	**3.6600e-003**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**	**0.0000**	**0.5107**	**0.5107**	**5.0000e-005**	**0.0000**	**0.5118**

3.6 Architectural Coating - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-004	5.8000e-004	5.5900e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.9344	0.9344	5.0000e-005	0.0000	0.9354
Total	**4.0000e-004**	**5.8000e-004**	**5.5900e-003**	**1.0000e-005**	**1.0700e-003**	**1.0000e-005**	**1.0800e-003**	**2.8000e-004**	**1.0000e-005**	**2.9000e-004**	**0.0000**	**0.9344**	**0.9344**	**5.0000e-005**	**0.0000**	**0.9354**

3.6 Architectural Coating - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	2.7109					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.0000e-004	6.0200e-003	5.5600e-003	1.0000e-005		4.5000e-004	4.5000e-004		4.5000e-004	4.5000e-004	0.0000	0.7660	0.7660	7.0000e-005	0.0000	0.7675
Total	**2.7118**	**6.0200e-003**	**5.5600e-003**	**1.0000e-005**		**4.5000e-004**	**4.5000e-004**		**4.5000e-004**	**4.5000e-004**	**0.0000**	**0.7660**	**0.7660**	**7.0000e-005**	**0.0000**	**0.7675**

3.6 Architectural Coating - 2018

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.3000e-004	7.8000e-004	7.4900e-003	2.0000e-005	1.6100e-003	1.0000e-005	1.6200e-003	4.3000e-004	1.0000e-005	4.4000e-004	0.0000	1.3496	1.3496	7.0000e-005	0.0000	1.3510
Total	**5.3000e-004**	**7.8000e-004**	**7.4900e-003**	**2.0000e-005**	**1.6100e-003**	**1.0000e-005**	**1.6200e-003**	**4.3000e-004**	**1.0000e-005**	**4.4000e-004**	**0.0000**	**1.3496**	**1.3496**	**7.0000e-005**	**0.0000**	**1.3510**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	2.7109					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.0000e-005	3.9000e-004	5.5000e-003	1.0000e-005		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	0.7660	0.7660	7.0000e-005	0.0000	0.7675
Total	**2.7110**	**3.9000e-004**	**5.5000e-003**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**	**0.0000**	**0.7660**	**0.7660**	**7.0000e-005**	**0.0000**	**0.7675**

3.6 Architectural Coating - 2018

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.3000e-004	7.8000e-004	7.4900e-003	2.0000e-005	1.6100e-003	1.0000e-005	1.6200e-003	4.3000e-004	1.0000e-005	4.4000e-004	0.0000	1.3496	1.3496	7.0000e-005	0.0000	1.3510
Total	**5.3000e-004**	**7.8000e-004**	**7.4900e-003**	**2.0000e-005**	**1.6100e-003**	**1.0000e-005**	**1.6200e-003**	**4.3000e-004**	**1.0000e-005**	**4.4000e-004**	**0.0000**	**1.3496**	**1.3496**	**7.0000e-005**	**0.0000**	**1.3510**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.9105	3.4681	16.6106	0.0280	1.9094	0.0425	1.9519	0.5124	0.0391	0.5515	0.0000	2,153.8138	2,153.8138	0.0944	0.0000	2,155.7963
Unmitigated	1.9105	3.4681	16.6106	0.0280	1.9094	0.0425	1.9519	0.5124	0.0391	0.5515	0.0000	2,153.8138	2,153.8138	0.0944	0.0000	2,155.7963

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	1,445.40	2,362.80	2003.10	3,697,085	3,697,085
Convenience Market (24 Hour)	0.00	6,904.80	6067.60	1,411,354	1,411,354
Enclosed Parking with Elevator	0.00	0.00	0.00		
General Office Building	0.00	49.39	20.42	23,834	23,834
Total	1,445.40	9,316.99	8,091.12	5,132,274	5,132,274

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	12.40	4.30	5.40	26.10	29.10	44.80	86	11	3
Convenience Market (24 Hour)	9.50	7.30	7.30	0.90	80.10	19.00	24	15	61
Enclosed Parking with Elevator	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
General Office Building	9.50	7.30	7.30	33.00	48.00	19.00	77	19	4

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.546114	0.062902	0.174648	0.122995	0.034055	0.004856	0.015640	0.024397	0.002087	0.003279	0.006673	0.000688	0.001667

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	690.7893	690.7893	0.0312	6.4600e-003	693.4486
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	690.7893	690.7893	0.0312	6.4600e-003	693.4486
NaturalGas Mitigated	0.0182	0.1572	0.0763	9.9000e-004		0.0126	0.0126		0.0126	0.0126	0.0000	180.5274	180.5274	3.4600e-003	3.3100e-003	181.6260
NaturalGas Unmitigated	0.0182	0.1572	0.0763	9.9000e-004		0.0126	0.0126		0.0126	0.0126	0.0000	180.5274	180.5274	3.4600e-003	3.3100e-003	181.6260

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Convenience Market (24 Hour)	38400	2.1000e-004	1.8800e-003	1.5800e-003	1.0000e-005		1.4000e-004	1.4000e-004		1.4000e-004	1.4000e-004	0.0000	2.0492	2.0492	4.0000e-005	4.0000e-005	2.0616
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
General Office Building	422844	2.2800e-003	0.0207	0.0174	1.2000e-004		1.5800e-003	1.5800e-003		1.5800e-003	1.5800e-003	0.0000	22.5645	22.5645	4.3000e-004	4.1000e-004	22.7019
Apartments Mid Rise	2.92171e+006	0.0158	0.1346	0.0573	8.6000e-004		0.0109	0.0109		0.0109	0.0109	0.0000	155.9136	155.9136	2.9900e-003	2.8600e-003	156.8625
Total		**0.0182**	**0.1572**	**0.0763**	**9.9000e-004**		**0.0126**	**0.0126**		**0.0126**	**0.0126**	**0.0000**	**180.5273**	**180.5273**	**3.4600e-003**	**3.3100e-003**	**181.6260**

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Convenience Market (24 Hour)	38400	2.1000e-004	1.8800e-003	1.5800e-003	1.0000e-005		1.4000e-004	1.4000e-004		1.4000e-004	1.4000e-004	0.0000	2.0492	2.0492	4.0000e-005	4.0000e-005	2.0616
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
General Office Building	422844	2.2800e-003	0.0207	0.0174	1.2000e-004		1.5800e-003	1.5800e-003		1.5800e-003	1.5800e-003	0.0000	22.5645	22.5645	4.3000e-004	4.1000e-004	22.7019
Apartments Mid Rise	2.92171e+006	0.0158	0.1346	0.0573	8.6000e-004		0.0109	0.0109		0.0109	0.0109	0.0000	155.9136	155.9136	2.9900e-003	2.8600e-003	156.8625
Total		**0.0182**	**0.1572**	**0.0763**	**9.9000e-004**		**0.0126**	**0.0126**		**0.0126**	**0.0126**	**0.0000**	**180.5273**	**180.5273**	**3.4600e-003**	**3.3100e-003**	**181.6260**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	1.19307e+006	347.0764	0.0157	3.2500e-003	348.4126
Convenience Market (24 Hour)	92880	27.0199	1.2200e-003	2.5000e-004	27.1239
Enclosed Parking with Elevator	799364	232.5442	0.0105	2.1800e-003	233.4394
General Office Building	289259	84.1488	3.8000e-003	7.9000e-004	84.4728
Total		**690.7893**	**0.0312**	**6.4700e-003**	**693.4486**

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	1.19307e+006	347.0764	0.0157	3.2500e-003	348.4126
Convenience Market (24 Hour)	92880	27.0199	1.2200e-003	2.5000e-004	27.1239
Enclosed Parking with Elevator	799364	232.5442	0.0105	2.1800e-003	233.4394
General Office Building	289259	84.1488	3.8000e-003	7.9000e-004	84.4728
Total		**690.7893**	**0.0312**	**6.4700e-003**	**693.4486**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.8424	0.0289	2.4764	1.3000e-004		0.0134	0.0134		0.0134	0.0134	0.0000	4.0051	4.0051	4.0200e-003	0.0000	4.0897
Unmitigated	2.8424	0.0289	2.4764	1.3000e-004		0.0134	0.0134		0.0134	0.0134	0.0000	4.0051	4.0051	4.0200e-003	0.0000	4.0897

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.7359					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.0292					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0772	0.0289	2.4764	1.3000e-004		0.0134	0.0134		0.0134	0.0134	0.0000	4.0051	4.0051	4.0200e-003	0.0000	4.0897
Total	**2.8424**	**0.0289**	**2.4764**	**1.3000e-004**		**0.0134**	**0.0134**		**0.0134**	**0.0134**	**0.0000**	**4.0051**	**4.0051**	**4.0200e-003**	**0.0000**	**4.0897**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.7359					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.0292					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0772	0.0289	2.4764	1.3000e-004		0.0134	0.0134		0.0134	0.0134	0.0000	4.0051	4.0051	4.0200e-003	0.0000	4.0897
Total	**2.8424**	**0.0289**	**2.4764**	**1.3000e-004**		**0.0134**	**0.0134**		**0.0134**	**0.0134**	**0.0000**	**4.0051**	**4.0051**	**4.0200e-003**	**0.0000**	**4.0897**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	62.4485	0.0340	0.0204	69.4825
Unmitigated	62.4485	0.0338	0.0204	69.4680

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	21.5008 / 13.5549	52.1010	0.0282	0.0170	57.9503
Convenience Market (24 Hour)	0.59258 / 0.363194	1.4254	7.8000e-004	4.7000e-004	1.5865
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
General Office Building	3.7093 / 2.27344	8.9222	4.8600e-003	2.9300e-003	9.9311
Total		**62.4485**	**0.0338**	**0.0204**	**69.4680**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	21.5008 / 13.5549	52.1010	0.0283	0.0170	57.9625
Convenience Market (24 Hour)	0.59258 / 0.363194	1.4254	7.8000e-004	4.7000e-004	1.5869
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
General Office Building	3.7093 / 2.27344	8.9222	4.8900e-003	2.9300e-003	9.9332
Total		**62.4485**	**0.0340**	**0.0204**	**69.4825**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	39.6340	2.3423	0.0000	88.8223
Unmitigated	39.6340	2.3423	0.0000	88.8223

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	151.8	30.8140	1.8211	0.0000	69.0562
Convenience Market (24 Hour)	24.04	4.8799	0.2884	0.0000	10.9362
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
General Office Building	19.41	3.9401	0.2329	0.0000	8.8299
Total		**39.6340**	**2.3423**	**0.0000**	**88.8223**

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	151.8	30.8140	1.8211	0.0000	69.0562
Convenience Market (24 Hour)	24.04	4.8799	0.2884	0.0000	10.9362
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
General Office Building	19.41	3.9401	0.2329	0.0000	8.8299
Total		**39.6340**	**2.3423**	**0.0000**	**88.8223**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Vegetation

Summary of AERSCREEN and Health Risk Assessment Parameters
Construction DPM and PM2.5 Emissions without SCA-19 requirement for Tier 4 Off-Road Engines

Construction Duration	Quantity	Notes
Total Constrution Work Days	266	CalEEMod
Total Hauling Work Days	20	CalEEMod
Work Hours/Day	8	CalEEMod

AERSCREEN Parameters	Units	Value	Notes
On-Site DPM Emissions	tons	0.1875	CalEEMod exhaust PM_{10}
On-Site $PM_{2.5}$ Emissions	tons	0.1788	CalEEMod exhaust $PM_{2.5}$
Release Height of Area Sources	meters	5	SCAQMD, 2008 (revised)
Block A DPM Emissions	tons	0.1250	Assume 2/3 of total emissions (based on area)
Block A $PM_{2.5}$ Emissions	tons	0.1192	Assume 2/3 of total emissions (based on area)
Block A DPM Emission Rate	gram/second	0.014801	Converted PM_{10} emissions
Block A $PM_{2.5}$ Emission Rate	gram/second	0.014116	Converted exhaust $PM_{2.5}$
Block A Max horizontal dimension	meters	100	Project site dimension
Block A Min horizontal dimension	meters	70	Project site dimension
Block B DPM Emissions	tons	6.25E-02	Assume 1/3 of total emissions (based on area)
Block B $PM_{2.5}$ Emissions	tons	5.96E-02	Assume 1/3 of total emissions (based on area)
Block B DPM Emission Rate	gram/second	0.007400	Converted PM_{10} emissions
Block B $PM_{2.5}$ Emission Rate	gram/second	0.007058	Converted exhaust $PM_{2.5}$
Block B Max horizontal dimension	meters	50	Project site dimension
Block B Min horizontal dimension	meters	70	Project site dimension
Haul Road DPM Emissions	tons	0.00047	CalEEMod exhaust PM10
Haul Road PM2.5 Emissions	tons	0.00043	CalEEMod exhaust PM2.5
Haul Road DPM Emission Rate	gram/second	0.00074	Converted PM_{10} emissions
Haul Road PM2.5 Emission Rate	gram/second	0.00068	Converted exhaust $PM_{2.5}$
Haul Road Max horizontal dimension	meters	18.19	5th Street frontage road to I-880
Haul Road Min horizontal dimension	meters	537.7	5th Street frontage road to I-880

Emissions Sources	Pollutant	Max Annual Average Concentration	Notes
On-Site Construction and Off-haul	DPM ($\mu g/m^{3)}$	26.13	One-hour maximum concentratation
	$PM_{2.5}$ ($\mu g/m^{3)}$	26.13	One-hour maximum concentratation
On-Site Construction and Off-haul	DPM ($\mu g/m^{3)}$	2.613	Annual average concentration
	$PM_{2.5}$ ($\mu g/m^{3)}$	2.613	Annual average concentration

Health Risk Assessment Parameters	Units	Values for a child <2	Source
Annual Exposure Duration (ED)	days/365 days	1.02	Total project duration (371 days)
Daily Exposure Time (ET)	hour/24 hours	0.33	8-hour workday
Exposure Frequency (EF)	days/year	350	OEHHA, 2015
Daily Breathing Rate (DBR)	L/kg-day	658	OEHHA, 2015
Averaging Time (AT)	days	25,550	70 years for residents (OEHHA, 2015)
Age Sensitivity Factor (ASF)	unitless	10	OEHHA, 2015
DPM Cancer Potency Factor (CPF)	$(mg/kg/day)^{-1}$	1.1	OEHHA, 2015
DPM Chronic REL	$\mu g/m^3$	5	OEHHA, 2015
Conversion Factor (CF)	m^3/L	0.000001	OEHHA, 2015

Emissions Source	Health Risk Assessment Target Receptor	Pollutant	Excess Cancer Risk per Million	Chronic Hazard Index
Construction	Child under the age of 2	DPM	87.8	5.23

ONSITE Construction ONLY - Without Tier 4 Equipment

Pollutant	Exhaust PM_{10}	Exhaust $PM_{2.5}$
Units	Ton/yr	Ton/yr
Demo	0.01610	0.01500
Grading	0.00467	0.00429
Building	0.16080	0.15400
Paving	0.00511	0.00471
Arch (2017)	0.00035	0.00035
Arch (2018)	0.00045	0.00045
Total Emissions	**0.18748**	**0.17880**

Notes:
Construction durations based on CalEEMod results.
DPM = diesel particulate matter
$PM_{2.5}$ = particulate matter with aerodynamic resistance diameters equal to or less than 10 microns
REL = reference exposure level
$\mu g/m^3$ = micrograms per cubic meter
L/kg-day = liters per kilogram-day
m^3/L = cubic meters per liter
$(mg/kg/day)^{-1}$ = 1/milligrams per kilograms per day

South Coast Air Quality Management District (SQAMD), 2008 (revised). *Final Localized Significance Threshold Methodology* . July.
Office of Environmental Health Hazard Assessment (OEHHA), 2015. *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* . February.

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** ISCST3 Input Produced by:
** AERMOD View Ver. 9.0.0
** Lakes Environmental Software Inc.
** Date: 2/1/2016
** File: C:\Lakes\AERMOD View\CostPlus
\JackLondonSquare_CostPlus_NoTier4_Rev2016
\JackLondonSquare_CostPlus_NoTier4_Rev2016.INP
**
**************************************
**
**
**************************************
** ISCST3 Control Pathway
**************************************
**
**
CO STARTING
   TITLEONE C:\Lakes\AERMOD View\CostPlus
\JackLondonSquare_CostPlus\JackLondonSq
   MODELOPT DFAULT CONC  URBAN
   AVERTIME 1
   POLLUTID PM_10
   TERRHGTS FLAT
   FLAGPOLE 1.50
   RUNORNOT RUN
CO FINISHED
**
**************************************
** ISCST3 Source Pathway
**************************************
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
   LOCATION BLOCKA       AREA       564319.800  4183336.910
** DESCRSRC BLOCK A
   LOCATION BLOCKB       AREA       564328.970  4183238.850
** DESCRSRC BLOCK B
**
-----------------------------------------------------------------
----
** Line Source Represented by Area Sources
** LINE AREA Source ID = ARLN1
** DESCRSRC Demolition Haul
** PREFIX
** Length of Side = 18.19
** Ratio = 10
** Vertical Dimension = 2.17
```

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** Emission Rate = 7.5645E-08
** Nodes = 7
** 564450.225, 4183366.291, 0.00, 2.33
** 564447.050, 4183359.332, 0.00, 2.33
** 564556.165, 4183305.357, 0.00, 2.33
** 564680.613, 4183239.391, 0.00, 2.33
** 564680.620, 4183248.051, 0.00, 2.33
** 564561.707, 4183311.612, 0.00, 2.33
** 564450.355, 4183366.196, 0.00, 2.33
**
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   LOCATION A0000001     AREA     564441.950 4183370.067
   LOCATION A0000002     AREA     564443.017 4183351.179
   LOCATION A0000003     AREA     564551.905 4183297.320
   LOCATION A0000004     AREA     564689.709 4183239.384
   LOCATION A0000005     AREA     564684.908 4183256.073
   LOCATION A0000006     AREA     564565.710 4183319.779
** End of LINE AREA Source ID = ARLN1
** Source Parameters **
   SRCPARAM BLOCKA       2.1144E-06     5.000   100.000    70.000
25.800
   SRCPARAM BLOCKB       2.1143E-06     5.000    50.000    70.000
25.800
** LINE AREA Source ID = ARLN1
   SRCPARAM A0000001     7.5645E-08     2.332     7.649    18.192
114.527     2.169
   SRCPARAM A0000002     7.5645E-08     2.332   121.735    18.192
26.320     2.169
   SRCPARAM A0000003     7.5645E-08     2.332   140.851    18.192
27.926     2.169
   SRCPARAM A0000004     7.5645E-08     2.332     8.660    18.192
-89.954     2.169
   SRCPARAM A0000005     7.5645E-08     2.332   134.835    18.192
-151.875     2.169
   SRCPARAM A0000006     7.5645E-08     2.332   124.010    18.192
-153.886     2.169
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   SRCGROUP ALL
SO FINISHED
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** ISCST3 Receptor Pathway
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   DISCCART    564380.56   4183055.66    1.50
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   DISCCART    564164.29   4183044.60   18.00
   DISCCART    564189.29   4183044.60   18.00
   DISCCART    564214.29   4183044.60   18.00
   DISCCART    564239.29   4183044.60   18.00
   DISCCART    564189.29   4183069.60   18.00
   DISCCART    564215.06   4183065.50   18.00
   DISCCART    564164.29   4183044.60    1.50
   DISCCART    564189.29   4183044.60    1.50
   DISCCART    564214.29   4183044.60    1.50
   DISCCART    564239.29   4183044.60    1.50
   DISCCART    564092.50   4183043.88    1.50
   DISCCART    564118.27   4183039.78    1.50
   DISCCART    564067.50   4183018.88    6.00
   DISCCART    564092.50   4183018.88    6.00
   DISCCART    564117.50   4183018.88    6.00
   DISCCART    564142.50   4183018.88    6.00
   DISCCART    564092.50   4183043.88    6.00
   DISCCART    564118.27   4183039.78    6.00
   DISCCART    564067.50   4183018.88   12.00
   DISCCART    564092.50   4183018.88   12.00
   DISCCART    564117.50   4183018.88   12.00
   DISCCART    564142.50   4183018.88   12.00
   DISCCART    564092.50   4183043.88   12.00
   DISCCART    564118.27   4183039.78   12.00
   DISCCART    564067.50   4183018.88   18.00
   DISCCART    564092.50   4183018.88   18.00
   DISCCART    564117.50   4183018.88   18.00
   DISCCART    564142.50   4183018.88   18.00
   DISCCART    564092.50   4183043.88   18.00
   DISCCART    564118.27   4183039.78   18.00
   DISCCART    564067.50   4183018.88    1.50
   DISCCART    564092.50   4183018.88    1.50
   DISCCART    564117.50   4183018.88    1.50
   DISCCART    564142.50   4183018.88    1.50
** Discrete Cartesian Plant Boundary - Primary Receptors
** Plant Boundary Name PLBN1
** DESCRREC "FENCEPRI" "Cartesian plant boundary Primary
Receptors"
   DISCCART    564326.35   4183232.66  100.00
   DISCCART    564363.36   4183310.38  100.00
```

```
   DISCCART    564315.34   4183332.82  100.00
   DISCCART    564350.90   4183407.47  100.00
   DISCCART    564447.81   4183358.72  100.00
   DISCCART    564375.93   4183209.29  100.00
RE FINISHED
**
****************************************
** ISCST3 Meteorology Pathway
****************************************
**
**
ME STARTING
   INPUTFIL OST003RA.ASC
   ANEMHGHT 10 METERS
   SURFDATA 1804 2000
   UAIRDATA 1804 2000
ME FINISHED
**
****************************************
** ISCST3 Output Pathway
****************************************
**
**
OU STARTING
   RECTABLE ALLAVE 1ST
   RECTABLE 1 1ST
** Auto-Generated Plotfiles
   PLOTFILE 1 ALL 1ST JACKLO~1.IS\01H1GALL.PLT 31
OU FINISHED

**********************************
*** SETUP Finishes Successfully ***
**********************************
```

```
 *** ISCST3 - VERSION 02035 ***    *** C:\Lakes\AERMOD View
\CostPlus\JackLondonSquare_CostPlus\JackLondonSq ***
02/01/16
                                   ***
***        11:07:38
**MODELOPTs:
PAGE   1
CONC                    URBAN FLAT  FLGPOL DFAULT

                                           ***     MODEL SETUP
OPTIONS SUMMARY       ***
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

**Intermediate Terrain Processing is Selected

**Model Is Setup For Calculation of Average CONCentration Values.

  --  SCAVENGING/DEPOSITION LOGIC --
**Model Uses NO DRY DEPLETION.  DDPLETE =  F
**Model Uses NO WET DEPLETION.  WDPLETE =  F
**NO WET SCAVENGING Data Provided.
**NO GAS DRY DEPOSITION Data Provided.
**Model Does NOT Use GRIDDED TERRAIN Data for Depletion
Calculations

**Model Uses URBAN Dispersion.

**Model Uses Regulatory DEFAULT Options:
           1. Final Plume Rise.
           2. Stack-tip Downwash.
           3. Buoyancy-induced Dispersion.
           4. Use Calms Processing Routine.
           5. Not Use Missing Data Processing Routine.
           6. Default Wind Profile Exponents.
           7. Default Vertical Potential Temperature Gradients.
           8. "Upper Bound" Values for Supersquat Buildings.
           9. No Exponential Decay for URBAN/Non-SO2

**Model Assumes Receptors on FLAT Terrain.

**Model Accepts FLAGPOLE Receptor Heights.

**Model Calculates  1 Short Term Average(s) of:   1-HR

**This Run Includes:     8 Source(s);      1 Source Group(s); and
782 Receptor(s)

**The Model Assumes A Pollutant Type of:  PM_10

**Model Set To Continue RUNning After the Setup Testing.
```

```
**Output Options Selected:
         Model Outputs Tables of Highest Short Term Values by
Receptor (RECTABLE Keyword)
         Model Outputs External File(s) of High Values for
Plotting (PLOTFILE Keyword)

**NOTE:  The Following Flags May Appear Following CONC Values:  c
for Calm Hours
                                                                m
for Missing Hours
                                                                b
for Both Calm and Missing Hours

**Misc. Inputs:  Anem. Hgt. (m) =    10.00 ;    Decay Coef. =
0.000     ;    Rot. Angle =     0.0
                 Emission Units = GRAMS/SEC
;  Emission Rate Unit Factor =   0.10000E+07
                 Output Units   = MICROGRAMS/M**3

**Approximate Storage Requirements of Model =     1.2 MB of RAM.

**Input Runstream File:
JackLondonSquare_CostPlus_NoTier4_Rev2016.INP
**Output Print File:
JackLondonSquare_CostPlus_NoTier4_Rev2016.OUT
```

CONC URBAN FLAT FLGPOL DFAULT

*** AREA SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC /METER**2)	COORD (SW CORNER) X (METERS)	Y (METERS)	BASE ELEV. HEIGHT (METERS)	RELEASE OF AREA (METERS)	X-DIM OF AREA (METERS)	Y-DIM OF AREA (METERS)	ORIENT. OF AREA (DEG.)	INIT. SZ (METERS)	EMISSION RATE SCALAR VARY BY
BLOCKA	0	0.21144E-05	564319.8	4183337.0	0.0	5.00	100.00	70.00	25.80	0.00	
BLOCKB	0	0.21143E-05	564329.0	4183238.8	0.0	5.00	50.00	70.00	25.80	0.00	
A0000001	0	0.75645E-07	564441.9	4183370.0	0.0	2.33	7.65	18.19	114.53	2.17	
A0000002	0	0.75645E-07	564443.0	4183351.3	0.0	2.33	121.74	18.19	26.32	2.17	
A0000003	0	0.75645E-07	564551.9	4183297.2	0.0	2.33	140.85	18.19	27.93	2.17	
A0000004	0	0.75645E-07	564689.7	4183239.5	0.0	2.33	8.66	18.19	-89.95	2.17	
A0000005	0	0.75645E-07	564684.9	4183256.0	0.0	2.33	134.84	18.19	-151.88	2.17	
A0000006	0	0.75645E-07	564565.7	4183319.8	0.0	2.33	124.01	18.19	-153.89	2.17	

CONC URBAN FLAT FLGPOL DFAULT

*** SOURCE IDs DEFINING SOURCE GROUPS ***

GROUP ID SOURCE IDs

ALL BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564355.6, 4183055.8, 0.0, 1.5); (564380.6, 4183055.8, 0.0, 1.5);

(564405.6, 4183055.8, 0.0, 1.5); (564330.6, 4183080.8, 0.0, 1.5);
(564355.6, 4183080.8, 0.0, 1.5); (564380.6, 4183080.8, 0.0, 1.5);
(564405.6, 4183080.8, 0.0, 1.5); (564580.6, 4183080.8, 0.0, 1.5);
(564606.0, 4183070.8, 0.0, 1.5); (564355.6, 4183105.8, 0.0, 1.5);
(564381.3, 4183101.5, 0.0, 1.5); (564305.6, 4183155.8, 0.0, 1.5);
(564330.6, 4183155.8, 0.0, 1.5); (564255.6, 4183180.8, 0.0, 1.5);
(564280.6, 4183180.8, 0.0, 1.5); (564305.6, 4183180.8, 0.0, 1.5);
(564330.6, 4183180.8, 0.0, 1.5); (564355.6, 4183180.8, 0.0, 1.5);
(564457.1, 4183184.2, 0.0, 1.5); (564477.1, 4183184.8, 0.0, 1.5);
(564205.6, 4183205.8, 0.0, 1.5); (564230.6, 4183205.8, 0.0, 1.5);
(564255.6, 4183205.8, 0.0, 1.5); (564280.6, 4183205.8, 0.0, 1.5);
(564305.6, 4183205.8, 0.0, 1.5); (564330.6, 4183205.8, 0.0, 1.5);
(564355.6, 4183205.8, 0.0, 1.5); (564405.6, 4183205.8, 0.0, 1.5);
(564430.6, 4183205.8, 0.0, 1.5); (564455.6, 4183205.8, 0.0, 1.5);
(564480.6, 4183205.8, 0.0, 1.5); (564155.6, 4183230.8, 0.0, 1.5);
(564180.6, 4183230.8, 0.0, 1.5); (564205.6, 4183230.8, 0.0, 1.5);

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    ( 564230.6, 4183230.8,       0.0,       1.5);          (
564280.6, 4183230.8,       0.0,       1.5);
    ( 564305.6, 4183230.8,       0.0,       1.5);          (
564330.6, 4183220.0,       0.0,       1.5);
    ( 564405.6, 4183230.8,       0.0,       1.5);          (
564430.6, 4183230.8,       0.0,       1.5);
    ( 564455.6, 4183230.8,       0.0,       1.5);          (
564480.6, 4183230.8,       0.0,       1.5);
    ( 564105.6, 4183255.8,       0.0,       1.5);          (
564130.6, 4183255.8,       0.0,       1.5);
    ( 564155.6, 4183255.8,       0.0,       1.5);          (
564180.6, 4183255.8,       0.0,       1.5);
    ( 564205.6, 4183255.8,       0.0,       1.5);          (
564230.6, 4183255.8,       0.0,       1.5);
    ( 564255.6, 4183255.8,       0.0,       1.5);          (
564305.6, 4183255.8,       0.0,       1.5);
    ( 564330.6, 4183255.8,       0.0,       1.5);          (
564418.7, 4183257.8,       0.0,       1.5);
    ( 564449.9, 4183248.0,       0.0,       1.5);          (
564055.6, 4183280.8,       0.0,       1.5);
    ( 564080.6, 4183280.8,       0.0,       1.5);          (
564105.6, 4183280.8,       0.0,       1.5);
    ( 564130.6, 4183280.8,       0.0,       1.5);          (
564155.6, 4183280.8,       0.0,       1.5);
    ( 564180.6, 4183280.8,       0.0,       1.5);          (
564205.6, 4183280.8,       0.0,       1.5);
    ( 564230.6, 4183280.8,       0.0,       1.5);          (
564255.6, 4183280.8,       0.0,       1.5);
    ( 564305.6, 4183280.8,       0.0,       1.5);          (
564330.6, 4183280.8,       0.0,       1.5);
    ( 564055.6, 4183305.8,       0.0,       1.5);          (
564080.6, 4183305.8,       0.0,       1.5);
    ( 564105.6, 4183305.8,       0.0,       1.5);          (
564130.6, 4183305.8,       0.0,       1.5);
    ( 564155.6, 4183305.8,       0.0,       1.5);          (
564180.6, 4183305.8,       0.0,       1.5);
    ( 564205.6, 4183305.8,       0.0,       1.5);          (
564230.6, 4183305.8,       0.0,       1.5);
    ( 564255.6, 4183305.8,       0.0,       1.5);          (
564280.6, 4183305.8,       0.0,       1.5);
    ( 564305.6, 4183305.8,       0.0,       1.5);          (
564330.6, 4183305.8,       0.0,       1.5);
    ( 564350.7, 4183306.3,       0.0,       1.5);          (
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    ( 564130.6, 4183330.8,       0.0,       1.5);          (
564155.6, 4183330.8,       0.0,       1.5);
    ( 564205.6, 4183330.8,       0.0,       1.5);          (
564230.6, 4183330.8,       0.0,       1.5);
    ( 564255.6, 4183330.8,       0.0,       1.5);          (
564280.6, 4183330.8,       0.0,       1.5);
    ( 564080.6, 4183355.8,       0.0,       1.5);          (
564105.6, 4183355.8,       0.0,       1.5);
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    ( 564130.6, 4183355.8,       0.0,       1.5);          (
564155.6, 4183355.8,       0.0,       1.5);
    ( 564205.6, 4183355.8,       0.0,       1.5);          (
564230.6, 4183355.8,       0.0,       1.5);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564080.6, 4183380.8, 0.0, 1.5); (564105.6, 4183380.8, 0.0, 1.5);
(564130.6, 4183380.8, 0.0, 1.5); (564205.6, 4183380.8, 0.0, 1.5);
(564230.6, 4183380.8, 0.0, 1.5); (564255.6, 4183380.8, 0.0, 1.5);
(564230.6, 4183405.8, 0.0, 1.5); (564255.6, 4183405.8, 0.0, 1.5);
(564280.6, 4183405.8, 0.0, 1.5); (564137.9, 4183424.8, 0.0, 1.5);
(564151.6, 4183418.2, 0.0, 1.5); (564255.6, 4183430.8, 0.0, 1.5);
(564280.6, 4183430.8, 0.0, 1.5); (564655.6, 4183605.8, 0.0, 1.5);
(564355.6, 4183055.8, 0.0, 6.0); (564380.6, 4183055.8, 0.0, 6.0);
(564405.6, 4183055.8, 0.0, 6.0); (564330.6, 4183080.8, 0.0, 6.0);
(564355.6, 4183080.8, 0.0, 6.0); (564380.6, 4183080.8, 0.0, 6.0);
(564405.6, 4183080.8, 0.0, 6.0); (564580.6, 4183080.8, 0.0, 6.0);
(564606.0, 4183070.8, 0.0, 6.0); (564355.6, 4183105.8, 0.0, 6.0);
(564381.3, 4183101.5, 0.0, 6.0); (564305.6, 4183155.8, 0.0, 6.0);
(564330.6, 4183155.8, 0.0, 6.0); (564255.6, 4183180.8, 0.0, 6.0);
(564280.6, 4183180.8, 0.0, 6.0); (564305.6, 4183180.8, 0.0, 6.0);
(564330.6, 4183180.8, 0.0, 6.0); (564355.6, 4183180.8, 0.0, 6.0);
(564457.1, 4183184.2, 0.0, 6.0); (564477.1, 4183184.8, 0.0, 6.0);
(564205.6, 4183205.8, 0.0, 6.0); (

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564230.6, 4183205.8,       0.0,       6.0);
    ( 564255.6, 4183205.8,       0.0,       6.0);          (
564280.6, 4183205.8,       0.0,       6.0);
    ( 564305.6, 4183205.8,       0.0,       6.0);          (
564330.6, 4183205.8,       0.0,       6.0);
    ( 564355.6, 4183205.8,       0.0,       6.0);          (
564405.6, 4183205.8,       0.0,       6.0);
    ( 564430.6, 4183205.8,       0.0,       6.0);          (
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    ( 564480.6, 4183205.8,       0.0,       6.0);          (
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    ( 564180.6, 4183230.8,       0.0,       6.0);          (
564205.6, 4183230.8,       0.0,       6.0);
    ( 564230.6, 4183230.8,       0.0,       6.0);          (
564280.6, 4183230.8,       0.0,       6.0);
    ( 564305.6, 4183230.8,       0.0,       6.0);          (
564330.6, 4183220.0,       0.0,       6.0);
    ( 564405.6, 4183230.8,       0.0,       6.0);          (
564430.6, 4183230.8,       0.0,       6.0);
    ( 564455.6, 4183230.8,       0.0,       6.0);          (
564480.6, 4183230.8,       0.0,       6.0);
    ( 564105.6, 4183255.8,       0.0,       6.0);          (
564130.6, 4183255.8,       0.0,       6.0);
    ( 564155.6, 4183255.8,       0.0,       6.0);          (
564180.6, 4183255.8,       0.0,       6.0);
    ( 564205.6, 4183255.8,       0.0,       6.0);          (
564230.6, 4183255.8,       0.0,       6.0);
    ( 564255.6, 4183255.8,       0.0,       6.0);          (
564305.6, 4183255.8,       0.0,       6.0);
    ( 564330.6, 4183255.8,       0.0,       6.0);          (
564418.7, 4183257.8,       0.0,       6.0);
    ( 564449.9, 4183248.0,       0.0,       6.0);          (
564055.6, 4183280.8,       0.0,       6.0);
    ( 564080.6, 4183280.8,       0.0,       6.0);          (
564105.6, 4183280.8,       0.0,       6.0);
    ( 564130.6, 4183280.8,       0.0,       6.0);          (
564155.6, 4183280.8,       0.0,       6.0);
    ( 564180.6, 4183280.8,       0.0,       6.0);          (
564205.6, 4183280.8,       0.0,       6.0);
    ( 564230.6, 4183280.8,       0.0,       6.0);          (
564255.6, 4183280.8,       0.0,       6.0);
    ( 564305.6, 4183280.8,       0.0,       6.0);          (
564330.6, 4183280.8,       0.0,       6.0);
    ( 564055.6, 4183305.8,       0.0,       6.0);          (
564080.6, 4183305.8,       0.0,       6.0);
    ( 564105.6, 4183305.8,       0.0,       6.0);          (
564130.6, 4183305.8,       0.0,       6.0);
    ( 564155.6, 4183305.8,       0.0,       6.0);          (
564180.6, 4183305.8,       0.0,       6.0);
    ( 564205.6, 4183305.8,       0.0,       6.0);          (
564230.6, 4183305.8,       0.0,       6.0);
    ( 564255.6, 4183305.8,       0.0,       6.0);          (
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564280.6, 4183305.8,       0.0,       6.0);
    ( 564305.6, 4183305.8,       0.0,       6.0);          (
564330.6, 4183305.8,       0.0,       6.0);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564350.7, 4183306.3, 0.0, 6.0); (564105.6, 4183330.8, 0.0, 6.0);
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(564205.6, 4183330.8, 0.0, 6.0); (564230.6, 4183330.8, 0.0, 6.0);
(564255.6, 4183330.8, 0.0, 6.0); (564280.6, 4183330.8, 0.0, 6.0);
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(564205.6, 4183355.8, 0.0, 6.0); (564230.6, 4183355.8, 0.0, 6.0);
(564080.6, 4183380.8, 0.0, 6.0); (564105.6, 4183380.8, 0.0, 6.0);
(564130.6, 4183380.8, 0.0, 6.0); (564205.6, 4183380.8, 0.0, 6.0);
(564230.6, 4183380.8, 0.0, 6.0); (564255.6, 4183380.8, 0.0, 6.0);
(564230.6, 4183405.8, 0.0, 6.0); (564255.6, 4183405.8, 0.0, 6.0);
(564280.6, 4183405.8, 0.0, 6.0); (564137.9, 4183424.8, 0.0, 6.0);
(564151.6, 4183418.2, 0.0, 6.0); (564255.6, 4183430.8, 0.0, 6.0);
(564280.6, 4183430.8, 0.0, 6.0); (564655.6, 4183605.8, 0.0, 6.0);
(564355.6, 4183055.8, 0.0, 12.0); (564380.6, 4183055.8, 0.0, 12.0);
(564405.6, 4183055.8, 0.0, 12.0); (564330.6, 4183080.8, 0.0, 12.0);
(564355.6, 4183080.8, 0.0, 12.0); (564380.6, 4183080.8, 0.0, 12.0);
(564405.6, 4183080.8, 0.0, 12.0); (

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    ( 564606.0, 4183070.8,       0.0,      12.0);          (
564355.6, 4183105.8,       0.0,      12.0);
    ( 564381.3, 4183101.5,       0.0,      12.0);          (
564305.6, 4183155.8,       0.0,      12.0);
    ( 564330.6, 4183155.8,       0.0,      12.0);          (
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    ( 564330.6, 4183180.8,       0.0,      12.0);          (
564355.6, 4183180.8,       0.0,      12.0);
    ( 564457.1, 4183184.2,       0.0,      12.0);          (
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    ( 564205.6, 4183205.8,       0.0,      12.0);          (
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    ( 564255.6, 4183205.8,       0.0,      12.0);          (
564280.6, 4183205.8,       0.0,      12.0);
    ( 564305.6, 4183205.8,       0.0,      12.0);          (
564330.6, 4183205.8,       0.0,      12.0);
    ( 564355.6, 4183205.8,       0.0,      12.0);          (
564405.6, 4183205.8,       0.0,      12.0);
    ( 564430.6, 4183205.8,       0.0,      12.0);          (
564455.6, 4183205.8,       0.0,      12.0);
    ( 564480.6, 4183205.8,       0.0,      12.0);          (
564155.6, 4183230.8,       0.0,      12.0);
    ( 564180.6, 4183230.8,       0.0,      12.0);          (
564205.6, 4183230.8,       0.0,      12.0);
    ( 564230.6, 4183230.8,       0.0,      12.0);          (
564280.6, 4183230.8,       0.0,      12.0);
    ( 564305.6, 4183230.8,       0.0,      12.0);          (
564330.6, 4183220.0,       0.0,      12.0);
    ( 564405.6, 4183230.8,       0.0,      12.0);          (
564430.6, 4183230.8,       0.0,      12.0);
    ( 564455.6, 4183230.8,       0.0,      12.0);          (
564480.6, 4183230.8,       0.0,      12.0);
    ( 564105.6, 4183255.8,       0.0,      12.0);          (
564130.6, 4183255.8,       0.0,      12.0);
    ( 564155.6, 4183255.8,       0.0,      12.0);          (
564180.6, 4183255.8,       0.0,      12.0);
    ( 564205.6, 4183255.8,       0.0,      12.0);          (
564230.6, 4183255.8,       0.0,      12.0);
    ( 564255.6, 4183255.8,       0.0,      12.0);          (
564305.6, 4183255.8,       0.0,      12.0);
    ( 564330.6, 4183255.8,       0.0,      12.0);          (
564418.7, 4183257.8,       0.0,      12.0);
    ( 564449.9, 4183248.0,       0.0,      12.0);          (
564055.6, 4183280.8,       0.0,      12.0);
    ( 564080.6, 4183280.8,       0.0,      12.0);          (
564105.6, 4183280.8,       0.0,      12.0);
    ( 564130.6, 4183280.8,       0.0,      12.0);          (
564155.6, 4183280.8,       0.0,      12.0);
    ( 564180.6, 4183280.8,       0.0,      12.0);          (
```

```
564205.6, 4183280.8,       0.0,      12.0);
    ( 564230.6, 4183280.8,       0.0,      12.0);          (
564255.6, 4183280.8,       0.0,      12.0);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564305.6, 4183280.8, 0.0, 12.0); (564330.6, 4183280.8, 0.0, 12.0);
(564055.6, 4183305.8, 0.0, 12.0); (564080.6, 4183305.8, 0.0, 12.0);
(564105.6, 4183305.8, 0.0, 12.0); (564130.6, 4183305.8, 0.0, 12.0);
(564155.6, 4183305.8, 0.0, 12.0); (564180.6, 4183305.8, 0.0, 12.0);
(564205.6, 4183305.8, 0.0, 12.0); (564230.6, 4183305.8, 0.0, 12.0);
(564255.6, 4183305.8, 0.0, 12.0); (564280.6, 4183305.8, 0.0, 12.0);
(564305.6, 4183305.8, 0.0, 12.0); (564330.6, 4183305.8, 0.0, 12.0);
(564350.7, 4183306.3, 0.0, 12.0); (564105.6, 4183330.8, 0.0, 12.0);
(564130.6, 4183330.8, 0.0, 12.0); (564155.6, 4183330.8, 0.0, 12.0);
(564205.6, 4183330.8, 0.0, 12.0); (564230.6, 4183330.8, 0.0, 12.0);
(564255.6, 4183330.8, 0.0, 12.0); (564280.6, 4183330.8, 0.0, 12.0);
(564080.6, 4183355.8, 0.0, 12.0); (564105.6, 4183355.8, 0.0, 12.0);
(564130.6, 4183355.8, 0.0, 12.0); (564155.6, 4183355.8, 0.0, 12.0);
(564205.6, 4183355.8, 0.0, 12.0); (564230.6, 4183355.8, 0.0, 12.0);
(564080.6, 4183380.8, 0.0, 12.0); (564105.6, 4183380.8, 0.0, 12.0);
(564130.6, 4183380.8, 0.0, 12.0); (564205.6, 4183380.8, 0.0, 12.0);
(564230.6, 4183380.8, 0.0, 12.0); (564255.6, 4183380.8, 0.0, 12.0);
(564230.6, 4183405.8, 0.0, 12.0); (

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564255.6, 4183405.8,       0.0,      12.0);
    ( 564280.6, 4183405.8,       0.0,      12.0);          (
564137.9, 4183424.8,       0.0,      12.0);
    ( 564151.6, 4183418.2,       0.0,      12.0);          (
564255.6, 4183430.8,       0.0,      12.0);
    ( 564280.6, 4183430.8,       0.0,      12.0);          (
564655.6, 4183605.8,       0.0,      12.0);
    ( 564355.6, 4183055.8,       0.0,      18.0);          (
564380.6, 4183055.8,       0.0,      18.0);
    ( 564405.6, 4183055.8,       0.0,      18.0);          (
564330.6, 4183080.8,       0.0,      18.0);
    ( 564355.6, 4183080.8,       0.0,      18.0);          (
564380.6, 4183080.8,       0.0,      18.0);
    ( 564405.6, 4183080.8,       0.0,      18.0);          (
564580.6, 4183080.8,       0.0,      18.0);
    ( 564606.0, 4183070.8,       0.0,      18.0);          (
564355.6, 4183105.8,       0.0,      18.0);
    ( 564381.3, 4183101.5,       0.0,      18.0);          (
564305.6, 4183155.8,       0.0,      18.0);
    ( 564330.6, 4183155.8,       0.0,      18.0);          (
564255.6, 4183180.8,       0.0,      18.0);
    ( 564280.6, 4183180.8,       0.0,      18.0);          (
564305.6, 4183180.8,       0.0,      18.0);
    ( 564330.6, 4183180.8,       0.0,      18.0);          (
564355.6, 4183180.8,       0.0,      18.0);
    ( 564457.1, 4183184.2,       0.0,      18.0);          (
564477.1, 4183184.8,       0.0,      18.0);
    ( 564205.6, 4183205.8,       0.0,      18.0);          (
564230.6, 4183205.8,       0.0,      18.0);
    ( 564255.6, 4183205.8,       0.0,      18.0);          (
564280.6, 4183205.8,       0.0,      18.0);
    ( 564305.6, 4183205.8,       0.0,      18.0);          (
564330.6, 4183205.8,       0.0,      18.0);
    ( 564355.6, 4183205.8,       0.0,      18.0);          (
564405.6, 4183205.8,       0.0,      18.0);
    ( 564430.6, 4183205.8,       0.0,      18.0);          (
564455.6, 4183205.8,       0.0,      18.0);
    ( 564480.6, 4183205.8,       0.0,      18.0);          (
564155.6, 4183230.8,       0.0,      18.0);
    ( 564180.6, 4183230.8,       0.0,      18.0);          (
564205.6, 4183230.8,       0.0,      18.0);
    ( 564230.6, 4183230.8,       0.0,      18.0);          (
564280.6, 4183230.8,       0.0,      18.0);
    ( 564305.6, 4183230.8,       0.0,      18.0);          (
564330.6, 4183220.0,       0.0,      18.0);
    ( 564405.6, 4183230.8,       0.0,      18.0);          (
564430.6, 4183230.8,       0.0,      18.0);
    ( 564455.6, 4183230.8,       0.0,      18.0);          (
564480.6, 4183230.8,       0.0,      18.0);
    ( 564105.6, 4183255.8,       0.0,      18.0);          (
564130.6, 4183255.8,       0.0,      18.0);
    ( 564155.6, 4183255.8,       0.0,      18.0);          (
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564180.6, 4183255.8,       0.0,      18.0);
    ( 564205.6, 4183255.8,       0.0,      18.0);          (
564230.6, 4183255.8,       0.0,      18.0);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564255.6, 4183255.8, 0.0, 18.0); (564305.6, 4183255.8, 0.0, 18.0);
(564330.6, 4183255.8, 0.0, 18.0); (564418.7, 4183257.8, 0.0, 18.0);
(564449.9, 4183248.0, 0.0, 18.0); (564055.6, 4183280.8, 0.0, 18.0);
(564080.6, 4183280.8, 0.0, 18.0); (564105.6, 4183280.8, 0.0, 18.0);
(564130.6, 4183280.8, 0.0, 18.0); (564155.6, 4183280.8, 0.0, 18.0);
(564180.6, 4183280.8, 0.0, 18.0); (564205.6, 4183280.8, 0.0, 18.0);
(564230.6, 4183280.8, 0.0, 18.0); (564255.6, 4183280.8, 0.0, 18.0);
(564305.6, 4183280.8, 0.0, 18.0); (564330.6, 4183280.8, 0.0, 18.0);
(564055.6, 4183305.8, 0.0, 18.0); (564080.6, 4183305.8, 0.0, 18.0);
(564105.6, 4183305.8, 0.0, 18.0); (564130.6, 4183305.8, 0.0, 18.0);
(564155.6, 4183305.8, 0.0, 18.0); (564180.6, 4183305.8, 0.0, 18.0);
(564205.6, 4183305.8, 0.0, 18.0); (564230.6, 4183305.8, 0.0, 18.0);
(564255.6, 4183305.8, 0.0, 18.0); (564280.6, 4183305.8, 0.0, 18.0);
(564305.6, 4183305.8, 0.0, 18.0); (564330.6, 4183305.8, 0.0, 18.0);
(564350.7, 4183306.3, 0.0, 18.0); (564105.6, 4183330.8, 0.0, 18.0);
(564130.6, 4183330.8, 0.0, 18.0); (564155.6, 4183330.8, 0.0, 18.0);
(564205.6, 4183330.8, 0.0, 18.0); (564230.6, 4183330.8, 0.0, 18.0);
(564255.6, 4183330.8, 0.0, 18.0); (

```
564280.6, 4183330.8,       0.0,      18.0);
    ( 564080.6, 4183355.8,       0.0,      18.0);          (
564105.6, 4183355.8,       0.0,      18.0);
    ( 564130.6, 4183355.8,       0.0,      18.0);          (
564155.6, 4183355.8,       0.0,      18.0);
    ( 564205.6, 4183355.8,       0.0,      18.0);          (
564230.6, 4183355.8,       0.0,      18.0);
    ( 564080.6, 4183380.8,       0.0,      18.0);          (
564105.6, 4183380.8,       0.0,      18.0);
    ( 564130.6, 4183380.8,       0.0,      18.0);          (
564205.6, 4183380.8,       0.0,      18.0);
    ( 564230.6, 4183380.8,       0.0,      18.0);          (
564255.6, 4183380.8,       0.0,      18.0);
    ( 564230.6, 4183405.8,       0.0,      18.0);          (
564255.6, 4183405.8,       0.0,      18.0);
    ( 564280.6, 4183405.8,       0.0,      18.0);          (
564137.9, 4183424.8,       0.0,      18.0);
    ( 564151.6, 4183418.2,       0.0,      18.0);          (
564255.6, 4183430.8,       0.0,      18.0);
    ( 564280.6, 4183430.8,       0.0,      18.0);          (
564655.6, 4183605.8,       0.0,      18.0);
    ( 564228.1, 4183369.8,       0.0,      18.0);          (
564430.1, 4183487.0,       0.0,      18.0);
    ( 564455.1, 4183487.0,       0.0,      18.0);          (
564480.1, 4183487.0,       0.0,      18.0);
    ( 564405.9, 4183508.0,       0.0,      18.0);          (
564430.1, 4183512.0,       0.0,      18.0);
    ( 564455.1, 4183512.0,       0.0,      18.0);          (
564480.1, 4183512.0,       0.0,      18.0);
    ( 564505.1, 4183512.0,       0.0,      18.0);          (
564430.1, 4183537.0,       0.0,      18.0);
    ( 564455.1, 4183537.0,       0.0,      18.0);          (
564228.1, 4183369.8,       0.0,       1.5);
    ( 564430.1, 4183487.0,       0.0,       1.5);          (
564455.1, 4183487.0,       0.0,       1.5);
    ( 564480.1, 4183487.0,       0.0,       1.5);          (
564405.9, 4183508.0,       0.0,       1.5);
    ( 564430.1, 4183512.0,       0.0,       1.5);          (
564455.1, 4183512.0,       0.0,       1.5);
    ( 564480.1, 4183512.0,       0.0,       1.5);          (
564505.1, 4183512.0,       0.0,       1.5);
    ( 564430.1, 4183537.0,       0.0,       1.5);          (
564455.1, 4183537.0,       0.0,       1.5);
    ( 564228.1, 4183369.8,       0.0,       6.0);          (
564430.1, 4183487.0,       0.0,       6.0);
    ( 564455.1, 4183487.0,       0.0,       6.0);          (
564480.1, 4183487.0,       0.0,       6.0);
    ( 564405.9, 4183508.0,       0.0,       6.0);          (
564430.1, 4183512.0,       0.0,       6.0);
    ( 564455.1, 4183512.0,       0.0,       6.0);          (
564480.1, 4183512.0,       0.0,       6.0);
    ( 564505.1, 4183512.0,       0.0,       6.0);          (
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564430.1, 4183537.0,       0.0,       6.0);
    ( 564455.1, 4183537.0,       0.0,       6.0);          (
564228.1, 4183369.8,       0.0,      12.0);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564430.1, 4183487.0, 0.0, 12.0); (564455.1, 4183487.0, 0.0, 12.0);
(564480.1, 4183487.0, 0.0, 12.0); (564405.9, 4183508.0, 0.0, 12.0);
(564430.1, 4183512.0, 0.0, 12.0); (564455.1, 4183512.0, 0.0, 12.0);
(564480.1, 4183512.0, 0.0, 12.0); (564505.1, 4183512.0, 0.0, 12.0);
(564430.1, 4183537.0, 0.0, 12.0); (564455.1, 4183537.0, 0.0, 12.0);
(564455.1, 4183462.0, 0.0, 1.5); (564480.1, 4183462.0, 0.0, 1.5);
(564455.1, 4183462.0, 0.0, 6.0); (564480.1, 4183462.0, 0.0, 6.0);
(564455.1, 4183462.0, 0.0, 12.0); (564480.1, 4183462.0, 0.0, 12.0);
(564455.1, 4183462.0, 0.0, 18.0); (564480.1, 4183462.0, 0.0, 18.0);
(564535.5, 4183432.2, 0.0, 18.0); (564560.5, 4183432.2, 0.0, 18.0);
(564585.5, 4183432.2, 0.0, 18.0); (564511.3, 4183453.3, 0.0, 18.0);
(564535.5, 4183457.2, 0.0, 18.0); (564560.5, 4183457.2, 0.0, 18.0);
(564585.5, 4183457.2, 0.0, 18.0); (564610.5, 4183457.2, 0.0, 18.0);
(564535.5, 4183482.2, 0.0, 18.0); (564560.5, 4183482.2, 0.0, 18.0);
(564535.5, 4183432.2, 0.0, 1.5); (564560.5, 4183432.2, 0.0, 1.5);
(564585.5, 4183432.2, 0.0, 1.5); (564511.3, 4183453.3, 0.0, 1.5);
(564535.5, 4183457.2, 0.0, 1.5); (564560.5, 4183457.2, 0.0, 1.5);
(564585.5, 4183457.2, 0.0, 1.5); (

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564610.5, 4183457.2,       0.0,       1.5);
    ( 564535.5, 4183482.2,       0.0,       1.5);          (
564560.5, 4183482.2,       0.0,       1.5);
    ( 564535.5, 4183432.2,       0.0,       6.0);          (
564560.5, 4183432.2,       0.0,       6.0);
    ( 564585.5, 4183432.2,       0.0,       6.0);          (
564511.3, 4183453.3,       0.0,       6.0);
    ( 564535.5, 4183457.2,       0.0,       6.0);          (
564560.5, 4183457.2,       0.0,       6.0);
    ( 564585.5, 4183457.2,       0.0,       6.0);          (
564610.5, 4183457.2,       0.0,       6.0);
    ( 564535.5, 4183482.2,       0.0,       6.0);          (
564560.5, 4183482.2,       0.0,       6.0);
    ( 564535.5, 4183432.2,       0.0,      12.0);          (
564560.5, 4183432.2,       0.0,      12.0);
    ( 564585.5, 4183432.2,       0.0,      12.0);          (
564511.3, 4183453.3,       0.0,      12.0);
    ( 564535.5, 4183457.2,       0.0,      12.0);          (
564560.5, 4183457.2,       0.0,      12.0);
    ( 564585.5, 4183457.2,       0.0,      12.0);          (
564610.5, 4183457.2,       0.0,      12.0);
    ( 564535.5, 4183482.2,       0.0,      12.0);          (
564560.5, 4183482.2,       0.0,      12.0);
    ( 564560.5, 4183407.2,       0.0,       1.5);          (
564585.5, 4183407.2,       0.0,       1.5);
    ( 564560.5, 4183407.2,       0.0,       6.0);          (
564585.5, 4183407.2,       0.0,       6.0);
    ( 564560.5, 4183407.2,       0.0,      12.0);          (
564585.5, 4183407.2,       0.0,      12.0);
    ( 564560.5, 4183407.2,       0.0,      18.0);          (
564585.5, 4183407.2,       0.0,      18.0);
    ( 564640.9, 4183386.2,       0.0,      18.0);          (
564665.9, 4183386.2,       0.0,      18.0);
    ( 564616.8, 4183407.2,       0.0,      18.0);          (
564640.9, 4183411.2,       0.0,      18.0);
    ( 564665.9, 4183411.2,       0.0,      18.0);          (
564640.9, 4183436.2,       0.0,      18.0);
    ( 564665.9, 4183436.2,       0.0,      18.0);          (
564640.9, 4183386.2,       0.0,       1.5);
    ( 564665.9, 4183386.2,       0.0,       1.5);          (
564616.8, 4183407.2,       0.0,       1.5);
    ( 564640.9, 4183411.2,       0.0,       1.5);          (
564665.9, 4183411.2,       0.0,       1.5);
    ( 564640.9, 4183436.2,       0.0,       1.5);          (
564665.9, 4183436.2,       0.0,       1.5);
    ( 564640.9, 4183386.2,       0.0,       6.0);          (
564665.9, 4183386.2,       0.0,       6.0);
    ( 564616.8, 4183407.2,       0.0,       6.0);          (
564640.9, 4183411.2,       0.0,       6.0);
    ( 564665.9, 4183411.2,       0.0,       6.0);          (
564640.9, 4183436.2,       0.0,       6.0);
    ( 564665.9, 4183436.2,       0.0,       6.0);          (
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564640.9, 4183386.2,       0.0,      12.0);
    ( 564665.9, 4183386.2,       0.0,      12.0);          (
564616.8, 4183407.2,       0.0,      12.0);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564640.9, 4183411.2, 0.0, 12.0); (564665.9, 4183411.2, 0.0, 12.0);
(564640.9, 4183436.2, 0.0, 12.0); (564665.9, 4183436.2, 0.0, 12.0);
(564665.9, 4183361.2, 0.0, 1.5); (564665.9, 4183361.2, 0.0, 6.0);
(564665.9, 4183361.2, 0.0, 12.0); (564665.9, 4183361.2, 0.0, 18.0);
(564468.4, 4183565.2, 0.0, 18.0); (564493.4, 4183565.2, 0.0, 18.0);
(564518.4, 4183565.2, 0.0, 18.0); (564444.2, 4183586.3, 0.0, 18.0);
(564468.4, 4183590.2, 0.0, 18.0); (564493.4, 4183590.2, 0.0, 18.0);
(564518.4, 4183590.2, 0.0, 18.0); (564543.4, 4183590.2, 0.0, 18.0);
(564468.4, 4183565.2, 0.0, 1.5); (564493.4, 4183565.2, 0.0, 1.5);
(564518.4, 4183565.2, 0.0, 1.5); (564444.2, 4183586.3, 0.0, 1.5);
(564468.4, 4183590.2, 0.0, 1.5); (564493.4, 4183590.2, 0.0, 1.5);
(564518.4, 4183590.2, 0.0, 1.5); (564543.4, 4183590.2, 0.0, 1.5);
(564468.4, 4183565.2, 0.0, 6.0); (564493.4, 4183565.2, 0.0, 6.0);
(564518.4, 4183565.2, 0.0, 6.0); (564444.2, 4183586.3, 0.0, 6.0);
(564468.4, 4183590.2, 0.0, 6.0); (564493.4, 4183590.2, 0.0, 6.0);
(564518.4, 4183590.2, 0.0, 6.0); (564543.4, 4183590.2, 0.0, 6.0);
(564468.4, 4183565.2, 0.0, 12.0); (564493.4, 4183565.2, 0.0, 12.0);
(564518.4, 4183565.2, 0.0, 12.0); (

```
564444.2, 4183586.3,       0.0,      12.0);
    ( 564468.4, 4183590.2,       0.0,      12.0);          (
564493.4, 4183590.2,       0.0,      12.0);
    ( 564518.4, 4183590.2,       0.0,      12.0);          (
564543.4, 4183590.2,       0.0,      12.0);
    ( 564493.4, 4183540.2,       0.0,       1.5);          (
564518.4, 4183540.2,       0.0,       1.5);
    ( 564493.4, 4183540.2,       0.0,       6.0);          (
564518.4, 4183540.2,       0.0,       6.0);
    ( 564493.4, 4183540.2,       0.0,      12.0);          (
564518.4, 4183540.2,       0.0,      12.0);
    ( 564493.4, 4183540.2,       0.0,      18.0);          (
564518.4, 4183540.2,       0.0,      18.0);
    ( 564315.4, 4183535.3,       0.0,      18.0);          (
564340.4, 4183535.3,       0.0,      18.0);
    ( 564365.4, 4183535.3,       0.0,      18.0);          (
564291.2, 4183556.2,       0.0,      18.0);
    ( 564315.4, 4183560.2,       0.0,      18.0);          (
564340.4, 4183560.2,       0.0,      18.0);
    ( 564365.4, 4183560.2,       0.0,      18.0);          (
564390.4, 4183560.2,       0.0,      18.0);
    ( 564315.4, 4183585.2,       0.0,      18.0);          (
564340.4, 4183585.2,       0.0,      18.0);
    ( 564315.4, 4183535.3,       0.0,       1.5);          (
564340.4, 4183535.3,       0.0,       1.5);
    ( 564365.4, 4183535.3,       0.0,       1.5);          (
564291.2, 4183556.2,       0.0,       1.5);
    ( 564315.4, 4183560.2,       0.0,       1.5);          (
564340.4, 4183560.2,       0.0,       1.5);
    ( 564365.4, 4183560.2,       0.0,       1.5);          (
564390.4, 4183560.2,       0.0,       1.5);
    ( 564315.4, 4183585.2,       0.0,       1.5);          (
564340.4, 4183585.2,       0.0,       1.5);
    ( 564315.4, 4183535.3,       0.0,       6.0);          (
564340.4, 4183535.3,       0.0,       6.0);
    ( 564365.4, 4183535.3,       0.0,       6.0);          (
564291.2, 4183556.2,       0.0,       6.0);
    ( 564315.4, 4183560.2,       0.0,       6.0);          (
564340.4, 4183560.2,       0.0,       6.0);
    ( 564365.4, 4183560.2,       0.0,       6.0);          (
564390.4, 4183560.2,       0.0,       6.0);
    ( 564315.4, 4183585.2,       0.0,       6.0);          (
564340.4, 4183585.2,       0.0,       6.0);
    ( 564315.4, 4183535.3,       0.0,      12.0);          (
564340.4, 4183535.3,       0.0,      12.0);
    ( 564365.4, 4183535.3,       0.0,      12.0);          (
564291.2, 4183556.2,       0.0,      12.0);
    ( 564315.4, 4183560.2,       0.0,      12.0);          (
564340.4, 4183560.2,       0.0,      12.0);
    ( 564365.4, 4183560.2,       0.0,      12.0);          (
564390.4, 4183560.2,       0.0,      12.0);
    ( 564315.4, 4183585.2,       0.0,      12.0);          (
```

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564340.4, 4183585.2,       0.0,      12.0);
    ( 564340.4, 4183510.3,       0.0,       1.5);          (
564365.4, 4183510.3,       0.0,       1.5);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564340.4, 4183510.3, 0.0, 6.0); (564365.4, 4183510.3, 0.0, 6.0);
(564340.4, 4183510.3, 0.0, 12.0); (564365.4, 4183510.3, 0.0, 12.0);
(564340.4, 4183510.3, 0.0, 18.0); (564365.4, 4183510.3, 0.0, 18.0);
(564377.7, 4183594.8, 0.0, 18.0); (564402.7, 4183594.8, 0.0, 18.0);
(564427.7, 4183594.8, 0.0, 18.0); (564377.7, 4183594.8, 0.0, 1.5);
(564402.7, 4183594.8, 0.0, 1.5); (564427.7, 4183594.8, 0.0, 1.5);
(564377.7, 4183594.8, 0.0, 6.0); (564402.7, 4183594.8, 0.0, 6.0);
(564427.7, 4183594.8, 0.0, 6.0); (564377.7, 4183594.8, 0.0, 12.0);
(564402.7, 4183594.8, 0.0, 12.0); (564427.7, 4183594.8, 0.0, 12.0);
(564403.8, 4183580.8, 0.0, 1.5); (564402.4, 4183608.0, 0.0, 1.5);
(564403.8, 4183580.8, 0.0, 6.0); (564402.4, 4183608.0, 0.0, 6.0);
(564403.8, 4183580.8, 0.0, 12.0); (564402.4, 4183608.0, 0.0, 12.0);
(564403.8, 4183580.8, 0.0, 18.0); (564402.4, 4183608.0, 0.0, 18.0);
(564428.9, 4183607.8, 0.0, 1.5); (564428.9, 4183607.8, 0.0, 6.0);
(564428.9, 4183607.8, 0.0, 12.0); (564428.9, 4183607.8, 0.0, 18.0);
(564376.3, 4183608.5, 0.0, 1.5); (564376.3, 4183608.5, 0.0, 6.0);
(564376.3, 4183608.5, 0.0, 12.0); (564376.3, 4183608.5, 0.0, 18.0);
(564487.0, 4183607.0, 0.0, 1.5); (

```
564487.0, 4183607.0,       0.0,       6.0);
    ( 564487.0, 4183607.0,       0.0,      12.0);          (
564487.0, 4183607.0,       0.0,      18.0);
    ( 564513.5, 4183606.8,       0.0,       1.5);          (
564513.5, 4183606.8,       0.0,       6.0);
    ( 564513.5, 4183606.8,       0.0,      12.0);          (
564513.5, 4183606.8,       0.0,      18.0);
    ( 564460.9, 4183607.5,       0.0,       1.5);          (
564460.9, 4183607.5,       0.0,       6.0);
    ( 564460.9, 4183607.5,       0.0,      12.0);          (
564460.9, 4183607.5,       0.0,      18.0);
    ( 564544.0, 4183565.0,       0.0,       1.5);          (
564544.0, 4183565.0,       0.0,       6.0);
    ( 564544.0, 4183565.0,       0.0,      12.0);          (
564544.0, 4183565.0,       0.0,      18.0);
    ( 564100.6, 4183062.0,       0.0,       1.5);          (
564100.6, 4183112.0,       0.0,       1.5);
    ( 564126.4, 4183107.8,       0.0,       1.5);          (
564100.6, 4183062.0,       0.0,       6.0);
    ( 564125.6, 4183062.0,       0.0,       6.0);          (
564150.6, 4183062.0,       0.0,       6.0);
    ( 564075.6, 4183087.0,       0.0,       6.0);          (
564100.6, 4183087.0,       0.0,       6.0);
    ( 564125.6, 4183087.0,       0.0,       6.0);          (
564150.6, 4183087.0,       0.0,       6.0);
    ( 564100.6, 4183112.0,       0.0,       6.0);          (
564126.4, 4183107.8,       0.0,       6.0);
    ( 564125.6, 4183062.0,       0.0,       1.5);          (
564100.6, 4183062.0,       0.0,      12.0);
    ( 564125.6, 4183062.0,       0.0,      12.0);          (
564150.6, 4183062.0,       0.0,      12.0);
    ( 564075.6, 4183087.0,       0.0,      12.0);          (
564100.6, 4183087.0,       0.0,      12.0);
    ( 564125.6, 4183087.0,       0.0,      12.0);          (
564150.6, 4183087.0,       0.0,      12.0);
    ( 564100.6, 4183112.0,       0.0,      12.0);          (
564126.4, 4183107.8,       0.0,      12.0);
    ( 564150.6, 4183062.0,       0.0,       1.5);          (
564100.6, 4183062.0,       0.0,      18.0);
    ( 564125.6, 4183062.0,       0.0,      18.0);          (
564150.6, 4183062.0,       0.0,      18.0);
    ( 564075.6, 4183087.0,       0.0,      18.0);          (
564100.6, 4183087.0,       0.0,      18.0);
    ( 564125.6, 4183087.0,       0.0,      18.0);          (
564150.6, 4183087.0,       0.0,      18.0);
    ( 564100.6, 4183112.0,       0.0,      18.0);          (
564126.4, 4183107.8,       0.0,      18.0);
    ( 564075.6, 4183087.0,       0.0,       1.5);          (
564100.6, 4183087.0,       0.0,       1.5);
    ( 564125.6, 4183087.0,       0.0,       1.5);          (
564150.6, 4183087.0,       0.0,       1.5);
    ( 564189.3, 4183019.5,       0.0,       1.5);          (
```

```
564189.3, 4183069.5,       0.0,       1.5);
    ( 564215.1, 4183065.5,       0.0,       1.5);         (
564189.3, 4183019.5,       0.0,       6.0);
```

CONC URBAN FLAT FLGPOL DFAULT

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZFLAG)

(METERS)

(564214.3, 4183019.5, 0.0, 6.0); (564239.3, 4183019.5, 0.0, 6.0);
(564164.3, 4183044.5, 0.0, 6.0); (564189.3, 4183044.5, 0.0, 6.0);
(564214.3, 4183044.5, 0.0, 6.0); (564239.3, 4183044.5, 0.0, 6.0);
(564189.3, 4183069.5, 0.0, 6.0); (564215.1, 4183065.5, 0.0, 6.0);
(564214.3, 4183019.5, 0.0, 1.5); (564189.3, 4183019.5, 0.0, 12.0);
(564214.3, 4183019.5, 0.0, 12.0); (564239.3, 4183019.5, 0.0, 12.0);
(564164.3, 4183044.5, 0.0, 12.0); (564189.3, 4183044.5, 0.0, 12.0);
(564214.3, 4183044.5, 0.0, 12.0); (564239.3, 4183044.5, 0.0, 12.0);
(564189.3, 4183069.5, 0.0, 12.0); (564215.1, 4183065.5, 0.0, 12.0);
(564239.3, 4183019.5, 0.0, 1.5); (564189.3, 4183019.5, 0.0, 18.0);
(564214.3, 4183019.5, 0.0, 18.0); (564239.3, 4183019.5, 0.0, 18.0);
(564164.3, 4183044.5, 0.0, 18.0); (564189.3, 4183044.5, 0.0, 18.0);
(564214.3, 4183044.5, 0.0, 18.0); (564239.3, 4183044.5, 0.0, 18.0);
(564189.3, 4183069.5, 0.0, 18.0); (564215.1, 4183065.5, 0.0, 18.0);
(564164.3, 4183044.5, 0.0, 1.5); (564189.3, 4183044.5, 0.0, 1.5);
(564214.3, 4183044.5, 0.0, 1.5); (564239.3, 4183044.5, 0.0, 1.5);
(564092.5, 4183044.0, 0.0, 1.5); (564118.2, 4183039.8, 0.0, 1.5);
(564067.5, 4183019.0, 0.0, 6.0); (

```
564092.5, 4183019.0,       0.0,       6.0);
    ( 564117.5, 4183019.0,       0.0,       6.0);          (
564142.5, 4183019.0,       0.0,       6.0);
    ( 564092.5, 4183044.0,       0.0,       6.0);          (
564118.2, 4183039.8,       0.0,       6.0);
    ( 564067.5, 4183019.0,       0.0,      12.0);          (
564092.5, 4183019.0,       0.0,      12.0);
    ( 564117.5, 4183019.0,       0.0,      12.0);          (
564142.5, 4183019.0,       0.0,      12.0);
    ( 564092.5, 4183044.0,       0.0,      12.0);          (
564118.2, 4183039.8,       0.0,      12.0);
    ( 564067.5, 4183019.0,       0.0,      18.0);          (
564092.5, 4183019.0,       0.0,      18.0);
    ( 564117.5, 4183019.0,       0.0,      18.0);          (
564142.5, 4183019.0,       0.0,      18.0);
    ( 564092.5, 4183044.0,       0.0,      18.0);          (
564118.2, 4183039.8,       0.0,      18.0);
    ( 564067.5, 4183019.0,       0.0,       1.5);          (
564092.5, 4183019.0,       0.0,       1.5);
    ( 564117.5, 4183019.0,       0.0,       1.5);          (
564142.5, 4183019.0,       0.0,       1.5);
    ( 564326.4, 4183232.8,       0.0,     100.0);          (
564363.4, 4183310.5,       0.0,     100.0);
    ( 564315.3, 4183332.8,       0.0,     100.0);          (
564350.9, 4183407.5,       0.0,     100.0);
    ( 564447.8, 4183358.8,       0.0,     100.0);          (
564375.9, 4183209.2,       0.0,     100.0);
```

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***
(1 =YES; 0=NO)

```
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1  1 1 1 1 1
1 1 1 1 1   1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1  1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***
(METERS/SEC)

1.54,   3.09,   5.14,   8.23, 10.80,

*** WIND PROFILE EXPONENTS ***

STABILITY   WIND SPEED CATEGORY
CATEGORY   1   2   3

4	5	6	
	A	.15000E+00	.15000E+00
.15000E+00	.15000E+00	.15000E+00	.15000E+00
	B	.15000E+00	.15000E+00
.15000E+00	.15000E+00	.15000E+00	.15000E+00
	C	.20000E+00	.20000E+00
.20000E+00	.20000E+00	.20000E+00	.20000E+00
	D	.25000E+00	.25000E+00
.25000E+00	.25000E+00	.25000E+00	.25000E+00
	E	.30000E+00	.30000E+00
.30000E+00	.30000E+00	.30000E+00	.30000E+00
	F	.30000E+00	.30000E+00
.30000E+00	.30000E+00	.30000E+00	.30000E+00

*** VERTICAL POTENTIAL TEMPERATURE GRADIENTS *** (DEGREES KELVIN PER METER)

STABILITY CATEGORY		WIND SPEED CATEGORY	
4	5	6	
	A	.00000E+00	.00000E+00
.00000E+00	.00000E+00	.00000E+00	.00000E+00
	B	.00000E+00	.00000E+00
.00000E+00	.00000E+00	.00000E+00	.00000E+00
	C	.00000E+00	.00000E+00
.00000E+00	.00000E+00	.00000E+00	.00000E+00
	D	.00000E+00	.00000E+00
.00000E+00	.00000E+00	.00000E+00	.00000E+00
	E	.20000E-01	.20000E-01
.20000E-01	.20000E-01	.20000E-01	.20000E-01
	F	.35000E-01	.35000E-01
.35000E-01	.35000E-01	.35000E-01	.35000E-01

CATEGORY	1	2	3

CONC URBAN FLAT FLGPOL DFAULT

*** THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

FILE: OST003RA.ASC
FORMAT: (4I2,2F9.4,F6.1,I2,2F7.1,f9.4,f10.1,f8.4,i4,f7.2)
SURFACE STATION NO.: 1804 UPPER AIR STATION NO.: 1804
NAME: UNKNOWN NAME: UNKNOWN
YEAR: 2000 YEAR: 2000

YR	MN	DY	HR	FLOW VECTOR	SPEED (M/S)	TEMP (K)	STAB CLASS	MIXING HEIGHT (M) RURAL	MIXING HEIGHT (M) URBAN	USTAR (M/S)	M-O LENGTH (M)	Z-0 (M)	IPCODE	PRATE (mm/HR)
00	01	01	01	3.0	2.55	283.5	4	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	02	355.0	1.83	283.3	5	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	03	94.5	1.97	283.2	6	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	04	152.6	3.89	282.3	5	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	05	164.1	4.47	281.8	4	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	06	172.0	5.01	281.9	4	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	07	178.7	2.73	282.0	4	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	08	148.7	2.19	282.0	4	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	09	133.5	2.37	281.8	4	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	10	153.8	1.92	282.0	3	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	11	351.9	1.25	282.8	2	300.0	300.0	0.0000	0.0	0.0000	0	0.00
00	01	01	12	53.1	2.15	283.1	1	300.0	300.0	0.0000				

```
0.0  0.0000   0   0.00
00 01 01 13  112.2   2.59  282.9   2     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 14  127.9   1.92  283.3   3     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 15  104.2   1.70  284.3   2     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 16  125.0   7.29  284.5   3     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 17  119.0   8.72  284.6   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 18  126.9   7.64  284.0   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 19  130.0   6.97  283.8   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 20  124.8   5.99  283.6   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 21  111.9   5.50  283.4   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 22  126.9   5.10  283.0   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 23  133.0   6.44  282.8   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00
00 01 01 24  155.4   4.74  282.3   4     300.0   300.0    0.0000
0.0  0.0000   0   0.00


*** NOTES:  STABILITY CLASS 1=A, 2=B, 3=C, 4=D, 5=E AND 6=F.
            FLOW VECTOR IS DIRECTION TOWARD WHICH WIND IS
BLOWING.
```

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564355.56	4183055.75	11.17569	(00122423)
564380.56	4183055.75	10.92934	(00052106)
564405.56	4183055.75	10.31686	(00091703)
564330.56	4183080.75	12.69505	(00093023)
564355.56	4183080.75	12.83656	(00122423)
564380.56	4183080.75	12.51833	(00052106)
564405.56	4183080.75	11.64528	(00111905)
564580.56	4183080.75	5.98780	(00121101)
564606.00	4183070.75	5.48754	(00121922)
564355.56	4183105.75	14.83189	(00122423)
564381.31	4183101.50	14.04469	(00091804)
564305.56	4183155.75	17.43702	(00081604)
564330.56	4183155.75	19.26704	(00101705)
564255.56	4183180.75	12.37182	(00090505)
564280.56	4183180.75	15.82740	(00010705)
564305.56	4183180.75	19.35524	(00111722)
564330.56	4183180.75	21.48652	(00122223)
564355.56	4183180.75	22.96678	(00093006)
564457.06	4183184.25	12.03368	(00020824)
564477.13	4183184.75	11.15571	(00092924)
564205.56	4183205.75	7.83518	(00012102)
564230.56	4183205.75	9.32654	(00112723)
564255.56	4183205.75	11.49951	(00081605)
564280.56	4183205.75	15.02118	(00090505)
564305.56	4183205.75	20.21033	(00122024)
564330.56	4183205.75	22.57402	(00081604)
564355.56	4183205.75	22.87087	(00093006)

564405.56   4183205.75   18.67960 (00121705)
       564430.56   4183205.75   14.77454 (00113002)
564455.56   4183205.75   13.13935 (00021807)
       564480.56   4183205.75   12.16562 (00112402)
564155.56   4183230.75   7.11406 (00092504)
       564180.56   4183230.75   7.73752 (00122003)
564205.56   4183230.75   8.33254 (00111803)
       564230.56   4183230.75   8.99478 (00110402)
564280.56   4183230.75   12.44722 (00032807)
       564305.56   4183230.75   16.64934 (00101607)
564330.56   4183220.00   21.75573 (00012020)
       564405.56   4183230.75   18.54051 (00110202)
564430.56   4183230.75   15.71907 (00112401)
       564455.56   4183230.75   15.05320 (00031505)
564480.56   4183230.75   13.74546 (00121922)
       564105.56   4183255.75   6.12110 (00032807)
564130.56   4183255.75   6.89877 (00032807)
       564155.56   4183255.75   7.56679 (00012102)
564180.56   4183255.75   8.38203 (00042005)
       564205.56   4183255.75   9.17798 (00092504)
564230.56   4183255.75   10.01752 (00111803)
       564255.56   4183255.75   10.72104 (00110402)
564305.56   4183255.75   12.93644 (00112004)
       564330.56   4183255.75   16.95445 (00081606)
564418.69   4183257.75   17.88616 (00020603)
       564449.88   4183248.00   16.95509 (00112402)
564055.56   4183280.75   5.42107 (00052107)
       564080.56   4183280.75   5.92641 (00052107)
564105.56   4183280.75   6.55147 (00011207)
       564130.56   4183280.75   7.27032 (00052006)
564155.56   4183280.75   7.94806 (00052006)
       564180.56   4183280.75   9.04756 (00032807)
564205.56   4183280.75   10.11499 (00012102)
       564230.56   4183280.75   11.35656 (00112723)
564255.56   4183280.75   12.36514 (00122003)
       564305.56   4183280.75   13.63853 (00112004)
564330.56   4183280.75   14.01483 (00090505)
       564055.56   4183305.75   5.53117 (00010704)
564080.56   4183305.75   6.12088 (00010704)
       564105.56   4183305.75   6.79459 (00092323)
564130.56   4183305.75   7.60457 (00011208)
       564155.56   4183305.75   8.56943 (00052107)
564180.56   4183305.75   9.75127 (00052107)
       564205.56   4183305.75   11.20859 (00090702)
564230.56   4183305.75   12.73778 (00052006)
       564255.56   4183305.75   14.53362 (00032807)
564280.56   4183305.75   15.66621 (00012102)
       564305.56   4183305.75   16.07894 (00042005)
564330.56   4183305.75   15.41505 (00092504)
       564350.69   4183306.25   13.47200 (00111803)
564105.56   4183330.75   6.97743 (00090504)
       564130.56   4183330.75   7.85491 (00090504)

564155.56 4183330.75 8.91680 (00111907)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL *** INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564205.56	4183330.75	11.94680	(00090706)
564230.56	4183330.75	13.96054	(00090706)
564255.56	4183330.75	16.49151	(00010704)
564280.56	4183330.75	18.84205	(00092323)
564080.56	4183355.75	6.33125	(00060104)
564105.56	4183355.75	7.07820	(00060104)
564130.56	4183355.75	7.99052	(00060104)
564155.56	4183355.75	9.11488	(00060104)
564205.56	4183355.75	12.20889	(00123101)
564230.56	4183355.75	14.28615	(00123101)
564080.56	4183380.75	6.34150	(00103108)
564105.56	4183380.75	7.09553	(00103108)
564130.56	4183380.75	7.99622	(00090703)
564205.56	4183380.75	11.92255	(00011204)
564230.56	4183380.75	13.83676	(00112805)
564255.56	4183380.75	15.78590	(00102406)
564230.56	4183405.75	13.06621	(00022404)
564255.56	4183405.75	14.78535	(00090404)
564280.56	4183405.75	16.58735	(00020604)
564137.94	4183424.75	7.97271	(00122102)
564151.62	4183418.25	8.58104	(00110403)
564255.56	4183430.75	13.82516	(00121222)
564280.56	4183430.75	15.63803	(00103107)
564655.56	4183605.75	5.08694	(00092405)
564355.56	4183055.75	10.53126	(00122423)
564380.56	4183055.75	10.30349	(00052106)
564405.56	4183055.75	9.73889	(00091703)

564330.56   4183080.75   11.83304 (00093023)
       564355.56   4183080.75   11.94373 (00122423)
564380.56   4183080.75   11.65927 (00052106)
       564405.56   4183080.75   10.87252 (00121102)
564580.56   4183080.75   5.77026 (00121101)
       564606.00   4183070.75   5.31112 (00121922)
564355.56   4183105.75   13.56818 (00122423)
       564381.31   4183101.50   12.89447 (00052106)
564305.56   4183155.75   15.47805 (00081604)
       564330.56   4183155.75   16.97948 (00101705)
564255.56   4183180.75   11.04552 (00101607)
       564280.56   4183180.75   13.93433 (00010705)
564305.56   4183180.75   16.96118 (00111722)
       564330.56   4183180.75   18.99846 (00122223)
564355.56   4183180.75   20.84763 (00093006)
       564457.06   4183184.25   10.87737 (00020824)
564477.13   4183184.75   10.18902 (00092924)
       564205.56   4183205.75   7.32333 (00112004)
564230.56   4183205.75   8.36009 (00122304)
       564255.56   4183205.75   10.10339 (00111803)
564280.56   4183205.75   13.06744 (00090505)
       564305.56   4183205.75   18.28782 (00122024)
564330.56   4183205.75   22.44127 (00081604)
       564355.56   4183205.75   26.00222 (00110407)
564405.56   4183205.75   16.71387 (00110202)
       564430.56   4183205.75   12.97781 (00112401)
564455.56   4183205.75   11.70558 (00021807)
       564480.56   4183205.75   10.98277 (00112402)
564155.56   4183230.75   6.73675 (00092504)
       564180.56   4183230.75   7.26532 (00122003)
564205.56   4183230.75   7.74773 (00111803)
       564230.56   4183230.75   8.25755 (00110402)
564280.56   4183230.75   10.71394 (00032807)
       564305.56   4183230.75   15.39788 (00091801)
564330.56   4183220.00   26.13186 (00012020)
       564405.56   4183230.75   18.32651 (00052101)
564430.56   4183230.75   13.65401 (00112401)
       564455.56   4183230.75   13.14009 (00031505)
564480.56   4183230.75   12.18564 (00121922)
       564105.56   4183255.75   5.85724 (00032807)
564130.56   4183255.75   6.56043 (00032807)
       564155.56   4183255.75   7.13473 (00012102)
564180.56   4183255.75   7.82636 (00042005)
       564205.56   4183255.75   8.46479 (00092504)
564230.56   4183255.75   9.08907 (00111803)
       564255.56   4183255.75   9.55021 (00112004)
564305.56   4183255.75   11.68089 (00010704)
       564330.56   4183255.75   21.05101 (00090505)
564418.69   4183257.75   16.13321 (00092001)
       564449.88   4183248.00   14.63624 (00112402)
564055.56   4183280.75   5.23448 (00052107)
       564080.56   4183280.75   5.69646 (00052107)

564105.56 4183280.75 6.26019 (00011207)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL *** INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564130.56	4183280.75	6.89724	(00052006)	564155.56	4183280.75	7.47581	(00052006)
564180.56	4183280.75	8.39651	(00032807)	564205.56	4183280.75	9.25207	(00032807)
564230.56	4183280.75	10.18156	(00042005)	564255.56	4183280.75	10.83474	(00122003)
564305.56	4183280.75	11.65276	(00112004)	564330.56	4183280.75	13.93729	(00122503)
564055.56	4183305.75	5.33706	(00010704)	564080.56	4183305.75	5.87755	(00010704)
564105.56	4183305.75	6.48440	(00092323)	564130.56	4183305.75	7.20116	(00011208)
564155.56	4183305.75	8.03033	(00052107)	564180.56	4183305.75	9.02231	(00052107)
564205.56	4183305.75	10.18526	(00090702)	564230.56	4183305.75	11.33419	(00052006)
564255.56	4183305.75	12.59830	(00032807)	564280.56	4183305.75	13.49125	(00012102)
564305.56	4183305.75	14.41299	(00122304)	564330.56	4183305.75	16.08356	(00012024)
564350.69	4183306.25	18.62514	(00112004)	564105.56	4183330.75	6.65424	(00090504)
564130.56	4183330.75	7.43108	(00090504)	564155.56	4183330.75	8.34418	(00111907)
564205.56	4183330.75	10.82077	(00090706)	564230.56	4183330.75	12.35004	(00090706)
564255.56	4183330.75	14.26229	(00010704)				

564280.56   4183330.75   16.86711 (00011208)
       564080.56   4183355.75   6.07711 (00060104)
564105.56   4183355.75   6.75098 (00060104)
       564130.56   4183355.75   7.55925 (00060104)
564155.56   4183355.75   8.53160 (00060104)
       564205.56   4183355.75   11.05954 (00123101)
564230.56   4183355.75   12.63612 (00123101)
       564080.56   4183380.75   6.08991 (00103108)
564105.56   4183380.75   6.77161 (00103108)
       564130.56   4183380.75   7.57126 (00090703)
564205.56   4183380.75   10.83492 (00011204)
       564230.56   4183380.75   12.29943 (00112805)
564255.56   4183380.75   13.70714 (00102406)
       564230.56   4183405.75   11.70376 (00022404)
564255.56   4183405.75   12.94096 (00090404)
       564280.56   4183405.75   14.29052 (00020604)
564137.94   4183424.75   7.55697 (00122102)
       564151.62   4183418.25   8.08760 (00110403)
564255.56   4183430.75   12.24249 (00121222)
       564280.56   4183430.75   13.57061 (00103107)
564655.56   4183605.75   4.95470 (00092405)
       564355.56   4183055.75   8.72608 (00122423)
564380.56   4183055.75   8.54888 (00052105)
       564405.56   4183055.75   8.11265 (00091703)
564330.56   4183080.75   9.47685 (00093023)
       564355.56   4183080.75   9.51369 (00122423)
564380.56   4183080.75   9.31572 (00052106)
       564405.56   4183080.75   8.75562 (00091703)
564580.56   4183080.75   5.12708 (00121101)
       564606.00   4183070.75   4.78453 (00121922)
564355.56   4183105.75   10.24839 (00122423)
       564381.31   4183101.50   9.90214 (00052106)
564305.56   4183155.75   10.50003 (00081604)
       564330.56   4183155.75   11.07181 (00101705)
564255.56   4183180.75   7.89662 (00101607)
       564280.56   4183180.75   9.15830 (00122024)
564305.56   4183180.75   10.35674 (00121703)
       564330.56   4183180.75   10.73509 (00032204)
564355.56   4183180.75   10.91740 (00011902)
       564457.06   4183184.25   7.89040 (00112421)
564477.13   4183184.75   7.63336 (00092924)
       564205.56   4183205.75   5.92783 (00112004)
564230.56   4183205.75   6.22570 (00112004)
       564255.56   4183205.75   6.91269 (00110402)
564280.56   4183205.75   8.06045 (00101607)
       564305.56   4183205.75   9.44615 (00101703)
564330.56   4183205.75   9.49667 (00092324)
       564355.56   4183205.75   9.53088 (00032608)
564405.56   4183205.75   9.06715 (00040304)
       564430.56   4183205.75   8.28928 (00020603)
564455.56   4183205.75   8.06119 (00021807)
       564480.56   4183205.75   7.92038 (00112402)

564155.56 4183230.75 5.66096 (00092504)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564180.56	4183230.75	5.94259	(00122003)	564205.56	4183230.75	6.14235	(00111803)
564230.56	4183230.75	6.28711	(00112004)	564280.56	4183230.75	6.73813	(00090505)
564305.56	4183230.75	7.65669	(00091823)	564330.56	4183220.00	8.53211	(00012020)
564405.56	4183230.75	7.93480	(00121705)	564430.56	4183230.75	8.05467	(00112401)
564455.56	4183230.75	8.32959	(00031505)	564480.56	4183230.75	8.25235	(00121922)
564105.56	4183255.75	5.08813	(00032807)	564130.56	4183255.75	5.58728	(00032807)
564155.56	4183255.75	5.91404	(00012102)	564180.56	4183255.75	6.28830	(00042005)
564205.56	4183255.75	6.53937	(00092504)	564230.56	4183255.75	6.66228	(00012024)
564255.56	4183255.75	6.58849	(00112004)	564305.56	4183255.75	6.33614	(00090505)
564330.56	4183255.75	6.31344	(00122024)	564418.69	4183257.75	7.53713	(00110124)
564449.88	4183248.00	8.38140	(00112402)	564055.56	4183280.75	4.68011	(00052107)
564080.56	4183280.75	5.01990	(00052107)	564105.56	4183280.75	5.41392	(00011207)
564130.56	4183280.75	5.82981	(00052006)	564155.56	4183280.75	6.14915	(00052006)
564180.56	4183280.75	6.61742	(00032807)				

564205.56   4183280.75   6.98289 (00032807)
       564230.56   4183280.75   7.18296 (00042005)
564255.56   4183280.75   7.08463 (00092504)
       564305.56   4183280.75   6.18091 (00112004)
564330.56   4183280.75   5.50277 (00032608)
       564055.56   4183305.75   4.76124 (00010704)
564080.56   4183305.75   5.16320 (00010704)
       564105.56   4183305.75   5.58571 (00092323)
564130.56   4183305.75   6.05170 (00011208)
       564155.56   4183305.75   6.52785 (00052107)
564180.56   4183305.75   7.04410 (00052107)
       564205.56   4183305.75   7.50581 (00011207)
564230.56   4183305.75   7.77817 (00052006)
       564255.56   4183305.75   7.71675 (00032807)
564280.56   4183305.75   7.29905 (00032807)
       564305.56   4183305.75   6.36173 (00012102)
564330.56   4183305.75   4.90588 (00122306)
       564350.69   4183306.25   4.72901 (00112113)
564105.56   4183330.75   5.71944 (00090504)
       564130.56   4183330.75   6.22618 (00090504)
564155.56   4183330.75   6.75980 (00090504)
       564205.56   4183330.75   7.89008 (00090706)
564230.56   4183330.75   8.29593 (00090706)
       564255.56   4183330.75   8.44754 (00010704)
564280.56   4183330.75   7.94429 (00010704)
       564080.56   4183355.75   5.33186 (00060104)
564105.56   4183355.75   5.80453 (00060104)
       564130.56   4183355.75   6.33350 (00060104)
564155.56   4183355.75   6.91109 (00060104)
       564205.56   4183355.75   8.06894 (00123101)
564230.56   4183355.75   8.48638 (00123101)
       564080.56   4183380.75   5.35142 (00103108)
564105.56   4183380.75   5.83357 (00103108)
       564130.56   4183380.75   6.36133 (00090703)
564205.56   4183380.75   7.98882 (00011204)
       564230.56   4183380.75   8.41524 (00112805)
564255.56   4183380.75   8.46113 (00021801)
       564230.56   4183405.75   8.22440 (00022404)
564255.56   4183405.75   8.33192 (00090404)
       564280.56   4183405.75   8.12316 (00020604)
564137.94   4183424.75   6.37064 (00122102)
       564151.62   4183418.25   6.69659 (00110403)
564255.56   4183430.75   8.25876 (00121222)
       564280.56   4183430.75   8.35403 (00103107)
564655.56   4183605.75   4.55471 (00092405)
       564355.56   4183055.75   6.42285 (00122423)
564380.56   4183055.75   6.30968 (00052105)
       564405.56   4183055.75   6.03675 (00081607)
564330.56   4183080.75   6.61485 (00093023)
       564355.56   4183080.75   6.58721 (00122423)
564380.56   4183080.75   6.48015 (00052106)
       564405.56   4183080.75   6.17773 (00091703)

564580.56 4183080.75 4.21386 (00121101)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564606.00	4183070.75	4.02240	(00121922)	564355.56	4183105.75	6.54311	(00122423)
564381.31	4183101.50	6.48232	(00052106)	564305.56	4183155.75	5.66791	(00081604)
564330.56	4183155.75	6.29167	(00032608)	564255.56	4183180.75	4.68256	(00091823)
564280.56	4183180.75	4.86686	(00101703)	564305.56	4183180.75	4.85517	(00012020)
564330.56	4183180.75	6.19237	(00032608)	564355.56	4183180.75	5.53873	(00032608)
564457.06	4183184.25	4.67011	(00112421)	564477.13	4183184.75	4.74785	(00092924)
564205.56	4183205.75	4.17805	(00112004)	564230.56	4183205.75	4.11879	(00090505)
564255.56	4183205.75	4.08036	(00101607)	564280.56	4183205.75	4.07202	(00081606)
564305.56	4183205.75	4.11275	(00101808)	564330.56	4183205.75	5.26805	(00032608)
564355.56	4183205.75	5.31141	(00032608)	564405.56	4183205.75	4.40465	(00020710)
564430.56	4183205.75	4.92117	(00110124)	564455.56	4183205.75	4.64249	(00120103)
564480.56	4183205.75	4.62404	(00112402)	564155.56	4183230.75	4.24308	(00122304)
564180.56	4183230.75	4.25921	(00122003)	564205.56	4183230.75	4.18184	(00111803)
564230.56	4183230.75	4.00791	(00112004)				

564280.56   4183230.75   3.47411 (00101607)
       564305.56   4183230.75   3.62284 (00101808)
564330.56   4183220.00   4.59692 (00032608)
       564405.56   4183230.75   4.12014 (00110124)
564430.56   4183230.75   4.86600 (00110124)
       564455.56   4183230.75   4.85076 (00120103)
564480.56   4183230.75   4.33210 (00121922)
       564105.56   4183255.75   4.02730 (00032807)
564130.56   4183255.75   4.28066 (00032807)
       564155.56   4183255.75   4.33331 (00012102)
564180.56   4183255.75   4.37775 (00042005)
       564205.56   4183255.75   4.26733 (00092504)
564230.56   4183255.75   4.00559 (00081605)
       564255.56   4183255.75   3.59396 (00111803)
564305.56   4183255.75   3.18941 (00101808)
       564330.56   4183255.75   3.55866 (00032608)
564418.69   4183257.75   4.39785 (00110124)
       564449.88   4183248.00   4.82400 (00120103)
564055.56   4183280.75   3.88534 (00052107)
       564080.56   4183280.75   4.06891 (00052107)
564105.56   4183280.75   4.25423 (00011207)
       564130.56   4183280.75   4.41176 (00052006)
564155.56   4183280.75   4.45061 (00052006)
       564180.56   4183280.75   4.46443 (00032807)
564205.56   4183280.75   4.38880 (00032807)
       564230.56   4183280.75   4.06345 (00012102)
564255.56   4183280.75   3.53614 (00112723)
       564305.56   4183280.75   2.92498 (00101808)
564330.56   4183280.75   3.14448 (00112113)
       564055.56   4183305.75   3.93832 (00010704)
564080.56   4183305.75   4.16352 (00010704)
       564105.56   4183305.75   4.36116 (00092323)
564130.56   4183305.75   4.53721 (00011208)
       564155.56   4183305.75   4.63486 (00052107)
564180.56   4183305.75   4.68346 (00052107)
       564205.56   4183305.75   4.54362 (00011207)
564230.56   4183305.75   4.17517 (00052006)
       564255.56   4183305.75   3.75541 (00120205)
564280.56   4183305.75   3.55693 (00103102)
       564305.56   4183305.75   3.02813 (00103102)
564330.56   4183305.75   2.81616 (00120217)
       564350.69   4183306.25   2.54189 (00112113)
564105.56   4183330.75   4.44986 (00090504)
       564130.56   4183330.75   4.64589 (00090504)
564155.56   4183330.75   4.77910 (00090504)
       564205.56   4183330.75   4.69577 (00111907)
564230.56   4183330.75   4.66563 (00120205)
       564255.56   4183330.75   4.96644 (00120205)
564280.56   4183330.75   4.70600 (00120205)
       564080.56   4183355.75   4.29124 (00060104)
564105.56   4183355.75   4.51905 (00060104)
       564130.56   4183355.75   4.72657 (00060104)

564155.56 4183355.75 4.88201 (00060104)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564205.56	4183355.75	4.80939	(00123101)
564230.56	4183355.75	4.72982	(00101602)
564080.56	4183380.75	4.31823	(00103108)
564105.56	4183380.75	4.55639	(00103108)
564130.56	4183380.75	4.76950	(00090703)
564205.56	4183380.75	4.84586	(00011204)
564230.56	4183380.75	4.69505	(00102405)
564255.56	4183380.75	5.02089	(00102403)
564230.56	4183405.75	4.68898	(00111206)
564255.56	4183405.75	4.89543	(00102407)
564280.56	4183405.75	5.05371	(00102407)
564137.94	4183424.75	4.80277	(00122102)
564151.62	4183418.25	4.90280	(00110403)
564255.56	4183430.75	4.92410	(00110104)
564280.56	4183430.75	5.15292	(00111207)
564655.56	4183605.75	3.95991	(00092405)
564228.12	4183369.75	4.77642	(00102405)
564430.06	4183487.00	5.84326	(00011222)
564455.06	4183487.00	5.85858	(00090423)
564480.06	4183487.00	5.63774	(00122022)
564405.88	4183508.00	6.02679	(00033008)
564430.06	4183512.00	6.05049	(00011222)
564455.06	4183512.00	5.92432	(00090423)
564480.06	4183512.00	5.87067	(00122022)
564505.06	4183512.00	5.66927	(00082124)
564430.06	4183537.00	6.00641	(00011222)
564455.06	4183537.00	5.97984	(00112120)

564228.12   4183369.75   13.81411 (00090703)
       564430.06   4183487.00   14.53017 (00050621)
564455.06   4183487.00   13.62124 (00122924)
       564480.06   4183487.00   12.16439 (00122022)
564405.88   4183508.00   13.78657 (00033008)
       564430.06   4183512.00   12.90197 (00011222)
564455.06   4183512.00   12.09816 (00090423)
       564480.06   4183512.00   11.33581 (00122022)
564505.06   4183512.00   10.42513 (00082124)
       564430.06   4183537.00   11.41352 (00011222)
564455.06   4183537.00   10.90014 (00112120)
       564228.12   4183369.75   12.27770 (00090703)
564430.06   4183487.00   13.16596 (00050621)
       564455.06   4183487.00   12.43671 (00090423)
564480.06   4183487.00   11.19771 (00122022)
       564405.88   4183508.00   12.60954 (00033008)
564430.06   4183512.00   11.89312 (00011222)
       564455.06   4183512.00   11.20657 (00090423)
564480.06   4183512.00   10.56521 (00122022)
       564505.06   4183512.00   9.76947 (00082124)
564430.06   4183537.00   10.65615 (00011222)
       564455.06   4183537.00   10.22358 (00112120)
564228.12   4183369.75   8.39584 (00090703)
       564430.06   4183487.00   9.63820 (00011222)
564455.06   4183487.00   9.32767 (00090423)
       564480.06   4183487.00   8.61774 (00122022)
564405.88   4183508.00   9.50864 (00033008)
       564430.06   4183512.00   9.19169 (00011222)
564455.06   4183512.00   8.79330 (00090423)
       564480.06   4183512.00   8.45177 (00122022)
564505.06   4183512.00   7.94882 (00082124)
       564430.06   4183537.00   8.57138 (00011222)
564455.06   4183537.00   8.34226 (00112120)
       564455.06   4183462.00   15.43055 (00111921)
564480.06   4183462.00   14.06114 (00082124)
       564455.06   4183462.00   13.82972 (00111921)
564480.06   4183462.00   12.72121 (00082124)
       564455.06   4183462.00   9.75220 (00111921)
564480.06   4183462.00   9.25908 (00082124)
       564455.06   4183462.00   5.56249 (00111921)
564480.06   4183462.00   5.54560 (00082124)
       564535.50   4183432.25   4.71690 (00011219)
564560.50   4183432.25   4.56472 (00031821)
       564585.50   4183432.25   4.60652 (00123105)
564511.25   4183453.25   5.24330 (00121823)
       564535.50   4183457.25   5.04540 (00092405)
564560.50   4183457.25   4.90844 (00011219)
       564585.50   4183457.25   4.72662 (00031821)
564610.50   4183457.25   4.56563 (00123105)
       564535.50   4183482.25   5.30395 (00091101)
564560.50   4183482.25   5.04133 (00120904)
       564535.50   4183432.25   11.06542 (00012508)

564560.50 4183432.25 9.68621 (00123105)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564585.50	4183432.25	8.71247	(00123105)
564511.25	4183453.25	12.32459	(00091101)
564535.50	4183457.25	10.63554	(00120904)
564560.50	4183457.25	9.40642	(00012508)
564585.50	4183457.25	8.29325	(00031821)
564610.50	4183457.25	7.54692	(00123105)
564535.50	4183482.25	10.10272	(00091101)
564560.50	4183482.25	8.99393	(00120904)
564535.50	4183432.25	10.08618	(00012508)
564560.50	4183432.25	8.93748	(00123105)
564585.50	4183432.25	8.14191	(00123105)
564511.25	4183453.25	11.22625	(00091101)
564535.50	4183457.25	9.81015	(00120904)
564560.50	4183457.25	8.77384	(00012508)
564585.50	4183457.25	7.81208	(00031821)
564610.50	4183457.25	7.15678	(00123105)
564535.50	4183482.25	9.43170	(00091101)
564560.50	4183482.25	8.45777	(00120904)
564535.50	4183432.25	7.52489	(00012508)
564560.50	4183432.25	6.91867	(00123105)
564585.50	4183432.25	6.56474	(00123105)
564511.25	4183453.25	8.35118	(00091101)
564535.50	4183457.25	7.59181	(00120904)
564560.50	4183457.25	7.03367	(00012508)
564585.50	4183457.25	6.46030	(00031821)
564610.50	4183457.25	6.04226	(00123105)
564535.50	4183482.25	7.58288	(00091101)

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564560.50   4183482.25        6.95566  (00120904)
       564560.50   4183407.25       10.43258  (00092605)
564585.50   4183407.25        9.20503  (00012101)
       564560.50   4183407.25        9.53694  (00092605)
564585.50   4183407.25        8.54650  (00012101)
       564560.50   4183407.25        7.19037  (00012101)
564585.50   4183407.25        6.75273  (00012101)
       564560.50   4183407.25        4.52572  (00012101)
564585.50   4183407.25        4.59908  (00112607)
       564640.94   4183386.25        4.54050  (00052002)
564665.94   4183386.25        4.36735  (00052002)
       564616.75   4183407.25        4.60963  (00112607)
564640.94   4183411.25        4.48086  (00112607)
       564665.94   4183411.25        4.31738  (00021806)
564640.94   4183436.25        4.44719  (00092605)
       564665.94   4183436.25        4.28528  (00012101)
564640.94   4183386.25        7.45406  (00122418)
       564665.94   4183386.25        6.69859  (00052002)
564616.75   4183407.25        8.05503  (00112607)
       564640.94   4183411.25        7.21316  (00112607)
564665.94   4183411.25        6.51715  (00021806)
       564640.94   4183436.25        6.97490  (00092605)
564665.94   4183436.25        6.34820  (00012101)
       564640.94   4183386.25        7.07119  (00122418)
564665.94   4183386.25        6.40205  (00052002)
       564616.75   4183407.25        7.59208  (00112607)
564640.94   4183411.25        6.85886  (00112607)
       564665.94   4183411.25        6.23993  (00021806)
564640.94   4183436.25        6.65121  (00092605)
       564665.94   4183436.25        6.09049  (00012101)
564640.94   4183386.25        5.98143  (00052002)
       564665.94   4183386.25        5.54232  (00052002)
564616.75   4183407.25        6.28871  (00112607)
       564640.94   4183411.25        5.84198  (00112607)
564665.94   4183411.25        5.43204  (00021806)
       564640.94   4183436.25        5.71582  (00092605)
564665.94   4183436.25        5.33595  (00012101)
       564665.94   4183361.25        6.82130  (00112323)
564665.94   4183361.25        6.50845  (00112323)
       564665.94   4183361.25        5.60738  (00112323)
564665.94   4183361.25        4.38927  (00112323)
       564468.38   4183565.25        5.71700  (00112120)
564493.38   4183565.25        5.59226  (00111921)
       564518.38   4183565.25        5.09168  (00082124)
564444.19   4183586.25        5.73232  (00011222)
       564468.38   4183590.25        5.58274  (00112120)
564493.38   4183590.25        5.40624  (00122924)
       564518.38   4183590.25        5.17925  (00122022)
564543.38   4183590.25        4.97098  (00082124)
       564468.38   4183565.25        9.32590  (00112120)
564493.38   4183565.25        8.89227  (00111921)
       564518.38   4183565.25        7.95209  (00082124)
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564444.19 4183586.25 9.07592 (00011222)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564468.38	4183590.25	8.57397	(00112120)
564493.38	4183590.25	8.13339	(00122924)
564518.38	4183590.25	7.59509	(00122022)
564543.38	4183590.25	7.15750	(00082124)
564468.38	4183565.25	8.85378	(00112120)
564493.38	4183565.25	8.46570	(00111921)
564518.38	4183565.25	7.58608	(00082124)
564444.19	4183586.25	8.64440	(00011222)
564468.38	4183590.25	8.19328	(00112120)
564493.38	4183590.25	7.78963	(00122924)
564518.38	4183590.25	7.29401	(00122022)
564543.38	4183590.25	6.88749	(00082124)
564468.38	4183565.25	7.50498	(00112120)
564493.38	4183565.25	7.23916	(00111921)
564518.38	4183565.25	6.52788	(00082124)
564444.19	4183586.25	7.40260	(00011222)
564468.38	4183590.25	7.08957	(00112120)
564493.38	4183590.25	6.78789	(00122924)
564518.38	4183590.25	6.41137	(00122022)
564543.38	4183590.25	6.09207	(00082124)
564493.38	4183540.25	9.73339	(00122022)
564518.38	4183540.25	9.02667	(00082124)
564493.38	4183540.25	9.19826	(00122022)
564518.38	4183540.25	8.56202	(00082124)
564493.38	4183540.25	7.68490	(00122022)
564518.38	4183540.25	7.23639	(00082124)
564493.38	4183540.25	5.71917	(00122022)

564518.38   4183540.25   5.48430 (00082124)
       564315.44   4183535.25   6.01662 (00061407)
564340.44   4183535.25   6.08623 (00021803)
       564365.44   4183535.25   6.28249 (00011704)
564291.25   4183556.25   5.74955 (00021523)
       564315.44   4183560.25   5.81932 (00061407)
564340.44   4183560.25   5.90222 (00021803)
       564365.44   4183560.25   6.20662 (00011704)
564390.44   4183560.25   6.17516 (00112121)
       564315.44   4183585.25   5.66086 (00021803)
564340.44   4183585.25   5.57745 (00021803)
       564315.44   4183535.25   12.00546 (00061407)
564340.44   4183535.25   12.36524 (00021803)
       564365.44   4183535.25   12.69945 (00011704)
564291.25   4183556.25   10.10841 (00100424)
       564315.44   4183560.25   10.39327 (00061407)
564340.44   4183560.25   10.64784 (00021803)
       564365.44   4183560.25   11.15886 (00011704)
564390.44   4183560.25   10.99975 (00112121)
       564315.44   4183585.25   9.15545 (00021803)
564340.44   4183585.25   9.19218 (00021803)
       564315.44   4183535.25   11.14939 (00061407)
564340.44   4183535.25   11.46039 (00021803)
       564365.44   4183535.25   11.77438 (00011704)
564291.25   4183556.25   9.51065 (00100424)
       564315.44   4183560.25   9.77115 (00061407)
564340.44   4183560.25   9.99905 (00021803)
       564365.44   4183560.25   10.48119 (00011704)
564390.44   4183560.25   10.34238 (00112121)
       564315.44   4183585.25   8.69931 (00021803)
564340.44   4183585.25   8.71775 (00021803)
       564315.44   4183535.25   8.81916 (00061407)
564340.44   4183535.25   9.00837 (00021803)
       564365.44   4183535.25   9.26828 (00011704)
564291.25   4183556.25   7.83686 (00021523)
       564315.44   4183560.25   8.03084 (00061407)
564340.44   4183560.25   8.18922 (00021803)
       564365.44   4183560.25   8.59190 (00011704)
564390.44   4183560.25   8.50536 (00112121)
       564315.44   4183585.25   7.39468 (00021803)
564340.44   4183585.25   7.36469 (00021803)
       564340.44   4183510.25   14.40158 (00021803)
564365.44   4183510.25   14.55775 (00011704)
       564340.44   4183510.25   13.11578 (00021803)
564365.44   4183510.25   13.26790 (00011704)
       564340.44   4183510.25   9.75446 (00021803)
564365.44   4183510.25   9.89395 (00011704)
       564340.44   4183510.25   6.04809 (00021803)
564365.44   4183510.25   6.16732 (00011704)
       564377.69   4183594.75   5.89430 (00123023)
564402.69   4183594.75   5.73161 (00112121)
       564427.69   4183594.75   5.76584 (00042522)

564377.69 4183594.75 9.40574 (00123023)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564402.69	4183594.75	9.05861	(00112121)	564427.69	4183594.75	9.01660	(00042522)
564377.69	4183594.75	8.95050	(00123023)	564402.69	4183594.75	8.62955	(00112121)
564427.69	4183594.75	8.59930	(00042522)	564377.69	4183594.75	7.64366	(00123023)
564402.69	4183594.75	7.39434	(00112121)	564427.69	4183594.75	7.39498	(00042522)
564403.81	4183580.75	9.50185	(00112121)	564402.38	4183608.00	8.61129	(00112121)
564403.81	4183580.75	9.01320	(00112121)	564402.38	4183608.00	8.23300	(00112121)
564403.81	4183580.75	7.61971	(00112121)	564402.38	4183608.00	7.13518	(00112121)
564403.81	4183580.75	5.77923	(00112121)	564402.38	4183608.00	5.63343	(00112121)
564428.94	4183607.75	8.52390	(00042522)	564428.94	4183607.75	8.15713	(00042522)
564428.94	4183607.75	7.09300	(00033008)	564428.94	4183607.75	5.63138	(00033008)
564376.31	4183608.50	8.79910	(00123023)	564376.31	4183608.50	8.40618	(00123023)
564376.31	4183608.50	7.26822	(00123023)	564376.31	4183608.50	5.71775	(00123023)
564487.00	4183607.00	7.73529	(00090423)	564487.00	4183607.00	7.42943	(00090423)
564487.00	4183607.00	6.53245	(00090423)				

```
564487.00   4183607.00        5.27943  (00090423)
       564513.50   4183606.75        7.31986  (00122022)
564513.50   4183606.75        7.04521  (00122022)
       564513.50   4183606.75        6.23926  (00111921)
564513.50   4183606.75        5.10688  (00111921)
       564460.88   4183607.50        8.12219  (00050621)
564460.88   4183607.50        7.78728  (00050621)
       564460.88   4183607.50        6.80907  (00050621)
564460.88   4183607.50        5.45368  (00050621)
       564544.00   4183565.00        7.63761  (00082124)
564544.00   4183565.00        7.32005  (00082124)
       564544.00   4183565.00        6.39326  (00082124)
564544.00   4183565.00        5.11116  (00082124)
       564100.62   4183062.00        5.18530  (00101607)
564100.62   4183112.00        5.37561  (00112004)
       564126.38   4183107.75        5.92890  (00101521)
564100.62   4183062.00        5.03867  (00101607)
       564125.62   4183062.00        5.51352  (00091805)
564150.62   4183062.00        6.00925  (00081606)
       564075.62   4183087.00        4.80081  (00112004)
564100.62   4183087.00        5.18463  (00091801)
       564125.62   4183087.00        5.56625  (00090505)
564150.62   4183087.00        6.17224  (00101607)
       564100.62   4183112.00        5.20442  (00112004)
564126.38   4183107.75        5.71552  (00101521)
       564125.62   4183062.00        5.69188  (00091805)
564100.62   4183062.00        4.59747  (00101607)
       564125.62   4183062.00        4.98064  (00091805)
564150.62   4183062.00        5.37706  (00081606)
       564075.62   4183087.00        4.38779  (00112004)
564100.62   4183087.00        4.69179  (00091801)
       564125.62   4183087.00        4.97721  (00101607)
564150.62   4183087.00        5.46609  (00091805)
       564100.62   4183112.00        4.69332  (00112004)
564126.38   4183107.75        5.08555  (00091801)
       564150.62   4183062.00        6.22231  (00081606)
564100.62   4183062.00        3.94841  (00101607)
       564125.62   4183062.00        4.20784  (00091805)
564150.62   4183062.00        4.47273  (00081606)
       564075.62   4183087.00        3.77854  (00112004)
564100.62   4183087.00        3.98319  (00090505)
       564125.62   4183087.00        4.16989  (00101607)
564150.62   4183087.00        4.47712  (00091805)
       564100.62   4183112.00        3.95317  (00112004)
564126.38   4183107.75        4.19228  (00090505)
       564075.62   4183087.00        4.93788  (00112004)
564100.62   4183087.00        5.34935  (00091801)
       564125.62   4183087.00        5.76637  (00090505)
564150.62   4183087.00        6.41576  (00101607)
       564189.31   4183019.50        6.51340  (00011221)
564189.31   4183069.50        7.35662  (00122024)
       564215.06   4183065.50        8.11936  (00122301)
```

564189.31 4183019.50 6.29383 (00011221)

CONC URBAN FLAT FLGPOL DFAULT

*** THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): BLOCKA , BLOCKB , A0000001, A0000002, A0000003, A0000004, A0000005, A0000006,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
564214.31	4183019.50	6.82751	(00012020)	564239.31	4183019.50	7.33581	(00081604)
564164.31	4183044.50	6.14697	(00122024)	564189.31	4183044.50	6.71416	(00032804)
564214.31	4183044.50	7.33783	(00111722)	564239.31	4183044.50	7.94278	(00012020)
564189.31	4183069.50	7.05359	(00122024)	564215.06	4183065.50	7.75757	(00122301)
564214.31	4183019.50	7.07917	(00012020)	564189.31	4183019.50	5.64171	(00011221)
564214.31	4183019.50	6.08346	(00012020)	564239.31	4183019.50	6.47387	(00081604)
564164.31	4183044.50	5.50643	(00122024)	564189.31	4183044.50	5.95519	(00032804)
564214.31	4183044.50	6.44164	(00111722)	564239.31	4183044.50	6.88866	(00012020)
564189.31	4183069.50	6.16914	(00122024)	564215.06	4183065.50	6.71163	(00011221)
564239.31	4183019.50	7.62936	(00081604)	564189.31	4183019.50	4.71840	(00111722)
564214.31	4183019.50	5.02664	(00012020)	564239.31	4183019.50	5.26643	(00081604)
564164.31	4183044.50	4.58896	(00122024)	564189.31	4183044.50	4.88369	(00032804)
564214.31	4183044.50	5.19542	(00111722)	564239.31	4183044.50	5.44838	(00012020)
564189.31	4183069.50	4.94497	(00122024)				

564215.06   4183065.50   5.29235 (00011221)
       564164.31   4183044.50   6.36271 (00122024)
564189.31   4183044.50   6.97163 (00032804)
       564214.31   4183044.50   7.64417 (00111722)
564239.31   4183044.50   8.30629 (00012020)
       564092.50   4183044.00   5.00185 (00101607)
564118.25   4183039.75   5.39387 (00081603)
       564067.50   4183019.00   4.39892 (00101607)
564092.50   4183019.00   4.71750 (00081603)
       564117.50   4183019.00   5.07210 (00010705)
564142.50   4183019.00   5.47069 (00122024)
       564092.50   4183044.00   4.86849 (00101607)
564118.25   4183039.75   5.23891 (00081603)
       564067.50   4183019.00   4.07986 (00101607)
564092.50   4183019.00   4.35222 (00081603)
       564117.50   4183019.00   4.64874 (00010705)
564142.50   4183019.00   4.98058 (00122024)
       564092.50   4183044.00   4.46574 (00101607)
564118.25   4183039.75   4.77321 (00081603)
       564067.50   4183019.00   3.59972 (00101607)
564092.50   4183019.00   3.80662 (00081603)
       564117.50   4183019.00   4.02227 (00010705)
564142.50   4183019.00   4.26226 (00122024)
       564092.50   4183044.00   3.86892 (00101607)
564118.25   4183039.75   4.08973 (00081603)
       564067.50   4183019.00   4.50378 (00101607)
564092.50   4183019.00   4.83824 (00091823)
       564117.50   4183019.00   5.21239 (00010705)
564142.50   4183019.00   5.63388 (00122024)
       564326.38   4183232.75   0.03223 (00112113)
564363.38   4183310.50   0.00633 (00112112)
       564315.31   4183332.75   0.00867 (00112112)
564350.88   4183407.50   0.03636 (00010111)
       564447.81   4183358.75   0.01423 (00112111)
564375.94   4183209.25   0.03177 (00011514)

CONC URBAN FLAT FLGPOL DFAULT

*** THE SUMMARY OF HIGHEST 1-HR RESULTS ***

** CONC OF PM_10 IN MICROGRAMS/M**3 **

NETWORK GROUP ID	AVERAGE CONC	DATE (YYMMDDHH)	RECEPTOR (XR, YR, ZELEV, ZFLAG)	OF TYPE	GRID-ID
ALL	HIGH 1ST HIGH VALUE IS	26.13186	ON 00012020:	AT (564330.56, 4183220.00, 0.00, 6.00)	DC	NA

*** RECEPTOR TYPES: GC = GRIDCART
GP = GRIDPOLR
DC = DISCCART
DP = DISCPOLR
BD = BOUNDARY

```
 *** ISCST3 - VERSION 02035 ***    *** C:\Lakes\AERMOD View
\CostPlus\JackLondonSquare_CostPlus\JackLondonSq ***
02/01/16
                                   ***
***        11:07:38
**MODELOPTs:
PAGE  26
CONC                    URBAN FLAT  FLGPOL DFAULT


*** Message Summary : ISCST3 Model Execution ***

 --------- Summary of Total Messages --------

A Total of            0 Fatal Error Message(s)
A Total of            0 Warning Message(s)
A Total of            4 Informational Message(s)

A Total of            4 Calm Hours Identified


   ******** FATAL ERROR MESSAGES ********
              ***  NONE  ***


   ********   WARNING MESSAGES   ********
              ***  NONE  ***


   ***********************************
   *** ISCST3 Finishes Successfully ***
   ***********************************
```

APPENDIX F

Historic Resources –
Waterfront Warehouse District: 1985-2000-2015

Waterfront Warehouse District, Oakland

Address	OCHS 1985	National Register 1999	2015
201 3rd Street / 215 Jackson Street W. P. Fuller and Co. Warehouse	C	NC-NR	NC-NR
225 3rd Street W. P. Fuller and Co. Warehouse Annex	C	C-NR	C-NR
240 3rd Street / 200-222 3rd Street Allegro	NC Contingency contributor	Sheds demolished; vacant lot	New construction
255 3rd Street	C	C-NR	C-NR
281 3rd Street American Bag Co. Annex	C	C-NR	C-NR
288 3rd Street	Vacant lot	Vacant lot	New construction
299 3rd Street / 228 Harrison St American Bag and Union Hide Co. Building	C Primary resource	C-NR	C-NR
200 4th St / 400 Jackson St / 175 5th St S&W Fine Foods, Inc. Warehouse	Outside the district boundaries	C-NR	C-NR
201 4th Street Safeway Stores Corporate Headquarters	C Primary resource	C-NR	C-NR
220 4th Street	NC Contingency contributor	NC-NR	NC-NR
247 4th Street Western States Grocery Co.	C	C-NR	C-NR
255 4th Street C.L. Greeno Co. Pacific Coast Headquarers	C Primary resource	C-NR	C-NR
267 4th Street Oakland Wholesale Grocery Co. Inc. East Annex No. 2	C	C-NR	C-NR

Address	OCHS 1985	National Register 1999	2015
270 4th Street Nelson Lee Paper Co.	C	C-NR	C-NR
278 4th Street Makins Produce Co. Warehouse	C	C-NR	C-NR
283 4th Street Oakland Wholesale Grocery Co. Inc. East Annex No. 2	C	C-NR	C-NR
292 4th Street Wright's West Warehouse	NC Contingency contributor	C-NR	C-NR
302 4th Street Impurgia Warehouse	NC Contingency contributor	C-NR	C-NR
308 4th Street Oakland Poultry Co.	NC Contingency contributor	C-NR	C-NR
309 4th Street Oakland Plumbing supply / P.E. O'Hair Co.	C	C-NR	C-NR
311 4th Street Portico Lofts	Outside the district boundaries	NC-NR	NC-NR
287 5th Street / 444 Harrison Street	NC Contingency contributor	C-NR	C-NR
220 Alice Street Prime Smoked Meats, In, Processing Plant	NC	NC-NR	NC-NR
401 Alice Street Autocar Sales and Service Co.	C	C-NR	C-NR
426 Alice Street United Grocers Company Warehouse	C	C-NR	Demolished & new construction
200 Harrison Street Dante Market Co. Produce Warehouse; later American Bad and Union Hide Co.	C	Outside the district boundaries	Demolished & new construction

Address	OCHS 1985	National Register 1999	2015
229 Harrison Street / 307 3rd Street Poultry Producers of Central California Distribution Center	C	C-NR	C-NR
318 Harrison Street Saroni Wholesale Sugar and Rice Warehouse	C	NC-NR	NC-NR
415 Harrison Street George A. Posey Tube Oakland Portal	C Primary resource	C-NR	C-NR
417 Harrison Street Industrial Bearing Co. Building	NC Contingency contributor	C-NR	C-NR
425 Harrison Street Western California Fish Co.	NC Contingency contributor	C-NR	C-NR
432-438 Harrison Street Quong Tai Shrimp Company	NC Contingency contributor	C-NR	C-NR
401 Jackson Street	NC Contingency contributor	C-NR	C-NR
300-310 Webster Street Tyre Bros. Glass Co.	C	C-NR	C-NR

C Contributor to the OCHS Waterfront Warehouse District (1985)

Primary resource: Appears eligible for National Register.

NC Non-contributor to the OCHS Waterfront Warehouse District (1985)

Contingency contributor: May become eligible if restored or when over 50 years old.

C-NR Contributor to the National Register listed Historic District (1999)

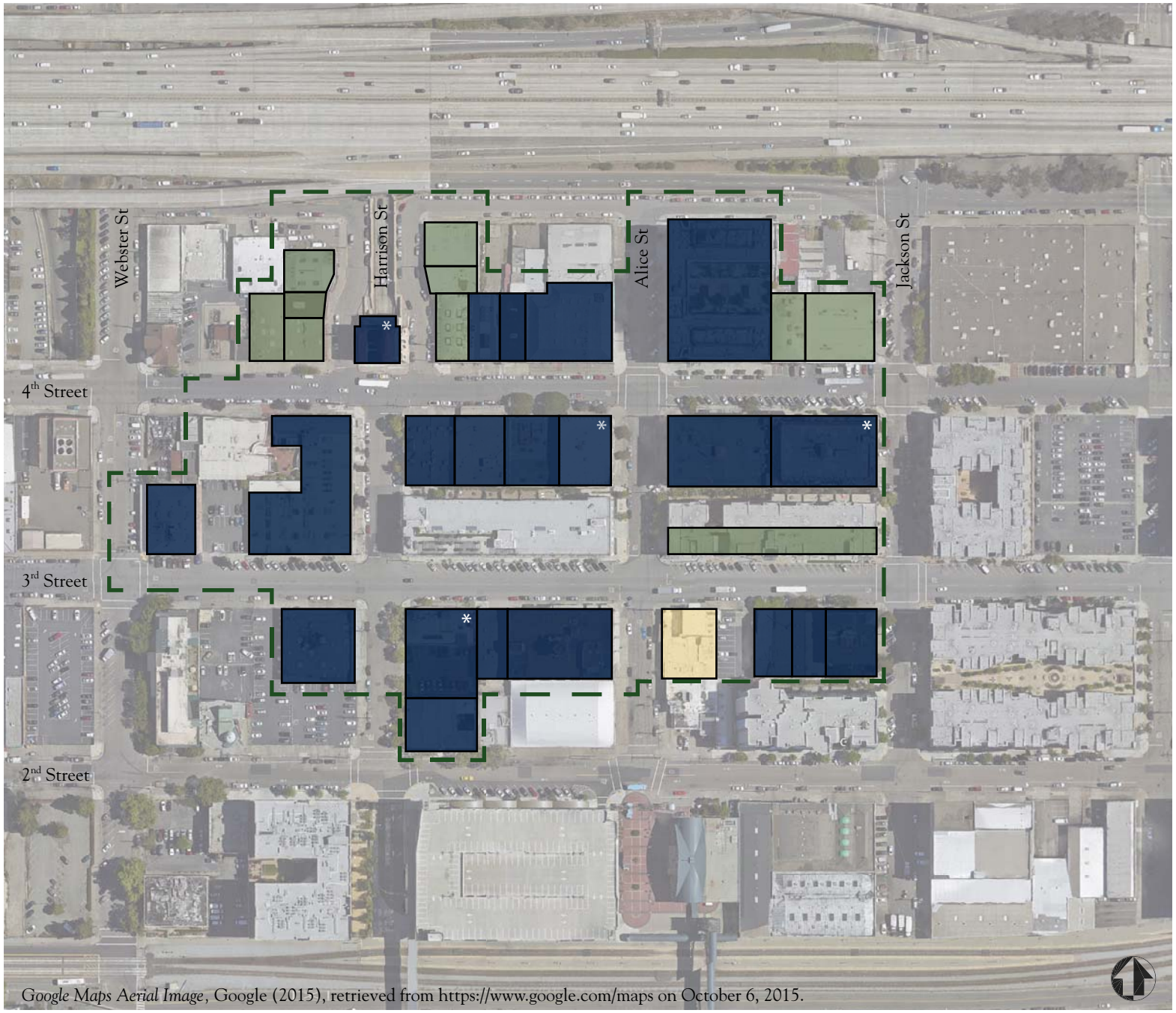
NC-NR Non-contributor to the National Register listed Historic District (1999)

Sources:

Carey & Co. February 2015 Site Visit.

Oakland City Planning Department, "Waterfront Warehouse District," *Oakland Cultural Heritage Survey Vol. XVI* (Oakland: City of Oakland, 1985).

Wilda L. White, *National Register of Historic Places Registration Form, Oakland Waterfront Warehouse District,* August 9, 1999.

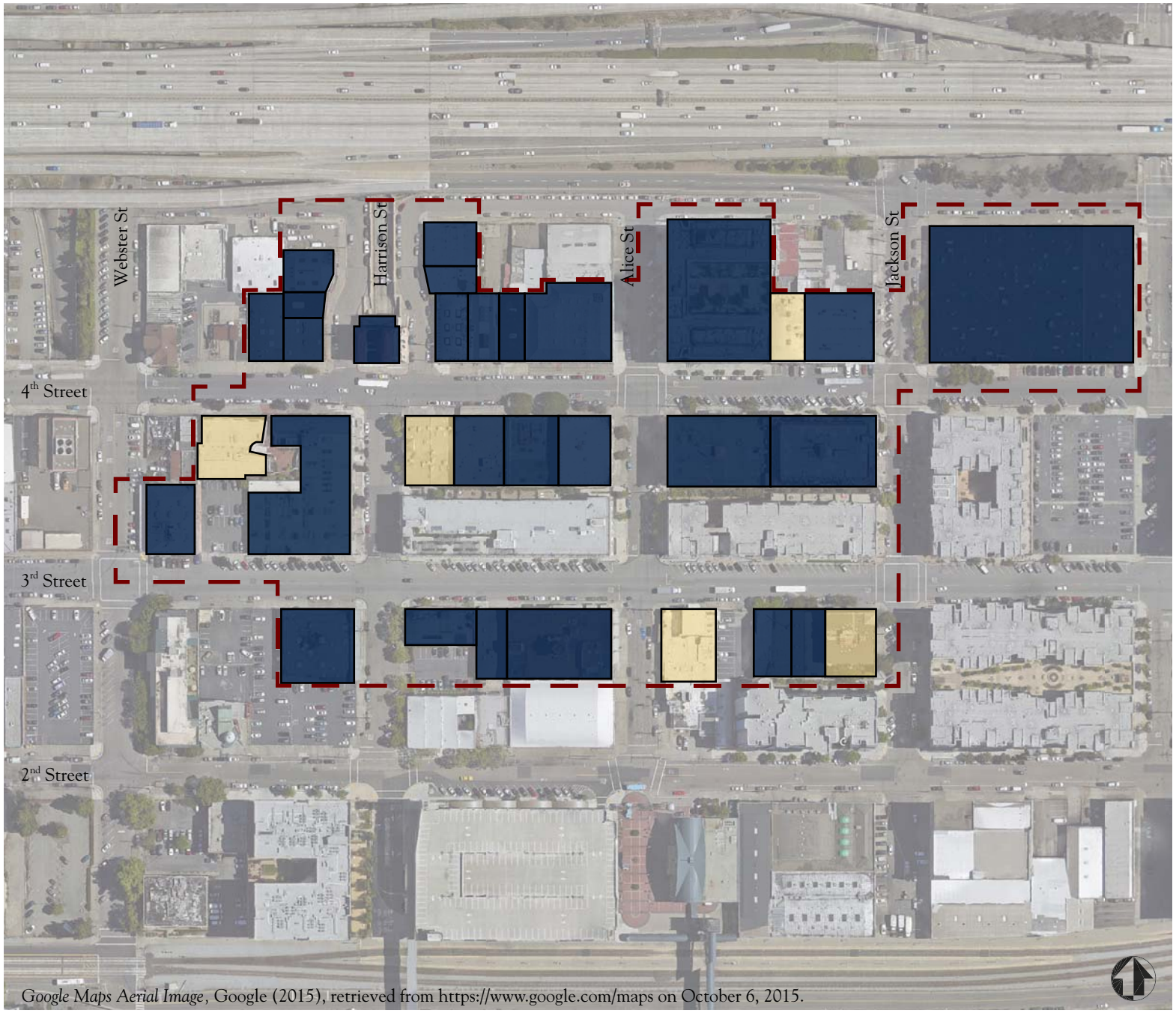


Google Maps Aerial Image, Google (2015), retrieved from https://www.google.com/maps on October 6, 2015.

Oakland Cultural Heritage Survey
Waterfront Warehouse District
1985

- * District contributors, Primary resources
- District contributors
- Non contributors, Contingency contributors
- Non contributors
- District boundary

CAREY & CO., October 2015



Google Maps Aerial Image, Google (2015), retrieved from https://www.google.com/maps on October 6, 2015.

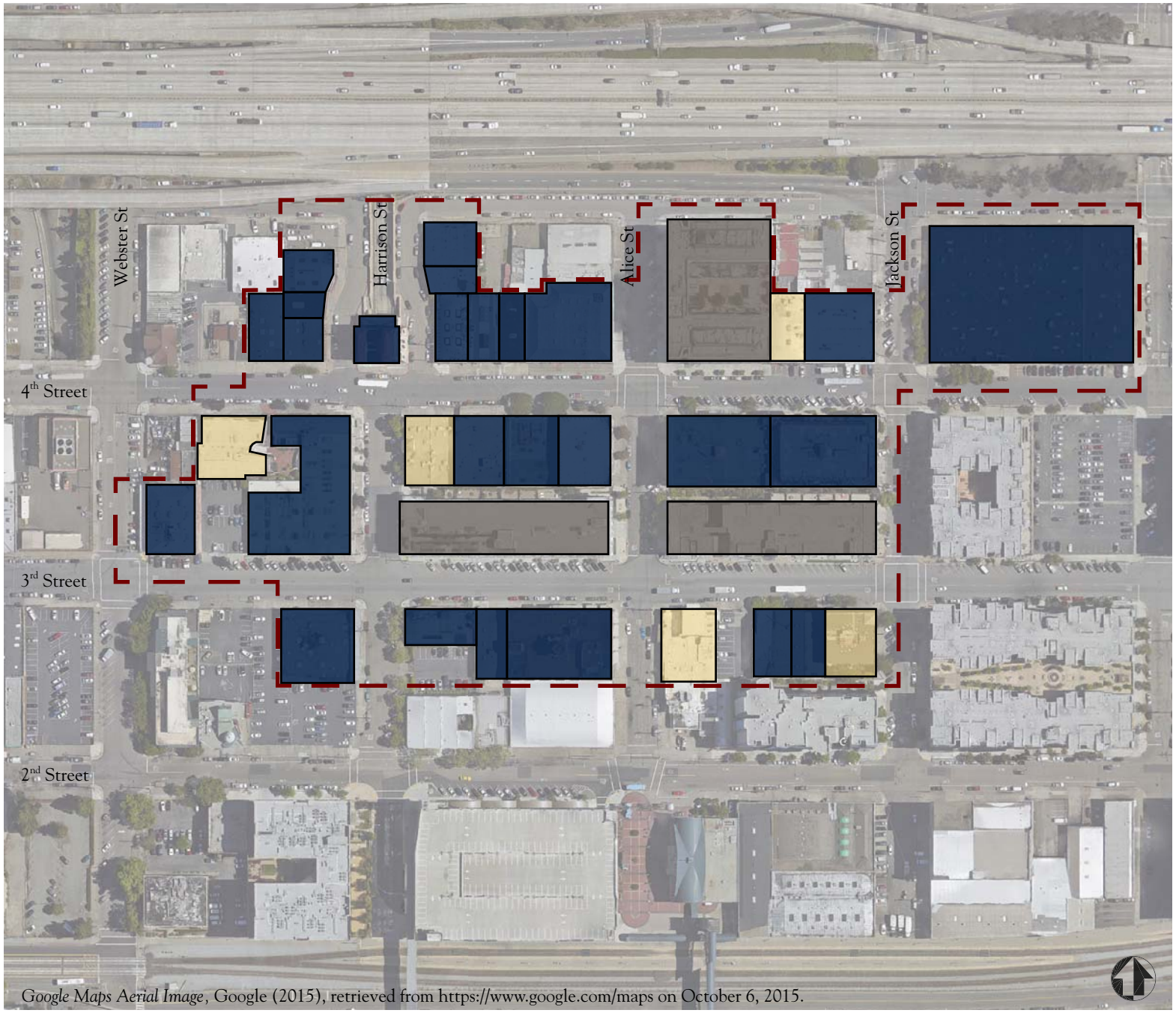
National Register of Historic Places Registration Form
Waterfront Warehouse District
1999

District contributors

Non contributors

District boundary

CAREY & CO., October 2015



Google Maps Aerial Image, Google (2015), retrieved from https://www.google.com/maps on October 6, 2015.

Waterfront Warehouse District
2015

District contributors

Non contributors

Post-National Register construction

District boundary

CAREY & CO., October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

201 3rd Street (Non-contributing building)
W. P. Fuller and Co. Warehouse

225 3rd Street (Contributing building)
W. P. Fuller and Co. Warehouse Annex

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985	*c. 1999*	*2015*

240 3rd Street (New construction)
Allegro

NO PHOTO

255 3rd Street (Contributing building)
Unknown

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985	*c. 1999*	*2015*

281 3rd Street (Contributing building)
American Bag Co. Annex

NO PHOTO

288 3rd Street (New construction)

NO PHOTO

CAREY & CO.
October 2015

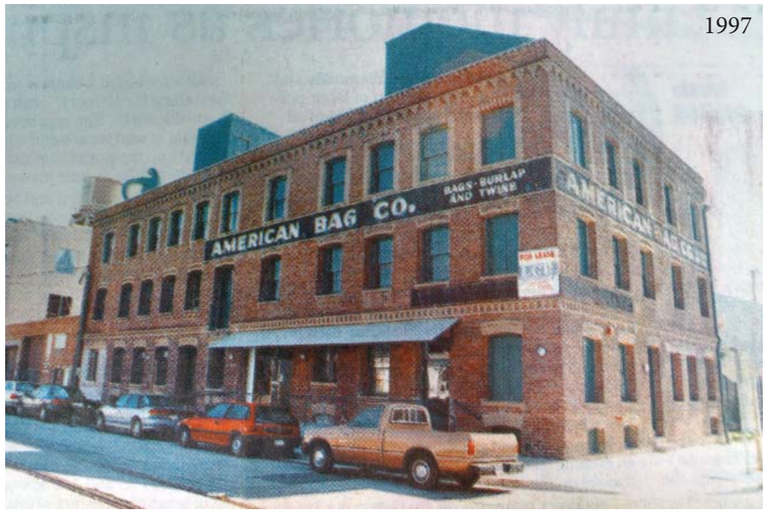
WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

299 3rd Street / 228 Harrison Street (Contributing building)
American Bag and Union Hide Co. Building

1983



1997

2015

200 4th Street / 400 Jackson Street / 175 5th Street (Contributing building)
S&W Fine Foods, Inc. Warehouse


1982


1999


2015

Google Maps Street View, July 2015 (retrieved on October 6, 2015)

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

201 4th Street (Contributing building)
Safeway Stores Corporate Headquarters

220 4th Street (Non-contributing building)
Unknown

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

247 4th Street (Contributing building)
Western States Grocery Co.

255 4th Street (Contributing building)
C.L. Greeno Co. Pacific Coast Headquarters

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

267 4th Street (Contributing building)
Oakland Wholesale Grocery Co. Inc. East Annex No. 2

270 4th Street (Contributing building)
Nelson Lee Paper Co.

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 *c. 1999* *2015*

278 4th Street (Contributing building)
Makins Produce Co. Warehouse

283 4th Street (Contributing building)
Oakland Wholesale Grocery Co. Inc. East Annex No. 2

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

292 4th Street (Contributing building)
Wright's West Warehouse

1982


1994


2015

302 4th Street (Contributing building)
Impurgia Warehouse

1983


1994

2015

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

308 4th Street (Contributing building)
Oakland Poultry Co.

309 4th Street (Contributing building)
Oakland Plumbing Supply / P. E. O'Hair Co.

CAREY & CO.
October 2015

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

311 4th Street (Non-contributing building)
Portico Lofts

NO PHOTO

NO PHOTO

287 5th Street / 444 Harrison Street (Contributing building)
Unknown

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

220 Alice Street (Non-contributing building)
Prime Smoked Meats, Inc. Processing Plant

NO PHOTO

401 Alice Street (Contributing building)
Autocar Sales and Service Co.

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

426 Alice Street (Contributing building)
United Grocers Company Warehouse

1982

NO PHOTO


2015

200 Harrison Street (Demolished; new constrcution)
Dante Market Co. Produce Warehouse; later American Bag and Union Hide Co.


1983

NO PHOTO


2015

Google Maps Street View, September 2015 (retrieved on October 16, 2015)

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

229 Harrison Street / 307 3rd Street (Contributing building)
Poultry Producers of Central California Distribution Center

318 Harrison Street (Non-contributing building)
Saroni Wholesale Sugar and Rice Warehouse

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

415 Harrison Street (Contributing building)
George A. Posey Tube Oakland Portal

417 Harrison Street (Contributing building)
Industrial Bearing Co. Building

NO PHOTO

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

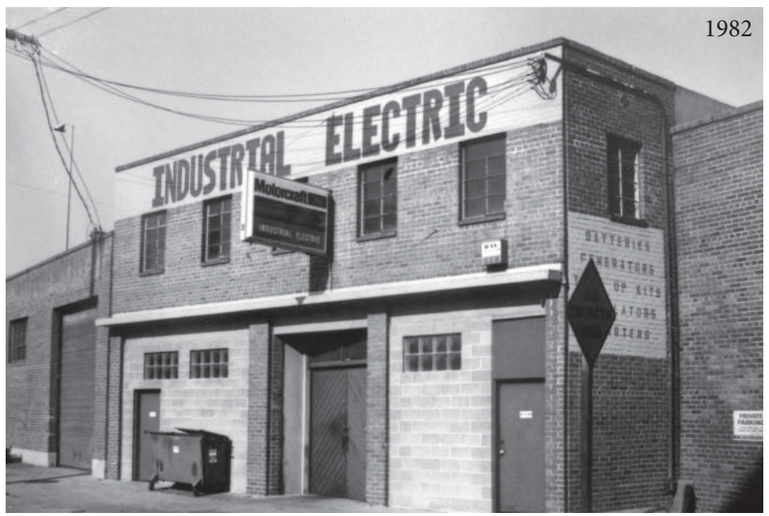
425 Harrison Street (Contributing building)
Western California Fish Co.

1982

1999


2015

432-438 Harrison Street (Contributing building)
Quong Tai Shrimp Company



1982


1994

2015

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

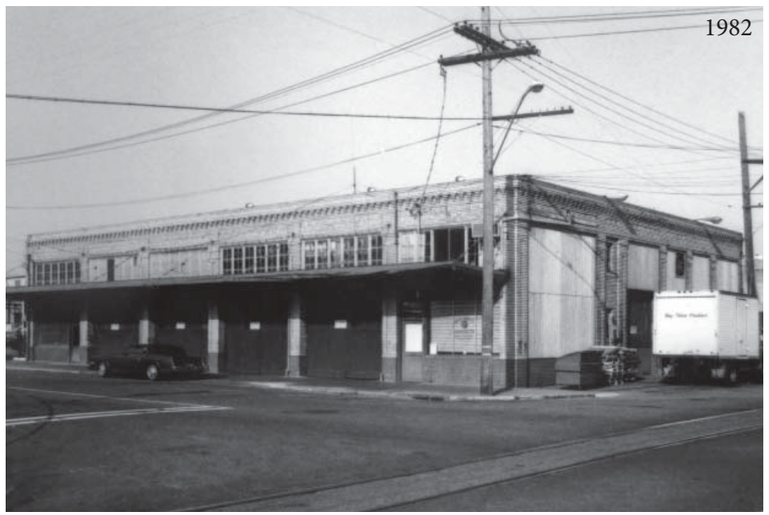
The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos by Carey and Co. unless noted.

c. 1985 | *c. 1999* | *2015*

401 Jackson Street (Contributing building)
Unknown

NO PHOTO

300-310 Webster Street (Contributing building)
Tyre Bros. Glass Co.



CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos from Google Maps Street View Imagery, 2015.

c. 1985	*c. 1999*	*2015*

4th Street, looking east from Harrison Street towards Alice Street

4th Street, looking west from Alice Street towards Harrison Street

NO PHOTO

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos from Google Maps Street View Imagery, 2015.

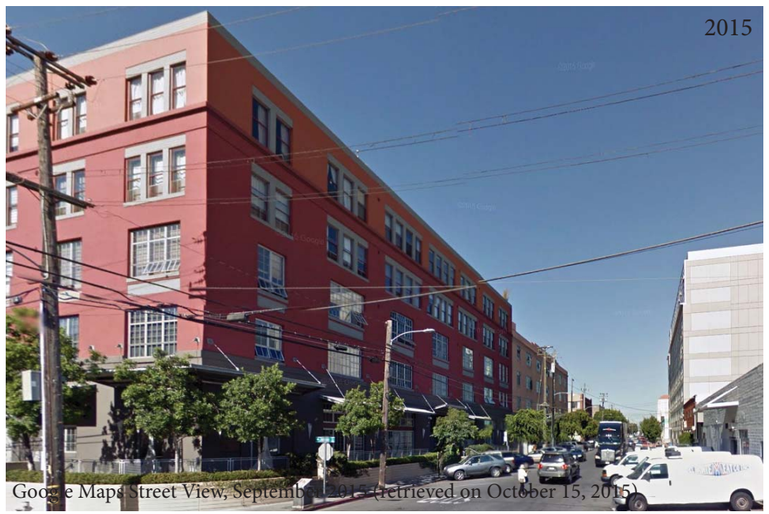
c. 1985	*c. 1999*	*2015*

4th Street, south side between Harrison and Alice Streets

NO PHOTO

4th Street, south side between Jackson and Alice Streets

NO PHOTO



CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos from Google Maps Street View Imagery, 2015.

c. 1985	*c. 1999*	*2015*

Harrison Street, west side

NO PHOTO

Google Maps Street View, August 2015 (retrieved on October 15, 2015)

Harrison Street, looking east towards 4th Street

NO PHOTO


Google Maps Street View, August 2015 (retrieved on October 15, 2015)

CAREY & CO.
October 2015

WATERFRONT WAREHOUSE DISTRICT

The c. 1985 and c. 1999 photos are from the Oakland Cultural Heritage Survey Archives and the National Register of Historic Places Nomination Form for the Oakland Waterfront Warehouse District; the exact dates marked on each photo.
The 2015 photos from Google Maps Street View Imagery, 2015.

c. 1985	*c. 1999*	*2015*

Harrison Street, east side from 2nd to 3rd Streets

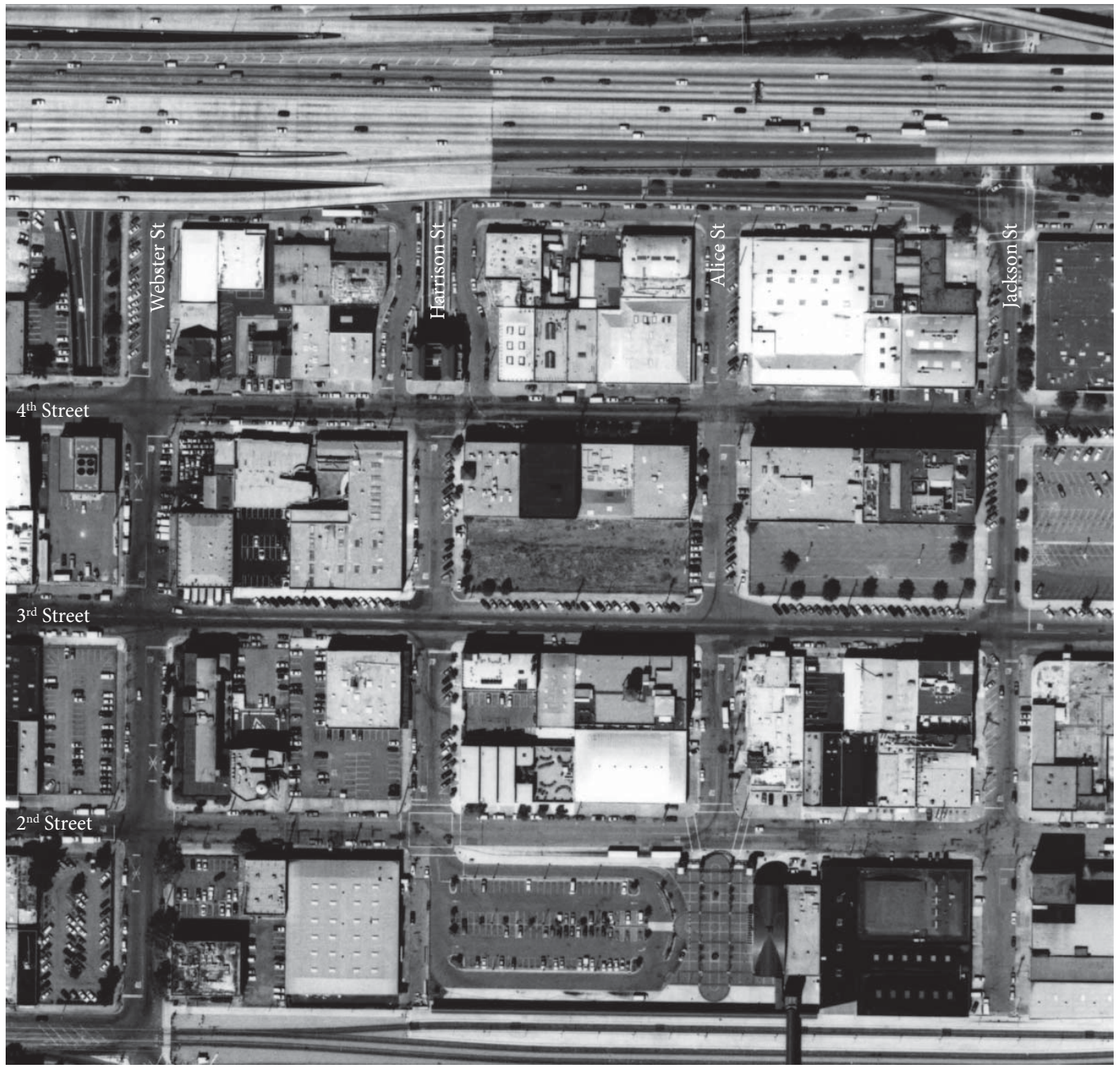
NO PHOTO

3rd Street, south side looking towards Harrison Street

NO PHOTO

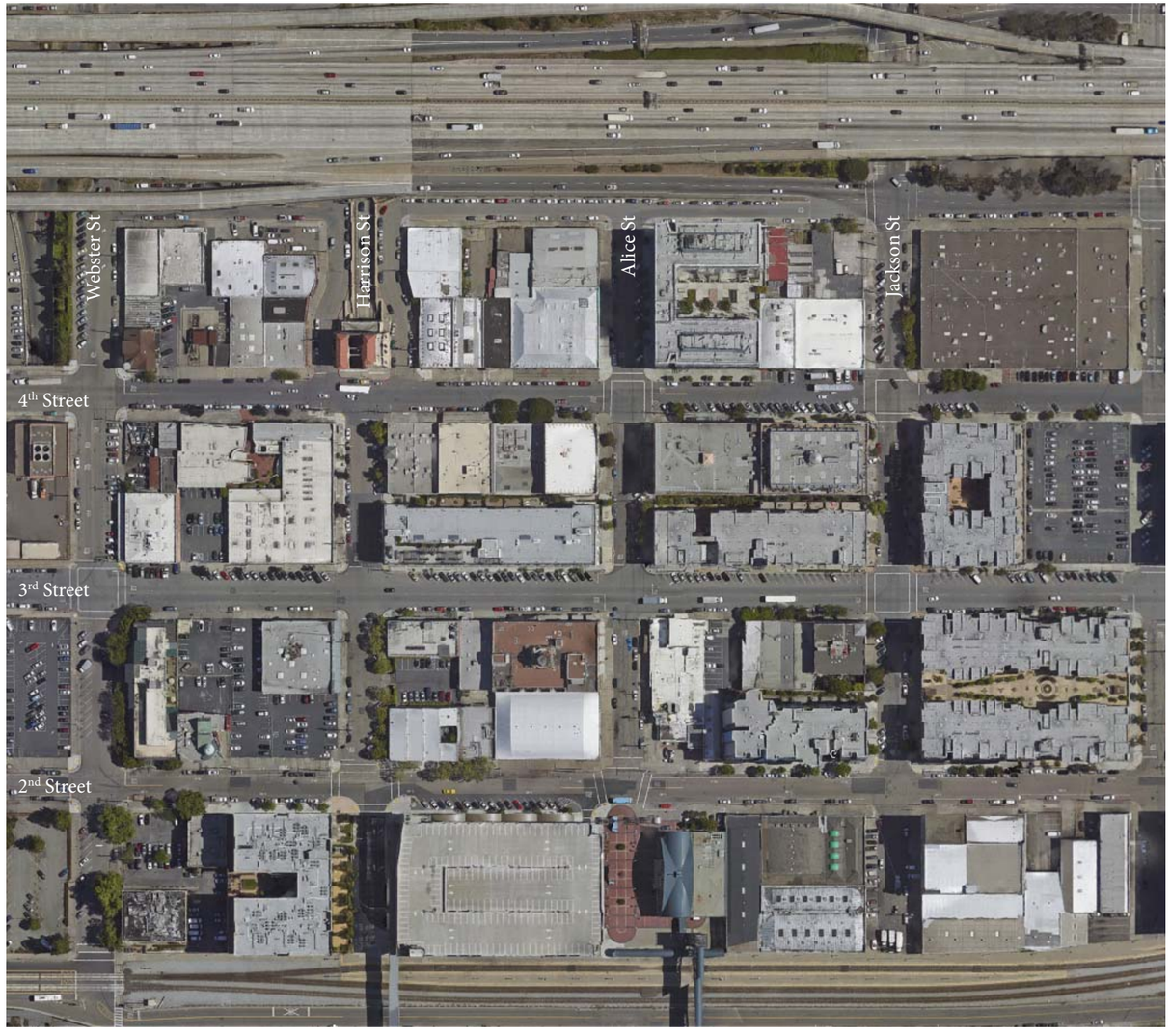
CAREY & CO.
October 2015

1998



"Aerial view of Waterfront Warehouse District; August 24, 1998" from Wilda L. White, *Oakland Waterfront Warehouse District National Registration Nomination Form,* August 9, 1999.

2015



Google Maps Aerial Image, Google (2015), retrieved from https://www.google.com/maps on October 6, 2015.

CAREY & CO.
October 2015

APPENDIX G

Historic Resources –
Interior Walkthrough Memorandum

CAREY & CO. INC.
ARCHITECTURE

MEMORANDUM

January 19, 2016

To: Lynette Dias and Hayley Cox
Urban Planning Partners, Inc.

From: Hisashi Sugaya
Carey & Co., Inc.

Re: Interior walkthrough of the building at 180 4th Street, Oakland, California.

Carey & Co. conducted a site visit on October 22, 2015 to investigate the interior of the building, currently used by Cost Plus World Market as offices. The painted heavy-timber columns and beams of the structure on the Jackson Street side and the timber columns and steel beams of the structure on Madison Street side are still intact and visible throughout the building. The early heavy-timber, and later timber and steel post-and-beam construction method used at 180 4th Street is typical of the warehouse design of the period, and not remarkable in any way.

Original exterior brick walls and board-formed concrete walls are also visible, painted on the interior. The original metal-sash windows also remain. An original interior concrete block wall separates two sides. Non-masonry interior partitions have been added and removed throughout the history of the building as the users changed and as needed. The current interior partitions, consisting in the main of contemporary landscape furniture, are not significant since they do not define any historic character nor do they reference any important historical uses.

The original wood roof structure is largely obscured by acoustical ceiling tiles and insulation except in the main entrance vestibule, where roof sheathing is visible. Skylights appear throughout the building – the framing for them may be original, but the lights themselves- modern "bubble" skylights - are not. The wood roof construction at 180 4th Street is typical of the warehouse design of the period, and, like the exposed structure, is unremarkable. Floors are currently mostly covered with wall-to-wall carpeting, most likely over concrete.

Even though the original interior structural elements, the original roof structure, and the original concrete-block remain, these interior features are not important in defining any particular historic character. No interior materials of historic significance were identified in the evaluation of 180 4th Street.

The painted heavy-timber columns and beams of the warehouse on the Jackson Street side, the roof is obscured by insulation (Carey & Co., 2015).

One of the open offices, the roof is obscured by acoustical tiles (Carey & Co., 2015).

Timber columns and steel beams of the warehouse on Madison Street side (Carey & Co., 2015).

The main entrance vestibule (Carey & Co., 2015).

The exposed roof of the main entrance vestibule (Carey & Co., 2015).

Original exterior brick walls and board-formed concrete wall of the south elevation (Carey & Co., 2015).

The original windows of the east elevation (Carey & Co., 2015).

The original windows of the north elevation, seen from inside (Carey & Co., 2015).

APPENDIX H

Historic Resources –
LSA Peer Review Memorandum

LSA ASSOCIATES, INC.
157 PARK PLACE
PT. RICHMOND, CALIFORNIA 94801
510.236.6810 TEL
510.236.3480 FAX
BERKELEY
CARLSBAD
FRESNO
IRVINE
PALM SPRINGS
RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

M E M O R A N D U M

DATE: January 20, 2016

TO: Lynette Dias, President/Principal, Urban Planning Partners

FROM: Michael Hibma, M.A., RPH #603, Architectural Historian/Senior Cultural Resources Manager, LSA Associates, Inc.

SUBJECT: Cost Plus Building Analysis, 200 4th Street, Oakland, Alameda County, California (LSA Project #CPV1601)

At the request of Urban Planning Partners (UPP), LSA Associates, Inc. (LSA), reviewed the historic resources section of a Draft Environmental Impact Report (DEIR) prepared in 2015 by UPP, for the Jack London Square 4th & Madison Project (project). Specifically, LSA reviewed technical and environmental documentation for a single-story industrial warehouse built in 1937 for the S&W Fine Foods Company at 200 4th Street in Oakland, Alameda County, California (Assessor Parcel Numbers 001-0161-001 and -002). The building, hereafter referred to as the S&W Building, is a contributing element of the Waterfront Warehouse District (District) which is listed in the National Register of Historic Places (National Register). As a contributing element of a National Register-listed historic district, the building is also automatically eligible for inclusion in the California Register of Historical Resources, and is a "historical resource" as defined at California Public Resources Code §5024.1. The proposed project will demolish the building and LSA reviewed the proposed mitigation measures for adequacy and proportionality with regard to the S&W Building and its associative stature as a contributing element to the District.

This memorandum was prepared following a review of documentation provided by UPP which included the DEIR; comments on the DEIR by the Oakland Cultural Heritage Survey (OCHS) and various interested parties; the National Register nomination documentation for the District; National Park Service technical guidance; and the Historic Preservation Element (HPE) of the Oakland General Plan. LSA Architectural Historian Michael Hibma conducted a field survey of the S&W Building and District on January 13, 2016, to document the style, construction history, character-defining features, and condition of the building and District.

As the author of this memorandum, Mr. Hibma has a B.A. in History from Humboldt State University; an M.A. in History from California State University, Sacramento; and a Certificate in Land Use and Environmental Planning from University of California, Davis Extension. He is certified by the Register of Professional Historians (#603); meets the Secretary of the Interior's *Professional Qualifications Standards* for architectural history and history; and 10 years of experience in cultural resources management, including project management; archival research; historical and architectural research; field survey; and historical resource evaluation and documentation.

Please note that the contents of the memorandum reflects Mr. Hibma's professional opinion as a cultural resource practitioner and environmental consultant, but it should not be presented as, or considered, legal counsel or advice.

PROJECT DESCRIPTION

The proposed project site covers 2.07-acres on 1.5 city blocks containing three parcels (APNs 001-161-001; -002 and 001-0161-007-07). Of the total 2.07-acre project site, the S&W building covers 1.38-acres and the remaining 0.69-acres consists of a paved parking lot located west of and across 4th Street from the S&W Building. This parking lot is outside of the District boundary. The proposed project would include construction of two seven-story buildings. The project would include approximately 330 residential apartment units, 3,000 square feet of ground-floor commercial space, and 365 parking spaces. The proposed project would include approximately 30 studio, 168 one-bedroom, and 132 two-bedroom apartments. The maximum height of each building would be 85 feet.

RESOURCE DESCRIPTION[1]

This section describes the S&W Building, its Moderne architectural style, the building's designer, Jesse Rosenwald, the District and its the historical context.

S&W Building

The S&W Building is a one-story rectangular combination of a warehouse built in 1937 and attached office building addition built in 1946. The building covers an entire city block bound to the north by 5th Street, to the west by Jackson Street, to the south by 4th Street, and to the east by Madison Street. The original warehouse portion covered 45,000 square feet, and the office addition portion covers 15,000 square feet.

The building was designed by Jesse Rosenwald, who is described in the National Register nomination documentation as a "eng[ineer]" and not a professional architect, and built in 1937 by Oakland-based contractor Tulloch Construction for the S&W Fine Foods Company. The 1946 addition was built by the Oakland and Los Angeles-based building contractor John J. Moore Company. The combined building was a S&W Company shipping, receiving, and branch warehouse. S&W remained at this location until the late 1950s, when the R.C. Lucas Company owned the building. By 1965, Safeway, Inc., owned the building and remained until 1996. The building presently houses the international headquarters of the current occupant, Cost Plus World Market. In 2001, S&W was absorbed by Walnut Creek, California-based Del Monte Foods, Inc.

The building rests on a concrete foundation and is constructed of a mix of stucco-clad reinforced concrete, painted common-bond brick, and stucco-clad wood-framed walls. The roof is supported by wood post-and-beam systems. The building is covered by a flat or very low-pitched roof behind a short parapet and sheathed in commotion roofing with 16 irregularly-spaced skylights and various heating, ventilation, and air-conditioning units installed. The following contains a brief discussion of the current condition of each façade based on a field survey conducted by LSA on January 13, 2016.

[1] This section is adapted from the *Jack London Square 4th & Madison Project Draft Environmental Impact Report* (Urban Planning Partners, Inc., 2015) and the National Register of Historic Places Registration Form for the *Oakland Waterfront Warehouse District* (White 2000).

The north-facing 5th Street façade contains the original 1937 warehouse façade consisting of eight regularly spaced, flat-fluted pilasters topped with plain round medallions and was clearly intended as "the face" of the building to motorists and visitors. Today, this façade faces fenced parking space underneath Interstate 880/Nimitz Freeway. The remaining original fenestration consists of seven evenly spaced groupings of three tall, narrow, recessed windows between the pilasters. The fenestration consists of industrial metal-sashed casement windows of translucent wire glass. However significant alterations are apparent. One of the original fenestration segments is partially filled and another completely filled and reconstructed to accommodate an additional street level entrance onto the 5th street sidewalk. This new entrance contains a new door and entryway covered by a straight-slope (or French canopy) awning. The western portion of the north façade, which contained the original office, contains seven original metal framed windows partially filled with translucent wire glass. The eastern portion of the façade contains the original 1946-built, brick masonry façade with one partially filled in window.

The east-facing Madison Street façade contains the 1946 addition, which wraps around the building to form the eastern portion of the north-facing façade and the eastern portion of the south-facing 4th Street façade, is a single-story rectangular addition that is slightly shorter in height than the original 1937 warehouse. The exterior walls consist of painted common-bond masonry brick walls. This façade contains one filled-in window, one filled-in former truck entrance, and an additional new entrance door covered by a straight-slope (or French canopy) awning. Near the center of the façade is the former office entrance consisting of a prominent square-shaped feature of semi-projecting vertical boxed beams crowned by a semi-projecting raised parapet with three thinner recessed vertical ribs, which in turn frame steel-sashed, fixed-paned windows of translucent wire glass. The original entrance remains but contains a replacement metal commercial door. The southern portion of the east façade contains the original fenestration consisting of large rectangular sections of steel-sashed ribbon windows of translucent wire glass, which are also on the eastern portion of the south-facing 4th Street façade.

The south-facing 4th Street facade originally functioned as railroad shipping and receiving with a spur track and loading doors that could service six railroad cars simultaneously. The original warehouse walls of reinforced concrete remain, but the original loading doors were removed and partially filled with cinder block masonry with the remaining upper portion containing aluminum-farmed, fixed-paned windows. An older (perhaps original) entrance located near the eastern end of the façade was removed, filled in, and a new, additional entrance installed by partially filling in an original window. The new, modern side entrance is accessed by three concrete steps with a round metal railing. A portion of the original spur track remains in place in an asphalt-paved area currently used as automobile parking. Near the western end of this façade is the modern main entrance to Cost Plus World Market accessed by a wide sidewalk and partially obscured by two street trees. The Cost Plus entrance perforates the original wall, is the prominent feature of this façade, and is, to a degree, sympathetic in terms of massing, finishes, and level of detail with the historic building; however it is clearly modern in appearance. The far western portion of this façade contains two partially-filled in window casements containing aluminum-framed, fixed-paned replacement windows of translucent wire glass.

The west-facing Jackson Street façade originally functioned as truck shipping and receiving with the main office on the 5th Street corner. The Jackson Street loading docks were built to facilitate transferring goods at truck height. These loading docks were later removed, the doors partially filled in, and aluminum-famed fixed paned, narrow ribbon windows of translucent wire glass installed. An

accessibility ramp and railing were installed near the center of the façade to provide access and four street trees were planted in the sidewalk that partially obscure views of and from the façade. The northern portion of the Jackson Street façade contains the original Moderne-refined *aediculae*-framed main office door that is flanked by three original aluminum-famed windows of translucent wire glass. The original entrance door was removed and the opening filled.

Moderne Architecture

The National Register nomination describes the architectural style of the S&W Building as Moderne, a style that emerged from the late Art Deco movement of the 1920s and 1930s. Following the stock market crash of 1929 and the subsequent Great Depression, designers stripped away the rich materials and ornamentation of the earlier Art Deco style to emphasize a sense of smooth motion conveyed by clean, curved lines. This was reflected by applying a streamlined, aerodynamic approach to machines, such as automobiles, train locomotives, ships, and the Airstream trailer, for increased speed and efficiency (Gelernter 1999:248-250).

When applied to architecture, this design aesthetic was known as Moderne. Finding a broader and wider exposure in commercial and industrial applications, this new image replaced Art Deco as *the* signature modern design. It is characterized by smooth horizontal shapes with wide ribbon or curtain wall fenestration, steel canopies, and curved corners wrapped with horizontal banding conveying a feeling of smooth, fluid motion. Other character-defining features include a flat roof with ledge coping, porthole windows, banded windows or wall segments of glass blocks, and subdued color schemes. Materials such as steel, formed concrete, chrome or plated surfaces, and walls of smooth-textured stucco were favored and reflected the inspiration drawn from the industrial process and the machine (Gelernter 1999:248-249; McAlester and McAlester 2003:464-467; Bradley 1999:251).

While the S&W Building retains some of character-defining features of Moderne architecture, such as flat roof with ledge coping, smooth-textured stucco, subdued colors, it does not demonstrate a strong association with the style. The building does not possess smooth, horizontal shapes with decorative banding, porthole windows, steel canopies, exterior walls of glass block, chrome or plated wall surfaces. The vertical pilasters on the 5th Street façade are more evocative of Art Deco and do not convey a streamlined, aerodynamic feeling. The original *aediculae*-styled main entrance at the corner of 5th and Jackson streets has a Moderne-inspired refinement, but as an architectural motif, it is a feature more associated with Classical/Beaux Arts architecture than Moderne.

The S&W Building is not the only District contributor to possess Moderne architectural qualities. Three additional Moderne-styled contributing elements are present in the District: 292 4th Street, built in 1945; 417 Harrison Street, built in 1946; and 425 Harrison Street, built in 1947. These one-to-two story contributing elements are clustered together near the Oakland Portal of the George A. Posey Tube and form a portion of the District's northwestern boundary. This concentration displays the variety in the application of industrial Moderne architecture within the District as compared to the project site which contains a Moderne-styled building built 8-10 years earlier at the opposite, eastern end of the District.

Skylights. During its construction, the skylights of the S&W Building were touted as a unique feature and indicative of its then state-of-the-art design. By the mid-19th century, skylights were "the most common means" of providing safe interior overhead lighting for factory spaces (Bradley 1999:186). According to the National Register nomination, it states:

> In describing its new 1937 warehouse, S&W Fine Foods said in a Port of Oakland publication: "Every possible innovation for efficiency and happy employees has been taken into consideration. [...] Fifty skylights are spaced on the roof, which makes all parts of the building as light as day."

A review of aerial images from Google Earth indicates the S&W Building's original skylights were removed and replaced with sixteen irregularly spaced skylights.

Jesse Rosenwald

As previously stated, the S&W Building was designed by Jesse Rosenwald, a structural engineer with the San Francisco-based architectural firm Couchot, Rosenwald & Roeth. The S&W Building was solely Rosenwald's design, as indicated by the nomination, which states:

> The building was designed in 1937 by Jesse Rosenwald, who as a member of Couchot, Rosenwald & Roeth, participated in the design of the Western States Grocery warehouse and Safeway Stores Corporate Headquarters at 247 and 201 Fourth Street, respectively.

Waterfront Warehouse District

The S&W Building was evaluated in 2000 as part of the National Register nomination of the District prepared by Wilda L. White, President of the Jack London Neighborhood Association. The survey identified a total of 24 contributing elements, mostly one-to-three story industrial warehouse buildings constructed between 1914 and 1954 on 31 parcels covering 16 acres on all or part of 10 city blocks roughly bounded by 5th, 2nd, Webster and Jackson streets. The district also contains five noncontributing elements and was listed in the National Register on April 24, 2000.

The National Register nomination of the District states that it is significant at the local level under **Criterion A** for its association with Oakland's industrial development from World War I through the early 1950s. Through the immense aggregate freight tonnage shipped by rail, water, and land, the businesses that made up the District contributed to Oakland's industrial development. The District is also significant at the local level under **Criterion C** for its utilitarian industrial architecture and industrial application of various architectural styles such as Gothic Revival, Beaux Arts, Moderne, and Art Deco, as well as its physical layout of wide streets, buildings sited with zero setbacks, and buildings designed for access to the Western Pacific Railroad (WPRR) tracks on 3rd Street. The District is Oakland's best intact concentration of buildings that conveys through its physical features this period of the Oakland's industrial past.

The most common contributing property type in the District are one-to-three-story warehouses that typically cover 7,500 to 30,000 square feet and constructed of brick, reinforced concrete, or steel frame construction using the industrial styles popular in the United States during the 1910s and 1920s. The warehouses were used to store goods, including produce, poultry, paint, paper, and burlap bags, groceries, plumbing supplies, and machine bearings, as well as house office space. The building

footprints are square or rectangular and completely cover their respective parcels; the varied building heights and minimal to no setback from the sidewalk results in a uniform streetscape and assorted cornice/parapet heights. The multi-story contributors typically contain industrial or warehouse space on the ground floor with office space in the upper floors. Decorative façade details are sparsely used, as these buildings were inexpensive to build, utilitarian in nature, and quickly generated income.

Additional character-defining features of the contributing elements of the District include:

- Ribbon or curtain wall fenestration containing steel-sash windows;
- A varied sense of scale and proportion; and
- Pilaster or bay construction.

EFFECTS ANALYSIS

Although the S&W Building is individually undistinguished, it is a contributing element to a National Register-listed historic district; the National Register listing automatically lists the District in the California Register. Per the regulations at CCR §4851.(c)(1)(2) and §4852.(a)(5), the S&W Building is automatically listed in the California Register as an "individual resource contributing to the significance of the historic district" and thus qualifies as a "historical resource" under CEQA as defined at PRC §21084.1.

S&W Building. Due to the "historical resource" status of the S&W Building, its proposed demolition would result in a substantial adverse change as defined at PRC §21084.1. The S&W Building is a contributing element of the District, but is out of scale and proportion with the prevailing character-defining features of the larger resource, namely that the building is twice the size of the largest typical contributing element as described in the National Register nomination documentation. It is the sole contributor that covers an entire city block. All the other District contributors have smaller building footprints with multiple buildings on the same block. The S&W Building is located at the district's far northeastern boundary approximately 660 feet northeast of the District core. The building does not appear to be a primary "keystone" contributing element that is essential to the viability of District as a historical resource. It was not the first or the last contributing element built, it was the second location of a prominent business, and significant alterations to each façade have diminished its original subdued Moderne architectural qualities. The two façades of the S&W Building observable from vantage points from within the District, and that form "the face" of the S&W Building to the District are heavily modified. This compromised integrity minimizes its contribution to the District.

Waterfront Warehouse District. As the S&W Building in the project site is a contributor to a National Register-listed historic district, and is therefore considered a historical resource in question, impacts to the District from the proposed project must also be assessed. The district currently has 24 contributing elements and 5 non-contributing elements contained in an irregularly-shaped, densely concentrated area covering all or part of 10 city blocks with multi-story industrial warehouse and office buildings associated with Oakland's industrial development from World War I through the early 1950s and for their collective utilitarian architectural qualities. These properties were intentionally sited near the WPRR mainline and near the Oakland Inner Harbor to facilitate that shipment of goods in the western United States and overseas. This preexisting condition at this location includes the years both during and after the District's period of significance of 1914-1954.

With respect to the S&W Building's role in the expansion of grocery and food warehousing in the District, the relationship between the Port and wholesale grocers formed during the early 1920s and "continued unabated through the 1930s." In 1926, S&W moved to a building in the District at 255 3rd Street, which is also a contributing element. These developments indicate that (1) the S&W Building in the project site was not among the pioneering wholesale grocers in the District; and (2) the project site was the second location of S&W Fine Foods in the District.

Therefore, although the reconfiguration of the District at this location would remove a contributing element, it is LSA's opinion that its loss would not result in a substantial adverse change to the District as defined at §15064.5(b)(1) because the demolition would not materially impair the significance of the District as a whole. The loss of this building would remove approximately 4% of the District's total contributing properties located along the district's northeastern boundary, approximately 660 feet away from the District core. The District will still retain all of its other 23 contributing elements in their historical locations. Therefore, the District will retain integrity of *location*. The removal of the S&W Building would not affect the District's overall integrity of *feeling*, *setting*, *design*, and *association* as a collection of industrial buildings located along a former transcontinental railroad near the seaport facilities of the Oakland Inner Harbor. A sufficient concentration of contributing elements would remain in the core of the District and will retain their integrity of *materials* and *workmanship* to maintain its overall cohesion and ability to convey its significance. This location would remain connected to the District, other neighborhoods in Oakland, and other communities in the San Francisco Bay Area.

Conclusion

In summation, the S&W Building does not appear to be a primary "keystone" contributing element that is essential to the District. It is LSA's opinion that although the project would result in a significant impact (i.e., demolition) to one contributing element of the District (i.e., the S&W Building), its loss would not result in a significant impact to the District because the demolition would not materially impairs the significance of the District as a whole.

MITIGATION MEASURE ANALYSIS

As presented above, the proposed project will remove the S&W Building, which is a contributing element of the District. Also discussed above are reasons why the S&W Building is not a primary, or is of high importance, as a contributing element of the District, relative to other contributing elements. Under *Action 3.8.1* of the HPE in the City of Oakland General Plan, nine "specific measures that may be considered to mitigate significant effects to a Historical Resource" are proposed. These measures are listed below with individual evaluations of their suitability for this project.

1. *Modification of the project design to avoid adversely affecting the character-defining elements of the property.*

   The project as proposed would demolish the building. Thus, it is infeasible to modify the project design to avoid adversely affecting the character-defining elements of the property under project conditions. However, the DEIR evaluates alternatives to the proposed projects that would modify the project design to varying degrees in order to reduce impacts to the character-defining elements of the property.

2. *Relocation of the affected Historical Resource to a location consistent with its historical or architectural character.*

   Relocation of this building inside the District would require a site with a minimum of 60,000 square feet of developable space (equivalent to an entire city block) to accommodate the building. No locations meeting those criteria appear to be available within the District. Relocation of this building outside of the District is not recommended, as the building's status as a historical resource under CEQA is grounded in its association with the District. Removal of the building from the District and relocation on a site outside the District would remove a contributing element from the geographic area associated with historical significance embodied by and contained in the District. In essence, the relocated S&W Building would be an "island" with no tangible, intact, or germane connection with the source of its significance which is the concentration of industrial buildings that comprise the District. Relocation of this building is, in effect, similar to demolition in terms of effect.

If the above measures are not feasible, then other measures may be considered including, but not limited to the following:

3. *Modification of the project design to include restoration of the remaining historic character of the property.*

   See response to Item 1 above.

4. *Modification of the project design to incorporate or replicate elements of the building's original architectural design.*

   See response to HIST-1b below.

5. *Salvage and preservation of significant features and materials of the structure in a local museum or within the new project.*

   The S&W Building retains some of its original subdued Moderne architectural detailing. However, the building is not an example of a notable architect and none of the surviving Moderne styling appears worthy of preservation at a level to warrant display in a local museum.

   The project could incorporate at least two of the original pilasters on the 5th Street façade into the design of the new building and the segment of the former railroad spur track along the 4th Street façade. Doing so would preserve some features of the property that help convey its historical significance. See response to HIST-1b, below.

6. *Measures to protect the Historical Resource from effects of on-site or other construction activities.*

   The S&W Building covers a full city block at the far northeastern corner of the District. No other contributing elements are immediately adjacent on the parcel. The closest contributing elements to the project site are located across Jackson Street at 201 4th Street (APN 001-0155-008) and at 401 Jackson Street (APN 001-0155-005) approximately 80-115 feet south and west of the project site. The building at 401 Jackson Street was modified and upgraded in 2002 to modern building standards as part of the New Market Lofts Project, an adaptive reuse project to convert the former Safeway Headquarters to loft-style apartments. The building at 201 4th Street was originally built

of reinforced concrete construction and designed to sustain some level of constant ambient vibration in the environment as a result of train and vehicle traffic alongside the building and from machinery and/or forklift equipment operation within it. Therefore, these buildings are at sufficient distance from the project site that any ground-borne vibration generated by the project would not result in damage. The proposed demolition may generate noise, dust, and other secondary environmental effects as a result of project-related activities. However, these effects would last the duration of construction and not result in permanent damage to nearby contributing elements to the District.

7. *Documentation in a Historic American Buildings Survey report or other appropriate format: photographs, oral history, video, etc.*

   See response to HIST-1a below.

8. *Placement of a plaque, commemorative marker, or artistic or interpretive display on the site providing information on the historical significance of the resource.*

   See response to HIST-1d below.

9. *Contribution to a Façade Improvement Fund, the Historic Preservation Revolving Loan Fund, the Oakland Cultural Heritage Survey, or other program appropriate to the character or the resource.*

   See response to HIST-1d below.

Conclusion

Although the project would demolish the S&W Building resulting in a substantial adverse change as a historical resource that contributes to a District by material impairment, the District it contributes to would not be altered in a manner that would cause an adverse change to the District's significance as a historical resource. It is LSA's opinion that the proposed mitigation approach from among the nine specific measures as listed in HPE Action 3.8.1 above is appropriate for this project given the S&W Building's relatively insignificant value as a contributing element of the District.

Recommendations

The section below presents the mitigation currently proposed followed with LSA's recommendations to their adequacy and suggested enhancements to appropriately balance the level of mitigation for the proposed removal of a marginally representative contributing element to the District.

Mitigation Measure HIST-1: Implement the following four-part Mitigation Measure:

HIST-1a: Prior to demolition of the S&W Building, the project applicant shall provide *HABS-Level III Documentation* records that follow the specifications set by the Historic American Buildings Survey (HABS). The documentation shall include:

- Drawings – sketch floor plans of the buildings and a site plan.
- Photographs – digital photographs meeting the Digital Photography Specifications Checklist.

- Written data – a historical report with the history of the property, property description and historical significance.

A qualified architectural historian meeting the qualifications in the *Secretary of the Interior's Professional Qualifications Standards* shall oversee the preparation of the sketch plans, photographs and written data. The documentation shall be printed on archival paper. Digital photographs shall be burned to archival CD or DVD disks. The documentation shall be submitted to and reviewed by the City of Oakland and found to be adequate prior to issuance of the demolition permit. The documentation shall be deposited with the Oakland History Room in the Public Library, Oakland City Planning Department, and the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System.

Recommendation: HABS was created in 1933 and is the nation's first federal preservation program to document America's architectural heritage. Creation of the program was motivated primarily by the perceived need to mitigate the loss of historical built environment. As stated in an agreement between the American Institute of Architects, the Library of Congress, and the NPS that formed HABS, "A comprehensive and continuous national survey is the logical concern of the Federal Government." In practice, HABS provides the public an architectural and contextual archive of the nation's important and/or representative examples of its historical built environment by a comprehensive process and examination of historic architecture using uniform, national standards for measured drawings, scholarly historical reports, and large-format black-and-white photographs.

As a national survey, the HABS collection is intended to represent "a complete resume of the builder's art." Thus, the building selection ranges in type and style from the monumental and architect-designed to the utilitarian and vernacular, including a sampling of our nation's vast array of regionally and ethnically derived building traditions.

Several comment letters (Letter B-2 and Letter B-3) noted that HABS Level III documentation for the individual building was inappropriate as the historical resource involved is the District and not an individual building. However, the HABS Level III documentation standard applies to an individual property and is appropriate for the S&W Building, which is a contributing element to the District, albeit of marginal importance. The general scope of HABS Level III documentation includes: (1) Drawing: sketch plan; (2) Photographs: photographs with large format negatives of exterior and interior views; (3) Written data: short form historical reports.[1]*A HABS Level III documentation package for the S&W Building and the District can be made more robust by readily incorporating information contained in previously prepared evaluation documentation of the building and the District. A more rigorous level of documentation, such as HABS Level I or II, would only be appropriate if the S&W Building was individually eligible for inclusion in the National or California registers, which is not the case. A final scope of work should be completed with consultation and coordination with the Oakland Cultural Heritage Survey (OCHS).*

[1] HABS Level I, II, and III Guidelines were originally published in the Federal Register on September 29, 1983. A revised and current version was published in the Federal Register on July 21, 2003 (Vol. 68, No. 139, pp. 43159-43162). Electronic document, http://www.nps.gov/hdp/standards/standards_regs.pdf, accessed January 14, 2016.

Copies of the final HABS documentation package should be made available to the public by submitting copies to the Northwest Information Center at Sonoma State University, OCHS, the Oakland Public Library, and other locations deemed appropriate.

HIST-1b: *Commemoration and Public Interpretation.* The project applicant shall prepare a permanent exhibit/display, with the help of an experienced professional, of the history of the property including, but not limited to, historic and current condition photographs, interpretive text, drawings, video, or interactive media. The exhibit/display shall be placed in a suitable, publicly accessible location on the site, or in the lobby of the residential tower. This exhibit/display shall be in addition to the existing historic signage #6; S & W Fine Foods currently mounted on a waste receptacle within the historic district (see Mitigation Measure HIST-1c).

Recommendation: A suitable-sized area at the ground floor of the west-facing façade or western fifth of the north or south-facing façades of the proposed new building on the site should contain a multi-media display. The content should include historic-period photographs, vintage-labeled S&W products arranged in shipping crates as they were in transit, a video display with a series of images of the District during 1914-1954.

The visual display should focus on the District and the S&W Company. It should contain a minimum of interpretive text and provide more visual-based interpretation. Reaching out to the Public Relations Department of Del Monte Foods, Inc., (owner of the S&W brand) http://www.delmontefoods.com/contact-us *requesting historic images of its former location(s) in the District, any street scenes in or around the project site, reproduction S&W can and crate labels to provide a context of the project site in terms of S&W's operations during 1914-1954 and its role as part of the larger District which it is a part.*

The display should be in either the south or west-facing façade as those façades face the District and could perhaps compel an observer to reflect on the District's association with Oakland's industrial development during this time. This approach would also go to address concerns by interested parties that the displayed material and interpretation content addresses the District and not just the S&W Building. That would be an approach consistent with what is requested in terms of a need for District-level interpretation.

Another option would be to prepare a podcast for availability via iTunes or some other publically available platform. A URL link to the podcast should be included on the interpretive display. The podcast should combine discussion regarding the S&W Building and, as expanded upon, form the basis for a more comprehensive walking tour of the District. It's acknowledged that interpretation via podcast somewhat limits disseminating interpretive information to a wide public audience as it assumes a certain level of income and access to electronic media is required to participate.

The project design could also incorporate salvaged architectural elements of the 1937 S&W warehouse. The materials proposed for salvage include at least two ribbed vertical pilasters from the 5th Street façade into the design of the north or west-facing façades of the proposed building (see Photograph Attachment Figure 5). These pilasters, coupled with the interpretive waste receptacle near the corner of 5th and Jackson streets, would form a northeastern gateway into the

District along Jackson Street. The project could also preserve the segment of railroad spur track along the south facing, 4th Street façade (see Photograph Attachment, Image 1).

HIST-1c: *Historic District Signage Program*. The project applicant shall provide a financial contribution to support the Jack London District Association's sidewalk and waste receptacles and historic signage program.[1] The amount of the contribution shall be $10,786.88,[2] which is equal to the association's maintenance costs for the historic signage program for 1 year.

Recommendation: Replacement and repair of the existing waste receptacle-mounted interpretive signs is appropriate (see Photograph Attachment figures 2, 3, and 4). An identification survey of existing signs in the District should be completed and a cost estimate prepared for repair any damaged or missing signs.

HIST-1d: Contribution to *Façade Improvement Program.* Project applicant shall contribute to the City of Oakland's facade improvement program. The amount of the contribution shall be based on the following:

- $10,000 for the first 25 feet of two facades of a building and $2,500 per each 10 additional linear feet of those two same facades beyond 25 feet.
- There shall be a 20 percent increase for the buildings designated as Historical Resources under CEQA.
- Multiply the total by two times for being located within an API.

For purposes of this mitigation, the two facades are along 4th Street and Jackson Street at 300 feet and 200 feet, respectively. The following calculation results in a total contribution of $318,000:

4th Street: $10,000 + $2,500 x 275/10 feet = $78,750

Jackson Street: $10,000 + $2,500 x 175/10 feet = $53,750

$78,750 + $53,750 = $132,500

Increase by 20%: $159,000

Increase by 2x: $318,000

Recommendation: Fees generated under the Façade Improvement Program by this project should be first applied to the maintenance and repair of the façades of the District's contributing elements. Any remaining funds should be retained and utilized to benefit historical interpretive programs within the District, examples include (but are not limited to) providing walking tours, historical interpretive podcasts of the District, and updating and printing brochures.

[1] Jack London District Association, 2015. http://www.jlda.org/search/label/trashcan, accessed April 2.

[2] Provided by the Jack London District Association. E-mail, 4th and Madison Project EIR, from Savlan Hauser, Jack London District Association to Hisashi Sugaya, Carey & Co., Inc., July 2, 2015. Attachment: Jack London Maintenance of Historical Warehouse District Markers.pdf.

PHOTOGRAPH ATTACHMENT

Field Survey Photos – S&W Building, Oakland, Alameda County
LSA Associates, Inc.,
January 13, 2016

Image 1 (above): Segment of former Railroad spur track. South façade, view east. 1/13/16.

Image 2 (below): Interpretive waste receptacle at southwest corner the intersection of 5th and Jackson streets. West façade of S&W Building in background view southeast. 1/13/16.

Image 3 (above): Interpretive waste receptacle at southwest corner of the intersection of 5th and Jackson streets. View northwest. 1/13/16.

Image 4 (below): Interpretive waste receptacle at northeast corner of the intersection of 4th and Jackson streets. View south. 1/13/16.

Image 5 (above): Decorative pilaster along north-facing 5th Street façade. View south. 1/13/16.

URBAN
PLANNING
PARTNERS
INC.

JACK LONDON DISTRICT
4TH & MADISON PROJECT

Appendices

Response to Comments Document

Case No. ER15-005

State Clearinghouse No. 2015042051

Prepared for:

City of Oakland

February 2016

URBAN PLANNING PARTNERS INC.

JACK LONDON DISTRICT
4TH & MADISON PROJECT

Appendices
Response to Comments Document

Case No. ER15-005
State Clearinghouse No. 2015042051

Prepared for the City of Oakland

By:

Urban Planning Partners, Inc.
505 17th Street, 2nd Floor
Oakland, CA 94612

With:

BASELINE Environmental Consulting
Carey & Co., Inc.
Fehr & Peers

February 2016

URBAN
PLANNING
PARTNERS
INC.

APPENDIX A

Public Comment Letters

DEPARTMENT OF TRANSPORTATION
DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
FAX (510) 286-5559
TTY 711
www.dot.ca.gov

Letter A-1

Serious Drought.
Help save water!

September 24, 2015

ALA880722
ALA-880-PM 31.2
SCH# 2015042051

Mr. Peterson Vollmann
Planning Division
City of Oakland
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612

ER15-005 Jack London Square 4th & Madison Project – Draft Environmental Impact Report

Dear Mr. Vollmann:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. Our comments seek to promote the State's smart mobility goals that support a vibrant economy and build active communities rather than sprawl. We have reviewed the Draft Environmental Impact Report (DEIR) and have the following comments to offer.

Project Understanding

The proposed infill project would demolish the site's existing building and adjacent surface parking lot and construct two buildings of approximately 330 apartment units and 3,000 square feet of ground-floor commercial, and 365 parking spaces. The project is located within approximately one-half mile of the Lake Merritt BART and Amtrak stations. The northernmost portion of the project site (Block A) is located along 5th Street. Interstate 880 (I-880) is located immediately north and adjacent to 5th Street. Ramps at Oak Street and Jackson Street provide the regional access to the project site. 1

Mitigation Responsibility

As the lead agency, the City of Oakland (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Transportation Analysis

- Please clarify the Jackson Street/5th Street and Jackson Street/6th Street intersections' level of service (LOS) calculations between what is stated in Appendix D, Table 1, 2

Intersection LOS Comparison, and Appendix C, Traffic and Transportation LOS Calculations. The 2035 + P PM results at the Jackson Street/5th Street and Jackson Street/ 6th Street intersections shows LOS C, but the calculations in Appendix C show LOS D for these same intersections. 2 cont.

- Please explain the different existing PM conditions at the Oak Street/5th Street intersection between the Lake Merritt Station Area Plan EIR (LMSP) and the Jack London Square Redevelopment Project Addendum to the 2004 EIR (JLS) found in Appendix D, Table 1. The LMSP shows LOS D and the JLS Addendum shows LOS A, yet the volumes are approximately two percent different, as shown in Appendix D, Table 2. Please provide any field data to further support these assumptions. 3

- Please explain the dissimilar 2035 + P AM and PM intersection LOS comparisons between the LMSP EIR and JLS Addendum, found in Appendix D, Table 1. The LMSP EIR shows intersection LOS comparisons between E and F and the JLS Addendum shows intersection LOS comparisons between A and C. As mentioned in the Appendix Memo, the LMSP generally used higher cumulative 2035 traffic volumes. The two EIRS also use different peak hour factors (PHF). The LMSP ranges between 0.80 and 0.95 and the JLS Addendum uses a global PHF of 1.0. The Memo mentions that the difference has a substantial effect on LOS. Please clarify if the PHF of 0.80 to 0.95 lowers the LMSP volumes to make them closer to the volumes of the JLS Addendum. 4 5

Interstate 880 – Caltrans Project Coordination

Please be aware of ongoing projects within the Caltrans State Highway Operation and Protection Program and State Transportation Improvement Program for Alameda County. Projects within vicinity of this project include the I-880/5th Avenue Bridge Replacement Project and the I-880 Broadway/Jackson Interchange Improvement Project. We advise you to coordinate with Caltrans to address possible overlapping of construction and potential traffic impacts. For further assistance regarding Caltrans I-880 Projects, please contact Cristina Ferraz, Caltrans District Division Chief – East Region, at (510) 286-3890. 6

Transportation Impact Fees

Please identify any transportation impact fees to be used for project mitigation. Mitigation may include fair share contributions to the regional fee program as applicable and should support the use of transit and active transportation modes. The Alameda County Transportation Commission *2014 Transportation Expenditure Plan* has listed investments including the I-880 Broadway-Jackson Interchange Improvements Project currently under review. In addition, funds are included for I-880 Broadway-Jackson multimodal transportation and circulation improvements at Jack London Square. These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity. 7

Vehicle Trip Reduction

Caltrans encourages the City to locate future housing, jobs and employee-related services near major mass transit centers with connecting streets configured to facilitate walking and biking. We commend the City's Standard Conditions of Approval for the Project, TRA-1: Parking and Transportation Demand Management (TDM), which incorporates a number of strategies that will promote mass transit use thereby reducing regional vehicle miles traveled and traffic impacts. We concur with the future TDM Plan's ongoing monitoring and enforcement program to ensure the Plan is implemented. As suggested, we encourage an annual compliance report be required to demonstrate their effectiveness. This smart growth approach is consistent with MTC's Regional Transportation Plan/Sustainable Community Strategy goals of both increasing non-auto mode transportation, and reducing per capita VMT by 10 percent each. 8

Transportation Management Plan

Where traffic restrictions and detours affect State highways, a Transportation Management Plan (TMP) or construction Traffic Impact Study may be required of the City for approval by Caltrans prior to construction. Please ensure that such plans are also prepared in accordance with the TMP requirements of the corresponding jurisdictions. For further TMP assistance, please contact the Office of Traffic Management Plans/Operations Strategies at 510-286-4579. TMPs must be prepared in accordance with California *Manual on Uniform Traffic Control Devices.* Further information is available for download at the following web address: http://www.dot.ca.gov/hq/traffops/engineering/mutcd/pdf/camutcd2014/Part6.pdf. 9

Should you have any questions regarding this letter or require additional information, please contact Sherie George at (510) 286-5535 or by email at sherie.george@dot.ca.gov.

Sincerely,

PATRICIA MAURICE
Acting District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Letter B-1

Jack London Improvement District
333 Broadway
Oakland, CA 94607

September 10, 2015

To: Members of the Landmarks Preservation Advisory Board
CC: Oakland City Planning Commissioners
RE: Draft Environmental Impact Report for Project at 4th and Madison

Dear Members of the Landmarks Preservation Advisory Board:
We appreciate the attention to Jack London's historic resources in the Environmental Impact analysis and draft report.

We recognize that the entitlement process is an opportunity to shape the project and its conditions of approval so that they contribute to the quality, awareness, and enjoyment of the historic district that is impacted. We are concerned that the draft conditions of approval do not correlate to the potential impact of the proposed project on the Waterfront Warehouse District, listed on the National Register of Historic Places in 2000, and to which the S&W Fine Foods Building is a contributing structure. 1

The proposed mitigation HIST-1d, contribution to the citywide Façade Improvement Program, is of greatest concern. It offers nothing to mitigate the impact on the Waterfront Warehouse District yet is the most extreme mitigation imposed on the applicant. We insist that, as a matter of principle, any funds related to the demolition of this contributing structure be applied to use within the boundaries of the Waterfront Warehouse District. 2 3

The first and second proposed mitigations; documentation (HIST-1a) and commemoration (HIST-1b) through display are related to the individual structure and commonly required for designated historic structures. Therefore in order to relate the mitigation to the impact on the District we suggest that the display be publicly accessible and as interactive as possible. 4

In consideration of the third proposed mitigation, signage on trash receptacles (HIST-1c), it should be noted the Jack London Improvement District (JLID) rather than the Jack London District Association (JLDA) is responsible for maintenance and cleaning of all elements in the public right-of-way since the initiation of operations in 2014 and according to its management plan with the City of Oakland. The Jack London Improvement District provided the estimated maintenance cost of $10,780.88 to the Consultant. This is a maintenance cost absorbed entirely by the Jack London Improvement District PBID, so any funds directed to this purpose should be provided to JLID rather than JLDA. Additional funds will be needed for repairs to many of the receptacles as well as replacement of two or three receptacles (and signage) that have been destroyed during the past fifteen years. 5 6

Letter B-1
cont.

JACK LONDON
OAKLAND™

In addition, we are concerned that the Planning Commission will not have an opportunity to receive written comments from the Landmarks Preservation Advisory Board because the Planning Commission is scheduled to hold a public hearing on this item on September 16th, in just two days. We ask you to request that the Planning Commission continue its public hearing to its next meeting (Oct 7) in order to receive the LPAB's written comments. 7

During the past few months, Jack London Improvement District has conducted outreach and hosted several community meetings with Jack London stakeholders and the Developer, Carmel Partners, to receive input and promote awareness of the development and its implications. The community has expressed that the development has potential for positive impact to the neighborhood by bringing activity, new residents, and additional amenities to an area that is accessible and appropriate for the proposed use. The community has also shown a great interest in the integrity of the historic Waterfront Warehouse District, and brought forth numerous creative ideas for mitigation of the project's potential impact have come forth, including:

- Enhancing gateways and public spaces of the historic Waterfront Warehouse District through improved signage, pedestrian amenities, installations, and streetscape improvements
- Replacing and repairing historical signage and trash receptacles to better interpret the Waterfront Warehouse District 8
- Installing historic streetlights to enhance nighttime views of buildings throughout the District while reducing vandalism and improving pedestrian safety at night
- Funding educational historical architecture and urban design walking tours of the District
- Producing creative exhibits about the District's history at a variety of locations around the district
- Removing graffiti that detracts from the historic character of buildings in the District

Each of these measures (and others not yet imagined) would have a more direct correlation to the potential impact than the conditions proposed in the draft EIR, and would serve to enliven and improve the district. We ask that the EIR be revised to appropriately address the impact at hand, and function to enhance, promote, and preserve the integrity of the Waterfront Warehouse District. 9

Sincerely,

Savlan Hauser
Executive Director
Jack London Improvement District

This letter, submitted to the City after the close of the public comment period for the Draft EIR, is included as an attachment to Letter B-1 as substantiation for revisions made to Mitigation Measure HIST-1c.

JACK LONDON OAKLAND™

January 28, 2016

To: Lynette Dias
Urban Planning Partners
505 17th Street, 2nd Floor
Oakland, CA 94612

Dear Lynette,

The Jack London Improvement District is responsible for special cleaning, maintenance, and beautification services in the public right-of-way in Jack London. The District also cleans graffiti and excess litter from the 22 Historic Waterfront Warehouse District trash receptacles, and replaces removable cans as needed.

The receptacles and their historic markers were a compliment and enhancement to the Historic District, and educational programs such as the walking tours. Over the decade since their installation, signs have disappeared, and the receptacles have fallen into some level of disrepair. Approximately 6-7 of the existing receptacles need full replacement. The District received quotes for approximately $3,000 replacement cost by a local metal fabrication contractor for replacement, and repair estimates of $100-$500 for the others. The District believes $25k is sufficient to repair the cans and replace signage.

The community is supportive of historic signage, but has raised concerns that the receptacles are outdated and should be more durable to prevent ongoing maintenance and repair expenditures. The Jack London Improvement District requests the flexibility to allocate this money to a new and enhanced signage program acceptable to historical advocacy groups and approved by the Planning Director. Jack London Improvement District would like to organize a collaborative process on behalf of area residents, businesses, and advocate groups to explore ideas and come to a consensus about how the money will be spent to enhance and celebrate Oakland's unique, historic, waterfront District.

Please do not hesitate to contact me with any questions.

Sincerely,
Savlan Hauser

Executive Director
Jack London Improvement District



Historic Marker Trash Receptacles in need of repair

Letter B-2

South of the Nimitz Improvement Council (SoNiC), 229 Harrison Street, Oakland, CA 94607

To: LPAB Members
From: Gary Knecht, President, SoNiC
Date: September 13, 2015

Subject: Comments on Historic Resources section of Draft EIR for 4th & Madison Project

Pages 69 through 96 of the draft EIR contain various errors and omissions that we will cover in a separate letter. However, we believe the Landmarks Preservation Advisory Board should weigh in on several important issues. 1

Mitigation Measures

Measures appropriate to mitigate *Significant* effects to a Historical Resource are listed in the draft EIR on pages 78 & 79. The list has nine measures that are taken from the City's Historic Preservation Element (Action 3.8.1). Three of them are relevant to this comment: 2

- No. 7 suggests documentation in a HABS survey report … or **other appropriate format**.
- No. 8 suggests providing on-site information on the historical significance of the resource.
- No. 9 suggests a contribution to a façade improvement program, …, or **other program appropriate to the character of the resource**.

The draft EIR proposes four "mitigation measures" (pp 87 – 88) for the demolition of the S&W Fine Foods headquarters. Our belief is that three of them need significant revisions. 3

HIST-1a: HABS documentation (per No. 7) is appropriate for individual landmarks but seems like overkill for a district contributor. The whole Waterfront Warehouse District is the historical resource that should be documented. Rather than a HABS survey report, we suggest another "appropriate format" be proposed and be focused on the WWD. Because it will be less expensive, leftover funds could be used for the Historic District Signage Program (HIST-1c), which we think should be expanded. 4

HIST-1b: On-site commemoration and public interpretation (per No. 8) of the S&W Fine Foods headquarters on or in the new building is an appropriate condition of approval. 5

HIST-1c: The Historic District Signage Program (per No. 7 and No. 8) involves trash receptacle signs and street marker signs. Rather than paying for one year of maintenance (HIST-1c) we recommend making urgently needed repairs and providing replacements for several units destroyed by cars. We suggest that a survey be done and costs be estimated. Enhancing and expanding the signage program throughout the WWD would be a much more appropriate mitigation for the demolition of a contributing building. 6 7

HIST-1d: Contribution (per No. 9) should be to a "program appropriate to the character of the resource". As noted above, the historical resource is the Waterfront Warehouse District in which the S&W Fine Foods headquarters is a contributing property. Funds should be used to benefit and enhance the Waterfront Warehouse District; they should not be deposited in the Façade Improvement Fund as there are few if any facades in the WWD that need "improvement". The Jack London Improvement 8

District and members of the community have suggested many viable uses for this contribution. What's needed is a program and decision-making process that benefits and enhances the WWD. 8 cont.

Impacts on Historic Resources

Three categories of impacts on historic resources are discussed in the draft EIR: *Less-than Significant Impacts*, *Significant Impacts*, and *Cumulative Impacts* (pp 83 – 96). It identifies one *Significant Impact*, which is the demolition of the S&W Fine Foods headquarters (HIST-1) and proposes four mitigations (discussed above). It identifies one *Cumulative Impact*, which is to materially impair the significance of the historic district (HIST-2) but proposes no mitigations or conditions of approval. 9

On page 84 the draft EIR says that the demolition of S&W Fine Foods headquarters would have a *Less-than Significant Impact* on the Waterfront Warehouse District because its loss "would not destroy the District's character such that it would be likely to be removed from the National Register of Historic Places." However, on page 95 the draft EIR says that "the proposed project will add to this cumulative loss of integrity and loss of historic resources and as a result the integrity and significance [of the] National Register District will be materially affected." And on page 96 the draft EIR says, "the effect of the proposed project in combination with effects of other the past projects would be cumulatively significant and unavoidable."

Nowhere in the draft EIR could we find a discussion of the design review findings that must be made in order to approve demolition of the S&W Fine Foods Headquarters (City of Oakland Planning Code, Section 17.136.075). Relevant to this comment is the required finding that "The replacement project will not cause the district to lose its current historic status." (17.135,075 C.3.b.vi.). 10

To make this finding, there is a short two-paragraph discussion of *Less-than Significant Impacts* that we believe should be expanded to explain how and why the Waterfront Warehouse District will continue to meet National Register criteria after demolition of the S&W Fine Foods headquarters. There is a very long eight-page discussion of *Cumulative Impacts* (pp 88 – 96) that could be edited and needs to include some serious mitigation measures or conditions of approval for Impact HIST-2. 11 12

Jack London District

The header on each page of the draft EIR says "Jack London Square 4th & Madison Project EIR". This project is not in Jack London Square. Jack London Square is south of the Union Pacific Railroad tracks (Embarcadero) and closer to the foot of Broadway. Most of the Square is on land owned by the Port of Oakland. 13

The header should be corrected on every page to remove "Square". Replacing it with "District" would work as would also removing "Jack London".

Letter B-3

OAKLAND HERITAGE ALLIANCE

September 13, 2015 By electronic transmission

Oakland Landmarks Preservation Advisory Board
Oakland Planning Commission Members
Peterson Vollman, Planning Staff, Oakland Planning Department

Dear Landmarks Board and Planning Commission Members,

Oakland Heritage Alliance has reviewed the available materials for the Carmel Partners project, and the DEIR. Here are our comments:

1. **Project proponents and commissioners should seriously consider alternative #2**, the environmentally superior approach, which would attain project objectives and still preserve some of the historic aspects of the site, as well as avoiding the visual weakening of the national register district, whether or not the block is still considered eligible. The case for ignoring this alternative has not been made. EIRs were invented not to supply strawman alternatives, but real ones. A substantive, earnest, and good-faith effort should be made to try to work this or a similar alternative through thoroughly, and come up with a less damaging alternative to the current proposal. 1

2. **The mitigations are inadequate.**
We support the suggestions made by some residents of the neighborhood that expand on the mitigations suggested in the DEIR, to wit:

HIST-1a: HABS documentation (per No. 7) is appropriate for individual landmarks but seems like overkill for a district contributor. The whole Waterfront Warehouse District is the historical resource that should be documented. Rather than a HABS survey report, we suggest another "appropriate format" be proposed and be focused on the WWD. Because it will be less expensive, leftover funds could be used for the Historic District Signage Program (HIST-1c), which we think should be expanded. 2

HIST-1b: On-site commemoration and public interpretation (per No. 8) of the S&W Fine Foods headquarters on or in the new building is an appropriate condition of approval. 3

HIST-1c: The Historic District Signage Program (per No. 7 and No. 8) involves trash receptacle signs and street marker signs. Rather than paying for one year of maintenance (HIST-1c) we recommend making urgently needed repairs and providing replacements for several units destroyed by cars. We suggest that a survey be done and costs be estimated. Enhancing and expanding the signage program throughout the WWD would be a much more appropriate mitigation for the demolition of a contributing building. 4 5

HIST-1d: Contribution (per No. 9) should be to a "program appropriate to the character of the resource". As noted above, the historical resource is the Waterfront Warehouse District in which the S&W Fine Foods headquarters is a contributing property. Funds should be used to benefit and enhance the Waterfront Warehouse District; they should not be deposited in the Façade Improvement Fund as there are few if any facades in the WWD that need "improvement". The Jack London Improvement District and members of the 6

446 17th Street, Suite 301, Oakland, California 94612 • (510) 763-9218 • info@oaklandheritage.org
Web Site: www.oaklandheritage.org

community have suggested many viable uses for this contribution. What's needed is a program and decision-making process that benefits and enhances the WWD. 7

Oakland Heritage Alliance would add that any on-site commemoration should be placed in an area where the general public and passers-by can see it without requiring entry through a security system. 8 On a minor note, when we visited the site there was discussion with the developers about retention or creative reuse onsite of abandoned train track elements. 9 There is no mention of reusing any historic materials in the DEIR. Please inventory available historical materials and devise ways to use elements on site as part of the project. The developers at the time seemed amenable. 10

The proposed project will entirely raze one block of the Waterfront Warehouse National Register District. Therefore, the mitigations must go some way to compensating for diminishing an important district, as well as for the demolition of the building itself. While HABS-HAER documentation is an important undertaking, we do not recognize it as a substantive mitigation, since all it does is document what will vanish. While contribution to the citywide facade improvement program is also a good thing, it does nothing to make whole a National Register District that is being impaired. While commemorations are wonderful for providing some limited amount of context for those who are interested, they often occur inside lobbies or in similar places that are not publicly accessible. And, after all, they commemorate that which has been destroyed. Substantially greater mitigation effort is imperative if the entire block is to be demolished. 11 12

3. The proposed new design is not good enough. The design quality of the replacement structure is not yet equal to or superior to that of the historic structure. 13 The replacement of a National Register contributor should rise to a particularly high level of design, or the demolition cannot be justified (see Demolition Findings Ordinance). While the S&W building was not a fancy building, its builders did more than just build a plain warehouse block. We particularly object to the "container" shaped protrusion above the first floor looming over the leasing office. There is absolutely no history of container use at this site, so how is this corrugated metal shape relevant? It seems an obtrusive rendering of a current trope, which for lack of a stylistic label we might call "put a big heavy frame around some window or group of windows." This kind of element is overused at present, for example on the federal building in San Francisco, in the Oakland Children's Hospital design, and recurringly on other recent projects. 14 Is this going to be the cliché of the 20-teens, the feature that stands out as the characteristic habit of architects of our era? Is it possible to achieve a look that is more timeless? We challenge the project architects to revisit this corner and if indeed total demolition of the historic resource is insisted upon, to design something that more appropriately addresses the Waterfront Warehouse District with relevant forms.

4. The demolition findings ordinance (17.136.075) is not being implemented properly. Where are the demolition findings and the detailed discussion they require? To make any sense as an adjunct to decisionmaking, the demolition ordinance-required studies *must be fulfilled before or during the environmental review period, not afterward,* or it serves no useful function. 15 If the project is approved without looking at those considerations, why go to the trouble of revisiting the questions posed under the Demolition Ordinance? It is particularly relevant in the case of this project, in a National Register District. City staff must implement the requirements of the ordinance, and do it in a timely fashion. We intend to forcefully object if this project is submitted 16

to the planning commission without those findings. The landmarks board, planning commission, and city council went through a long process to write, revise, and pass this ordinance. It should be used. 16 cont.

Under the demolition findings ordinance, in this API the project would have to meet these requirements:

a. The design quality of the replacement structure is equal/superior to that of the existing structure; and

b. The design of the replacement project is compatible with the character of the district, and there is no erosion of design quality at the replacement project site and in the surrounding area. This includes, but is not necessarily limited to, the following additional findings:

i. The replacement project is compatible with the district in terms of massing, siting, rhythm, composition, patterns of openings, quality of material, and intensity of detailing;

ii. New street frontage includes forms that reflect the widths and rhythm of the facades on the street and entrances that reflect the patterns on the street;

iii. The replacement project provides high visual interest that either reflects the level and quality of visual interest of the district contributors or otherwise enhances the visual interest of the district;

iv. If the design contrasts the new to the historic character, the replacement project enriches the historic character of the district; 17

v. The replacement project is consistent with the visual cohesiveness of the district. For the purpose of this item, visual cohesiveness is the architectural character, the sum of all visual aspects, features, and materials that defines the district. A new structure contributes to the visual cohesiveness of a district if it relates to the design characteristics of a historic district. New construction may do so by drawing upon some basic building features, such as the way in which a building is located on its site, the manner in which it relates to the street, its basic mass, form, direction or orientation (horizontal vs. vertical), recesses and projections, quality of materials, patterns of openings and level of detailing. When a combination of some of these design variables are arranged in a new building to relate to those seen traditionally in the area, but integral to the design and character of the proposed new construction, visual cohesiveness results; and

vi. The replacement project will not cause the district to lose its current historic status.

We appreciate the developers' efforts, but believe that this project requires further consideration of alternatives, stronger mitigation if demolition is contemplated, fulfillment of the Demolition Findings studies, and additional design refinement. 18

Sincerely,

Alison Finlay

Alison Finlay, President

Naomi Schiff

Naomi Schiff, Preservation Committee

Letter B-4

South of the Nimitz Improvement Council (SoNiC), 229 Harrison Street, Oakland, CA 94607

To: Peterson Z Vollmann (via email to pvollmann@oaklandnet.com)
From: Gary Knecht, President, SoNiC
Date: September 22, 2015

Subject: Comments on Draft EIR for 4th & Madison Project (ER15-005)

Jack London District (all pages)

The header on each page of the draft EIR says "Jack London Square 4th & Madison Project EIR". This project is not in Jack London Square. Jack London Square is south of the Union Pacific Railroad tracks (Embarcadero) and closer to the foot of Broadway. Most of the "Square" is on land owned by the Port of Oakland. The header should be corrected on every page to remove "Square". Replacing it with "District" would work as would also removing "Jack London". 1

B. Historic Resources (pages 69 through 96)

1) Page 69; 1. Setting; line 6: … single warehouse and office building … 2
2) Page 70; Figure IV.B-1: Lake Merritt BART station is not correctly located. Correct location is on block bounded by Madison, 9th, Oak, and 8th Streets. 3
3) Page 71; (2) Project Vicinity; 2nd paragraph; last sentence: development near project site included many warehouses. In the past 33 years I never saw a brewery, much less breweries. What did I miss? 4
4) Page 72; (3) WWD; 2nd paragraph; 2nd sentence: please add the year of the OCHS form for WWD (1983 or 1984 as I recall). Also add the year when the boundaries were revised (by OCHS?) and the year the building at 2nd & Harrison was demolished (and replaced by Jerry Brown's "We The People Compound"). 5
5) Page 73; b. Resource Description: Isn't the WWD the "historic resource" (described on previous page)? Shouldn't this be called something like "District Contributor Description"? 6
   Throughout this chapter the whole district and the district contributor(s) get mixed up. This would be a good place to explain the difference between the whole district and the individual buildings (contributors and non-contributors) that comprise that district. 7
6) Page 74; 3rd line: Why mention "217 Alice St"? Is it still there? Is it in the WWD? I realize city directories gave it as their address, but why not say "… occupied a nearby warehouse on Alice Street for ten years …"? How do we know they leased it? Is any of this important or relevant to the description of the district contributor on Block A of the proposed project? 8 9
7) Page 78; mid-page: Policy 3.5 is quoted as a policy "particularly relevant to proposed project." Where is this relevance discussed in the draft EIR? Which, if any, of these findings can be made? 10 11
8) Page 78; bottom of page: nine measures that could be appropriate "to mitigate significant effects to a Historical Resource" are listed but their source is not identified. They are Action 12

3.8.1 under Policy 3.8 and should be identified as such either by formatting like Policy 3.8 is formatted or by footnote. As presented it is unclear how this list relates to the Historic Preservation Element. 12 cont.

9) Page 79; (6) Estuary Policy Plan: there are <u>two</u> policies (not just one) relevant to the proposed project: Policy JL-5 (quoted at the bottom of the page) is relevant <u>only</u> to Block B of the proposed project (not Block A), but this is not made clear. 13

10) Page 80; Estuary Policy Plan (continued): Policy JL-6 (Waterfront Warehouse District) is omitted completely. This is a serious oversight that is very difficult to understand or excuse. 14

11) Page 81; d. Evaluation: this brief section on "evaluation" is totally inadequate. It follows nearly 8 pages describing the "regulatory setting" of "federal, state, and local criteria used to assess historic significance." Seven different sets of regulations are discussed on pages 74-81, but only three are "evaluated" on pages 81 and 82. Where are the other four? 15

12) Page 82; (3) City of Oakland, Local Register…: this "evaluation" is very confusing. What is an "Evaluation Tally Sheet" and why is it relevant? The quote from the Evaluation Tally Sheet should be explained (why is it even needed?). The last sentence of this "evaluation" refers to Policy 3.8, which is quoted on page 78, but that policy says nothing about "Potential Designated Historic Property" or "Area of Primary Importance". The building on Block A is, in fact, a "Designated [existing] Historic Property" and, in accordance with Policy 8 (on page 78), its proposed demolition requires preparation of an EIR. This paragraph should be completely rewritten. 16 17 18

13) Pages 83-84; (1) Impacts of Demolition: This section needs to be expanded and clarified. The conclusion that that the demolition of S&W Fine Foods headquarters would have a *Less-than Significant Impact* on the Waterfront Warehouse District because its loss "would not destroy the District's character such that it would be likely to be removed from the National Register of Historic Places" seems inconsistent with the statement on page 95 that "the proposed project will add to this cumulative loss of integrity and loss of historic resources and as a result the integrity and significance [of the] National Register District will be materially affected." And inconsistent with the conclusion on page 96 that "the effect of the proposed project in combination with effects of other the past projects would be cumulatively significant and unavoidable." Perhaps the "Discussion of Integrity" that begins on page 90 and addresses location, design, setting, materials, workmanship, feeling, and association could be moved to this section to support the statement that the demolition of the S&W Fine Foods headquarters would "not result in a significant effect on the district". And just the "reasonably foreseeable demolition, new construction and other alterations" could be discussed in the section on Cumulative Impacts that starts on page 88. 19 20

14) Page 85; last paragraph: because the proposed new building on Block A would be located in the Waterfront Warehouse District (policy JL-6) rather than the Mixed Use District (policy JL-5), this paragraph (and much of this section) needs correction and revision. 21

15) Pages 85-86; Building B: The proposed new building on Block B is incorrectly located in this discussion. The parking lot (Block B) is directly across 4th Street from the Waterfront Warehouse District. Unless the the boundaries of the WWD are changed with the approval of the Keeper of the National Register, Block B will always be directly across the street from the WWD. It will never be "half a block outside…" and the proposed new building will never 22

be "'set back' about 190 feet from the Historic District boundary (middle of Jackson Street)." Please make corrections. 22 cont.

16) Page 87; HIST-1a: HABS documentation is appropriate for individual landmarks but seems like overkill for a district contributor. The whole Waterfront Warehouse District is the historical resource that should be documented. Rather than a HABS survey report, we suggest another "appropriate format" be proposed and be focused on the WWD. Because it will be less expensive, leftover funds could be used for the Historic District Signage Program (HIST-1c), which should be expanded. 23 24

17) Page 87; HIST-1c: The Historic District Signage Program involves trash receptacle signs and street marker signs. In addition to paying for one year (why just one year?) of maintenance we recommend making urgently needed repairs and providing replacements for several units destroyed by cars. We suggest that a survey be done and costs be estimated. Enhancing and expanding the signage program throughout the WWD would be a much more appropriate mitigation for the demolition of a contributing building. 25

18) Page 88; HIST-1d: Contribution should be to a "program appropriate to the character of the resource". As noted above, the historical resource is the Waterfront Warehouse District in which the S&W Fine Foods headquarters is a contributing property. Funds should be used to benefit and enhance the entire Waterfront Warehouse District; they should not be deposited in the Façade Improvement Fund as there are few if any facades in the WWD that need "improvement". The Jack London Improvement District and members of the community have suggested many viable uses for this contribution. What's needed is a program and decision-making process that benefits and enhances the WWD. 26

19) Page 88; Impact HIST-2: This whole discussion is less than adequate and needs to be revised. Among other things, it should specify where "reasonably foreseeable demolition, new construction and other alterations" may take place that could "materially impair the significance of the historic district…". What is the reason for including the paragraph at the bottom of the page? How are changes that occurred prior to 1999 relevant to the historic resource that was listed on the National Register in 2000? 27 28

20) Page 90; first line: there are many more than two "adaptive use" projects in the WWD. Either list each and its relevance to the discussion of cumulative impacts, or omit this section. 29

21) Page 90; … three new developments: three new buildings have been constructed as stated. It might clarify things to say that two were built on vacant parcels previously owned by the railroad (Allegro 1 at 240 3rd Street [2001] and 288 3rd Street [2007] and the other, 428 Alice [2006], involved the demolition of a district contributor. 30

22) Page 91; middle of page: "The steps in assessing integrity in properties are:" needs to be clarified. Are these the National Register's steps for assessing integrity or the California Register's steps? Are these steps for individual buildings within the district or the district as a whole? Or both? Throughout the discussion of location, design, setting, materials, workmanship, feeling, and association that follows, the difference between the district as a whole and individual buildings within the district is often unclear. Some editing would help! 31

23) Page 95; Conclusion: Why is the Oakland API criteria for integrity of a district brought up here when it has not been mentioned in the previous section that discusses integrity? 32

C. Traffic and Transportation (pages 97 through 146)

Four areas of concern that should be clarified in the EIR even if no mitigation is proposed:

--For many years we have wondered why Madison Street is one way between 5th and 4th. Can this be explained in the EIR and possibly changed? 33

--Will this project be required to install, repair, and/or replace curb, gutter, and sidewalk where needed around both buildings? Where is this requirement specified in the draft EIR? 34

--The angle parking on Jackson between 5th and 4th narrows both driving lanes on a busy street and creates unsafe conditions that can cause unreported fender benders, near misses, and road rage. Additional traffic heading to the proposed project can only exacerbate these problems. Does parking on this block of Jackson Street meet normal City standards? If not, might this not be a good time to replace the angle parking with parallel parking? 35

--If asked, employees and residents of the Jack London District will tell you that a left turn signal is needed northbound on Jackson at the 6th Street/I-880 onramp. Currently Jackson and 6th is a signalized intersection. At various times there is heavy traffic exiting the Jack London District that wants to turn left into the freeway onramp. This can be difficult when there is southbound thru traffic on Jackson Street or when there are pedestrians in the crosswalk. Traffic sometimes backs up under the freeway to 5th Street, blocking vehicles exiting from I-880, and occasionally as far as 4th Street. Adding a carefully timed left turn arrow to the traffic signals at this intersection to allow a protected left turn into the freeway onramp might alleviate the problem until more traffic is generated by additional development in the Jack London District. At that time, it might help to add roadway sensors for traffic signals and pedestrian actuated signal devices. 36 Counts for this intersection were collected in Jan/Feb 2013. Since then, new employees have occupied previously vacant office space throughout the Jack London District. We think the counts at this intersection should be updated to reflect current realities. 37

Letter B-5

Brickhouse Lofts Home Owners Association
201 Third Street
Oakland, CA 94607
(Contact person: J. Ganz: jganzbx67@gmail.com.
510.306.6904)

September 23, 2015

RE:
CITY OF OAKLAND CASE FILE NO. ER15005
JACK LONDON DISTRICT 4TH & MADISON; DRAFT EIR OPPOSITION.

To Pete Vollmann and the Honorable Oakland City Planning Commissioners:

The Home Owners Association (HOA) of Brickhouse Lofts, located at 201 Third Street, Oakland, CA 94607, completed in 1998 and one of the pioneering structures in our Jack London Historic District, is in favor of new development that retains our unique warehouse heritage, brings vitality to our community, enhances public safety, creates an environment for needed services, and encourages population diversity.

The draft EIR correctly defines this project as a maximum density project. But it ignores the impact of that density on traffic congestion and danger of accidents and the need for basic services for JLD residents, the tiny allotment of commercial space would not provide. Accordingly, the Brickhouse Lofts Homeowners Association objects to the following aspects of the Draft EIR: 1

(A.) the EIR should include a traffic study based upon contemporary data concerning the level of usage and re-adjusted to remove credits mistakenly awarded; and

(B.) the amount of retail space should be part of the EIR, not left to design review, because it violates land use policies and will impact traffic.

(A.) **The EIR Should Rely Upon a New Contemporary Traffic Study to Determine Whether Mitigation Measures Should Be Required.**

The conclusion of the DEIR, namely that the current level of usage (including at 6th and Jackson) operates at peak hours with only minimal delays earning a "B" LOS (DEIR, pg. 130) does not jive with the daily experience of our HOA residents. What happens on a daily basis is more consistent with an E or F grade. The intersections frequently overflow, blocking oncoming traffic. The wait time for getting through the traffic signal at 6th & Jackson to the freeway on-ramp is often 15 minutes. Many drivers turn left to the freeway ramp against the light and risk danger to themselves and others. 2

The DEIR traffic study conclusion was skewed in favor of the developers in several ways:

(1) it was based upon stale data captured in two months in 2013 (DEIR, pg. 97) that no amount of theoretical extrapolation can correct to reflect current usage; 3

(2) the study wrongly awarded credits owing to existing employees of Cost Plus even though the traffic created by those workers is in the opposite direction to residents who will be leaving for work at the very same time these workers are arriving (DEIR pg. 123); 4

(3) while it is true not all 365 cars will be leaving at the same time, the traffic study depends too heavily upon the ability of tenants to change their work schedules -- an issue neither the city nor the developers can control; and 5

(4) the study took no account of the cumulative effect of the planned two Ellis Partners projects and the large Brooklyn Basin project. 6

As set forth in our previous comments to the NOP, there are simple mitigation measures that would ease these concerns: 7

(1) install a left-hand turn only traffic signal at the Jackson St. & 6th Street freeway entrance and optimize signal timing to alleviate the gridlock;

(2) change parking on Jackson Street between 4th and 5th Streets -- which is currently angled and makes the exit from the freeway ramp dangerous and congested -- to parallel only and restricted altogether during rush hours; 8

(3) extend the current free shuttle bus route to include Jackson Street to and from the Lake Merritt BART station, and/or improve the lighting under the freeway overpasses, to make access to public transit safer and more convenient. 9

A new traffic study with reliable data should be performed, and mitigation measures, such as those suggested here, should be required. This project will have an adverse impact on traffic during peak hours the developers should be required to ameliorate. 10 11

(B.) **The Amount of Planned Retail Space Should Be Part of this EIR Since Nearly All Agree the Amount will Increase from the Limited 3000 Square Feet, Requiring a Later-Performed Traffic Study, and the Current Designated Space Fundamentally Conflicts with Land Use Policies -- a Proper Subject for City Planning.** 12

The proposed tiny allotment of commercial space should be addressed here and now by the city planning commission and not put off solely as a design review issue as it impacts both traffic and land use policies.

It is a waste of scarce city resources to go forward with the EIR that only contemplates 3000 square feet of retail space, when it has been suggested this amount will increase, as commented by Commissioner Moore on 9/16/15, and informally by others. The DEIR at page 43, footnote 4 suggests increasing the commercial space even just to 8000 sq. ft., would generate 100 additional trips during peak hours requiring an additional traffic analysis. 13 14

Two land use policies are violated if the project is permitted to go forward without an analysis how limited retail space comports with land use policies. Both the General Plan D.1.9 and the Estuary Plan JL-5 require developments to include retail outlets. The EIR must include such an analysis. 15

The developer of Brickhouse Lofts, Mike Bartlett (resume attached as appendix) has asked us to include his comments here: 16

"While I appreciate that some of the issues relating to commercial storefronts would be addressed in design review, even 8,000 sf would be an inadequate amount of commercial space. The two sites are 90,000 sf and represent the last contiguous large parcels in the neighborhood

besides Lakeside Metals. The two sites have 1500 linear feet of sidewalk frontage. Even inadequate 20 foot depth retail specs like the spaces in the Alegro covering 50% of the street frontage would be 15,000 sf. 16 cont.

As I understand it, almost all of the "commercial " would be devoted to the apartment management and common areas with virtually no retail or publicly accessible space. I could see nothing on 5th Street due to heavy traffic loads and fronting the raised freeway but this project controls both sides of 4th Street and could help create a feeling of neighborhood. The neighborhood has some of the widest sidewalks in Oakland and the street should cater to people not cars. The Lakeside Metals site is also contiguous to the south and combined you could get some real synergy and vitality going. Think, "The Hive" on Broadway and 4th Street in Berkeley. While not required the three projects I developed in the neighborhood, 4th Street lofts, Tower Lofts and Brickhouse Lofts have over 22,000 sf of commercial and 100% commercial frontage on 3rd and 4th Streets and over 75% of all frontage. 17 18 19

A modern zoning update is not much good if the major undeveloped sites are allowed to be built to the old out of date C-45 zoning. 20

Please do not approve this project as designed. We do not need another abomination like the Alegro with long stretches of parking dead zones. The Alegro was approved at a time when Oakland was desperate to see some development in the area. Oakland is a happening place and does not need to bow to an Apartment Builders distain for commercial space at the expense of losing the last chance to create a real neighborhood. You can't just drop 2000 people (Combined new residents in Jack London Area since we did the first project in 1991) in a neighborhood without providing services the residents will need." 21

C. Conclusion.

We favor development that respects the community. The EIR should study our concerns.

Very truly yours,

Brickhouse Lofts Board of Directors
Fred Morner, Pres. _____
Scott Winder, Treas._____
Judith Ganz, Sect._____

Appendix: M. Bartlett Resume

Michael R. Bartlett received his BS in Construction Engineering from the School of Architecture & Environmental Design at Cal Poly, San Luis Obispo. His past work experience includes working for architects and general contractors from 1978-1983 and from 1983 through 1990, he worked as a Project Manager-Partner with the development firm of Reynolds & Brown. During his tenure with Reynolds and Brown, Mr. Bartlett oversaw the development of 23 office and office flex buildings and acted as the general contractor for over 400,000 square feet of interior improvements.

His firm, Horizon Partners, Inc., was the originator and managing general partner for 247 Partners, the developer of the successful Fourth Street Lofts conversion of 247 Fourth Street in Oakland, California into 40 live/work commercial units in 1991. Horizon Partners also served as the general contractor for this project. Horizon Partners was the General Partner for Horizon Lofts Partners I, the developer of Tower Lofts at 255 Third Street in Oakland's Jack London Square. The former warehouse was converted into 28 live/work condominiums.

Horizon Partners was the managing member of Horizon Lofts Partners II LLC, the developer of Brickhouse Lofts at 201Third Street in Oakland's Jack London Square. The conversion of the warehouse into 14 live/work and commercial condominiums was well received with all of the lofts selling in one week. This project was completed in January 1998 and won the 1998 Gold Nugget Best In The West award for a Rehabilitated Commercial or Industrial Project.

Horizon Partners was the general contractor for and developed 357 Tehama Street in San Francisco into three 4,000 square foot full-floor luxury lofts and ground floor commercial space. Floors 1, 2 and 4 were sold in 1998. Floor 3 was leased as office space and was sold in December 2003.

In 1999, Horizon Holdings I LLC completed the renovation of the historic 10-story Schoenfeld Building in Tacoma, WA as 100,000 square feet of Class A office space for Davita Inc. a Fortune 500 office tenant and Tully's coffee on the ground floor. The building is listed on both the Tacoma and National Registers of Historic Places. The $15,000,000 project received awards from both the City of Tacoma and the Local Development Council of Tacoma.

In the fall of 2000, renovation was completed on two adjacent six-story brick warehouses at 21st Street and Pacific Ave in Tacoma, totaling 94,000 square feet. The $11,500,000 Horizon Pacific Center project converted the 1907 buildings, on both the local and National Registers of Historic Places, into Class A office space. The project included a complete seismic retrofit, all new mechanical, plumbing and electrical systems, stairs and elevators. Tenants include Mary Bridge Healthcare Alliance, Corinthian College, BCRA an large regional architectural firm, and a small deli.

Adjacent to the Horizon Pacific Center, construction began in June 2004 to convert an eight-story 1907 building into 20 high end live/work apartments, with commercial space on the first two floors and Mezzanine. Renovation included seismic retrofit, a new elevator, and new electrical, HVAC, plumbing, and fire protection services. Amenities include stainless appliances, fireplaces, granite counters, and a roof deck. The units were completed in January 2005.

Horizon Partners Northwest owns two historic warehouse buildings at 2119 and 2121 Pacific Avenue in Tacoma. The company completed shell and core improvements in 2002 and leases the buildings to two

successful upscale restaurants. The renovations won an award from Tacoma's Landmarks Preservation Commission. 22 cont.

Letter B-6

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ADAM J. REGELE
ELLEN L. WEHR

September 25, 2015

VIA EMAIL AND OVERNIGHT MAIL

Peterson Vollman
Planner II
City of Oakland
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
Email: pvollmann@oaklandnet.com

Re: Comments on the Draft Environmental Impact Report for the Proposed Jack London Square 4th & Madison Project (ER 15-005)

Dear Mr. Vollman:

We are writing on behalf of Oakland Residents for Responsible Development to provide comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Oakland ("City"), pursuant to CEQA,[1] for the Jack London Square 4th & Madison Project ("Project"). The Project is being proposed by the Carmel Partners ("Applicant"). 1

The Project includes the demolition of existing structures and construction of two buildings with approximately 330 residential apartment units, 3,000 square feet of ground-floor commercial space, and 365 parking spaces on an approximately 2-acre, 1.5-block site in the Jack London District in Oakland.[2] The site is currently occupied by two buildings that function as office space and a paved parking area. The Project requires various approvals from the City, including a Conditional Use Permit ("CUP"), Design Review, grading and encroachment permits, and a Tentative Parcel Map for condominiums.[3]

[1] Pub. Resources Code, §§ 21000 et seq.
[2] Draft Environmental Impact Report ("DEIR"), Jack London Square 4th & Madison Project, August 2015, pp. 1 – 3.
[3] *Id.*, at 45.

Based upon our review of the DEIR and pertinent agency records, we conclude that the DEIR is inadequate under CEQA and must be withdrawn. The DEIR fails to include a complete, stable, and accurate Project description because it fails to adequately describe important aspects of the Project's design and fails to describe the Project's dewatering requirements. The DEIR also fails to adequately establish the environmental setting for hazards within Project disturbance areas. In addition, the DEIR fails to adequately analyze and mitigate the Project's impacts related to hazards, greenhouse gas ("GHG") emissions, and air quality. Finally, the DEIR proposes measures to reduce significant impacts, including compliance with other laws, that are inadequate and unenforceable. The City must revise the DEIR consistent with these comments, and recirculate the revised DEIR for public review. 1 cont.

We prepared these comments with the assistance of hazards and air quality experts Matt Hagemann, P.G. C.Hg., and Jessie Jaeger from SWAPE.[4] Their technical comments are attached hereto and submitted in addition to the comments in this letter. Accordingly, the City must address and respond to the comments of Mr. Hagemann and Ms. Jaeger separately.

I. STATEMENT OF INTEREST

Oakland Residents for Responsible Development ("Oakland Residents") is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential impacts associated with Project development. The association includes Alan Guan, Risi Agbabiaka, Peter Lew, Bridgette Hall, Tanya Pitts, the International Brotherhood of Electrical Workers Local 595, Plumbers and Steamfitters Local 342, Sheet Metal Workers Local 104, and their members and their families who live and/or work in the City of Oakland and Contra Costa County. 2

The individual members of Oakland Residents live, work, and raise their families in the City of Oakland. They would be directly affected by the Project's impacts. Individual members may also work on the Project itself. They will therefore be first in line to be exposed to any health and safety hazards that may exist on the Project site.

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[4] *See* Letter from Matt Hagemann and Jessie Jaeger, SWAPE, to Laura Horton re: Draft Environmental Impact Report for the Jack London Square 4th and Madison Project, September 22, 2015 (hereinafter, "SWAPE Comments"), **Attachment A.**

The organizational members of Oakland Residents also have an interest in enforcing the City's planning and zoning laws and the State's environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making it less desirable for businesses to locate and people to live there. Indeed, continued degradation can, and has, caused restrictions on growth that reduce future employment opportunities. Finally, Oakland Residents' members are concerned about projects that present environmental and land use impacts without providing countervailing economic and community benefits. 2 cont.

II. THE DEIR FAILS TO INCLUDE A COMPLETE PROJECT DESCRIPTION

The DEIR does not meet CEQA's requirements because it fails to include a complete Project description, rendering the entire analysis inadequate. CEQA places the burden of environmental investigation on the government rather than the public. Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.[5] An accurate and complete project description is necessary to perform an adequate evaluation of the potential environmental effects of a proposed project. In contrast, an inaccurate or incomplete project description renders the analysis of environmental impacts inherently unreliable. Without a complete project description, the environmental analysis under CEQA will be impermissibly narrow, thus minimizing the project's impacts and undercutting public review.[6] 3

The DEIR fails to sufficiently describe the Project by failing to adequately describe aspects of the Project's design features and failing to describe dewatering requirements for the Project, which could lead to potentially significant impacts. The DEIR must be revised to address these deficiencies.

A. The Project Fails to Adequately Describe Project Design Features

Several aspects of the Project's design are not adequately described in the DEIR. First, the Project in inconsistent as to how much retail space would be 4

[5] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311.
[6] *See, e.g., Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376.

constructed. The Project description includes 3,000 square feet of retail space.[7] However, the DEIR also states:

> [T]he analysis contained within this EIR remains valid for a retail component of up to 8,000 square feet within the structures proposed. If the proposed project were modified to include greater than 8,000 square feet of retail, the project would generate more than 100 trips in the PM peak hour and would thus require an additional Congestion Management Program (CMP) Land Use Analysis Program Transportation Impact Analysis.[8]

4 cont.

The DEIR fails to provide decision-makers and the public with an accurate picture of what exactly the Project will entail, and defers the final design with regard to retail space to a later time, thus minimizing the Project's impacts (most clearly with traffic) and undercutting public review. This is counter to CEQA.

Second, the DEIR fails to adequately describe all of the Project's transportation design features. The DEIR states that the current site plan for the Project is merely "conceptual"[9] and there are several aspects of the Project's design that are subject to change. In discussing traffic impacts, the DEIR assumes that Project design will avoid certain impacts and that "the final project design will be reviewed to ensure consistency with applicable design standards..."[10] The DEIR's failure to adequately describe the Project's transportation design features thwarts public review of transportation hazards that could pose a risk to residents in the area, such as pedestrian safety.[11] Simply assuming that the future design will comply with "applicable design standards" without further analysis is counter to CEQA, as described more fully below.

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These are examples of the City's failure to identify relevant information in the DEIR in violation of CEQA's fundamental purpose to "alert the public and its responsible officials to environmental changes. . ."[12] For the public and policy-makers to be informed of the environmental consequences, they must be presented with reliable and current information.

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[7] DEIR, p. 45.
[8] *Id.*, at 43.
[9] *Id.*, at 135
[10] *Id.*
[11] *Id.*
[12] *Laurel Heights*, 47 Cal. 3d at 392.

B. The Project Fails to Describe Dewatering Requirements

The Project description fails to describe dewatering activities that may be associated with excavation and trenching at the Project site. According to the DEIR, and its supporting studies, groundwater at the site was encountered at 5.7 to 10 feet below the ground surface (bgs).[13] The DEIR vaguely states that according to a Preliminary Geotechnical Assessment for the Project site, the Project's underground parking may require construction dewatering and waterproofing of foundation elements.[14] However, the DEIR does not provide any further description of dewatering requirements. The DEIR merely states that "[a]ny groundwater dewatering would limited in duration and would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending if the discharge were to the sanitary or storm sewer system."[15] The DEIR then concludes that the Project "would have no significant impacts on groundwater."[16] 7

The DEIR's conclusion is not supported by substantial evidence because it provides no analysis and mitigation of potentially significant impacts from encountering contaminated groundwater during site excavation, or any other groundwater impacts related to dewatering, according to Mr. Hagemann and Ms. Jaeger. As explained by Mr. Hagemann and Ms. Jaeger, "[g]roundwater is less than 10 feet below ground surface . . . and maximum depths of the excavation of the Project site will likely expose the water table."[17] In addition, they state that "[e]xposure of the water table will allow for any contamination to partition from water to the atmosphere, potentially putting construction workers at risk who would breathe the fumes."[18] 8 9

Furthermore, construction dewatering has the potential to introduce pollutants into the storm drain systems. For example, groundwater from dewatering could contain sediment that, if not properly managed, could be discharged to the storm drain system. In addition, shallow soil contamination could introduce further contamination to storm drains and other water bodies. The City is required to assess both the discharge quantity and quality based on the Project, the site and groundwater characteristics. Instead, the DEIR merely assumes 10 11

[13] DEIR, p. 251.
[14] *Id.*, at 251-252.
[15] *Id.*
[16] *Id.*, at 252.
[17] SWAPE Comments, p. 3.
[18] *Id.*

permitting processes outside of the CEQA process would mitigate impacts to less than significant levels. CEQA prohibits this approach, as explained further below. 12

Without additional information and analysis, the Project's impacts to workers, the public, and hydrological resources cannot be determined. The City must describe potential dewatering activities so the public and decision makers can fully assess the Project's impacts on the environment. Because the DEIR does not include an adequate description of dewatering activities, Mr. Hagemann and Ms. Jaeger conclude that the City failed to provide a stable Project description, and failed to "disclose, analyze, and mitigate a potentially significant impact regarding exposure to contaminated groundwater. . ."[19] The DEIR must be revised and recirculated to include a more stable Project description. 13 14 15

III. THE DEIR FAILS TO PROVIDE AN ADEQUATE DESCRIPTION OF THE ENVIRONMENTAL SETTING

CEQA requires the lead agency to include a description of the physical environmental conditions in the vicinity of a project as they exist at the time environmental review commences.[20] The EIR must also describe the existing environmental setting in sufficient detail to enable a proper analysis of project impacts. "The adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project."[21] "A legally adequate EIR . . . must contain sufficient detail to help ensure the integrity of the process of decisionmaking by precluding stubborn problems or serious criticism from being swept under the rug."[22] 16

Specifically, the City failed to conduct the requisite due diligence to investigate and disclose in the DEIR the presence and character of contamination within the Project impact area. According to the DEIR, the Project site has a history of industrial uses dating to the early 1900s, including an engine manufacturing company, a plywood company, a pipe yard, a machine shop, warehouses, and offices.[23] As explained by Mr. Hagemann and Ms. Jaeger, "[t]hese 17

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[19] *Id.*
[20] CEQA Guidelines § 15125(a); *see* also *Communities For A Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 321.
[21] CEQA Guidelines § 15024(a).
[22] *Kings County Farm Bureau v. City of Handford* (1990) 221 Cal.App.3d 692, 733.
[23] DEIR, p. 245.

activities have led to soil contamination of the Project site, which has not been adequately evaluated given the proposed residential land use."[24] Furthermore, as discussed above, "[g]roundwater contamination is also present beneath the Project site and may pose a health risk to construction workers and to future occupants of commercial buildings."[25] 17 cont. 18

The DEIR states that an additional evaluation of the Project site is to be conducted in order to fully assess hazardous site conditions; however, this assessment is improperly deferred and impacts that may result from any necessary cleanup activities are not disclosed. A 2014 Phase I Environmental Site Assessment ("ESA")[26] found soil contamination with detected concentrations of semi-volatile organic compounds, total petroleum hydrocarbons, and metals, in the soil and groundwater on the site. The Phase I ESA also found the potential that "more pervasive soil impacts may exist across the Property. These soil impacts, if present, could affect soil management options and costs."[27] The Phase I ESA also found the potential for sources of groundwater contamination upgradient of the Project site, stating that "if the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction."[28] Finally, the Phase I ESA found that review of available CAL-EPA database information indicates there are comingled gasoline plumes in the vicinity of the Property. The Phase I ESA states that the plumes may have migrated beneath the Property and could pose issues with respect to vapor intrusion, although it downplays that issue based on the "proposed design of the future residential development."[29] 19

In addition, a 2006 Phase I ESA, which was referenced in the 2014 Phase I ESA, documented soil and groundwater contamination found in a 1996 investigation.[30] Detected soil contaminants included phenol, chlorobenzene, and total petroleum hydrocarbons as diesel. Contaminants detected in groundwater included barium, molybdenum and nickel. The Project site was "closed" by the Alameda County Department of Public Health in 1996, but as Mr. Hagemann and

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[24] SWAPE Comments, p. 2.
[25] *Id.*
[26] Phase I Environmental Site Assessment, Engeo, December 2014, 430 Jackson Street, Oakland, California, **Attachment B** (without attachments).
[27] *Id.*, at 1.
[28] *Id.*, at 2.
[29] *Id.*
[30] Phase I Environmental Site Assessment, AEI, February 2006, 430 Jackson Street, Oakland, California, **Attachment C** (without attachments).

Ms. Jaeger note, "the closure letter did not consider that land use would change to a residential setting."[31]

Mr. Hagemann and Ms. Jaeger explain that on the basis of these findings, the 2014 ESA recommended that a risk management plan ("RMP") should be developed prior to demolition and construction to address potential unknown environmental issues, and contamination sampling be conducted to address potential developmental constraints and construction dewatering issues.[32] 19 cont.

The City has not conducted further sampling to establish the current site conditions and has not developed an RMP as recommended in the Phase I ESA. Thus, Mr. Hagemann and Ms. Jaeger conclude that "the DEIR fails to adequately disclose environmental conditions at the Project site that may affect the health of construction workers and adjacent residents."[33] 20

The DEIR acknowledges the potential for harm, stating that "[s]oil and groundwater contamination could adversely affect construction workers who may come into direct contact with those materials. In addition, if these materials are improperly managed and disposed of during construction, they could be released to the environment and pose a potential risk to future site occupants, other members of the public, and the environment."[34] However, the DEIR vaguely states that a Phase II ESA, which would "include further investigation of soil and groundwater conditions," is "currently planned," without providing further information.[35] The DEIR also defers the development of an RMP, and even then the RMP development is dependent on the results of the Phase II ESA, despite the clear need for the RMP. The DEIR also states that "[c]ompliance with applicable regulations and the City's SCAs would ensure that the proposed project would not 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."[36] This is counter to CEQA, as explained further below. 21

Mr. Hagemann and Ms. Jaeger find that "a revised EIR needs to be prepared to include and disclose the results of soil and groundwater sampling under a Phase 22

[31] SWAPE Comments, p. 3.
[32] *Id.*
[33] *Id.*
[34] DEIR, p. 247.
[35] *Id.*
[36] *Id.*, at 248.

II ESA investigation completed prior to Project certification ... Impacts of any necessary mitigation should also be disclosed, including dust emissions from construction equipment needed to excavate contaminated soil and emissions from trucks hauling contaminated soil from the site."[37]

22 cont.

Mr. Hagemann and Ms. Jaeger further state:

> The DEIR must ensure the RMP addresses any contaminants that may affect the health and safety of workers or the health and safety of adjacent residents. Exposure pathways, including the inhalation of dust generated from contaminated soil and soil contact by workers, should be evaluated. Numerous residents are located in the Allegro apartments, some as close as 20 feet away, so the risk to those neighbors should be assessed from the inhalation pathway.[38]

23

Mr. Hagemann and Ms. Jaeger then conclude that a "revised DEIR should be prepared to include an updated evaluation of environmental conditions at the Project site and to provide for mitigation prior to Project certification."[39]

24

At a minimum, the City is required to conduct an investigation and characterize potential contamination in a revised DEIR in sufficient detail to enable meaningful public review. The City's failure to fully disclose, analyze, and mitigate potential hazards on the Project site renders the DEIR inadequate as an informational document under CEQA. The DEIR must be revised to include all information necessary for the public to evaluate impacts from site hazards.

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IV. THE DEIR FAILS TO ADEQUATELY ANALYZE AND MITIGATE THE PROJECT'S POTENTIALLY SIGNIFICANT IMPACTS

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CEQA has two basic purposes, neither of which the DEIR satisfies. First, CEQA is designed to inform decision-makers and the public about the potential, significant environmental effects of a project.[40] CEQA requires that an agency analyze potentially significant environmental impacts in an EIR.[41] The EIR should not rely on scientifically outdated information to assess the significance of impacts,

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[37] SWAPE Comments, p. 3.
[38] *Id.*
[39] *Id.*, at 2.
[40] CEQA Guidelines § 15002(a)(1).
[41] *See* Pub. Resources Code § 21000; CEQA Guidelines § 15002.

and should result from "extensive research and information gathering," including consultation with state and federal agencies, local officials, and the interested public.[42] To be adequate, the EIR should evidence the lead agency's good faith effort at full disclosure.[43] Its purpose is to inform the public and responsible officials of the environmental consequences of their decisions *before* they are made. For this reason, the EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.[44] Thus, the EIR protects not only the environment but also informed self-government."[45]

Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures.[46] The EIR serves to provide public agencies, and the public in general, with information about the effect that a proposed project is likely to have on the environment and to "identify ways that environmental damage can be avoided or significantly reduced."[47] If a project has a significant effect on the environment, the agency may approve the project only upon a finding that it has "eliminated or substantially lessened all significant effects on the environment where feasible," and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns" specified in CEQA section 21081.[48] 26 cont.

The DEIR fails to satisfy the basic purposes of CEQA. Specifically, the DEIR fails to reflect a good faith effort at public disclosure by failing to adequately analyze and mitigate the Project's potentially significant impacts related to greenhouse gas emissions and air quality (in addition to hazards discussed above). The DEIR also fails to propose measures that could reduce these Project impacts to a less than significant level. In sum, the DEIR fails to inform decision-makers and the public of the Project's potentially significant environmental effects and to reduce damage to the environment *before* it occurs.

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[42] *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm.* (2001) 91 Cal. App.4th 1344, 1367 and *Schaeffer Land Trust v. San Jose City Council*, 215 Cal.App.3d 612, 620.
[43] CEQA Guidelines § 15151; *see also Laurel Heights I* (1998) 47 Cal.3d 376, 406.
[44] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.
[45] *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 564 (citations omitted).
[46] CEQA Guidelines § 15002(a)(2)-(3); *Berkeley Keep Jets Over the Bay Comm.*, 91 Cal.App.4th at 1354.
[47] CEQA Guidelines § 15002(a)(2).
[48] CEQA Guidelines § 15092(b)(2)(A)-(B).

A. The DEIR Fails to Adequately Analyze and Mitigate Significant Impacts From Greenhouse Gas Emissions

The Project will generate GHGs during its construction and operational phases. The City's significance criteria for GHG emissions states that a project would have a significant impact if it produces "total emissions of more than 1,100 metric tons of CO_2e annually **AND** more than 4.6 metric tons of CO_2e per service population annually."[49] Therefore, in order for the Project's GHG impact to be considered as significant, both of these thresholds must be exceeded.

Based upon these thresholds, the DEIR concludes that the Project would result in less than significant impacts because the Project's GHG emissions would not exceed both of the applicable significant thresholds and thus "no mitigation measures are necessary for these less-than-significant impacts, and the City's SCA-F requiring a Greenhouse Gas Reduction Plan would not apply."[50] The DEIR justifies its conclusion by stating that, "[t]he Project's estimated CO_2e emissions exceed the City's annual emissions threshold, but were below the efficiency-based threshold in terms of annual emissions per service population."[51] The DEIR further states that because the Project is below the City of Oakland's efficiency-based threshold for GHG emissions, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by Assembly Bill 32 ("AB32"), the Project would comply with AB32. 27

However, Mr. Hagemann and Ms. Jaeger found that "the DEIR's analysis of the Project's potential GHG impacts is flawed."[52] They explain that the City used incorrect parameters to calculate the Project's emissions, and that when those parameters are corrected, "the Project's GHG emissions will result in a significant impact."[53] Thus, "[a]n updated DEIR should be prepared to assess the Project's GHG emissions using the correct assumptions, and should implement additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan in accordance with the City's Standard Conditions of Approval."[54] 28

[49] DEIR, p. 196.
[50] *Id.*, at 197.
[51] *Id.*, at 198.
[52] SWAPE Comments, p. 11.
[53] *Id.*
[54] *Id.*

According to Mr. Hagemann and Ms. Jaeger, the primary problem with the City's GHG analysis is that the DEIR overestimates the service population generated by the Project.[55] To calculate the Project's service population, the DEIR uses a value of 2.52 persons per household.[56] Based on the Project's construction of 330 residential units, the service population was estimated to be approximately 831.6 residents.[57] Using this service population, the DEIR estimates that the Project will generate 3.8 metric tons of carbon dioxide equivalents per person per year ($MTCO_2e$/sp/year) during operation.[58] Therefore, even though the Project's annual emissions (3,099 $MTCO_2e$/year) exceed the 1,100 $MTCO_2e$/year significance threshold, the DEIR concludes that the Project does not exceed the 4.6 $MTCO_2e$/sp/year significance threshold.[59] As a result, because only one of the thresholds was exceeded, the Project was deemed to have a less than significant GHG impact.

However, Mr. Hagemann and Ms. Jaeger found that the 2.52 persons per household value relied upon in the DEIR to estimate the service population "is incorrect and greatly overestimates the number of residents the Project will generate."[60] As a result, "the significance determination made in the DEIR is incorrect, and does not adequately represent the Project's impacts on global climate change."[61] As Mr. Hagemann and Ms. Jaeger note, according to the December 9, 2014 *City of Oakland Housing Element 2015-2023*, the 2.52 persons per household value relied upon by the DEIR is in reference to the average household size in Oakland in 1990, which takes into account multi-family households, and single family households with children.[62] The DEIR describes the Project as including 21 studios, 185 one-bedroom, and 120 two-bedroom apartments, totaling to approximately 330 units.[63] Mr. Hagemann and Ms. Jaeger find that the DEIR's assumption that 2.52 people will occupy each of the studio and single bedroom apartments "is absurd, and results in a drastic overestimation of the number of people likely to occupy these apartments."[64] The City has not provided substantial evidence supporting its use of this value.

28 cont.

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[55] *Id.*, at 12 – 13.
[56] DEIR, p. 198.
[57] *Id.*
[58] *Id.*, at 199.
[59] *Id.*
[60] SWAPE Comments, p. 12.
[61] *Id.*
[62] *Id.*
[63] DEIR, p. 43
[64] SWAPE Comments, p. 12.

Rather, Mr. Hagemann and Ms. Jaeger find that a "more reasonable value" can be calculated using values disclosed in Table 3-40 of the *City of Oakland Housing Element 2015-2023*, which is the same document relied upon by the DEIR to derive the initial service population value of 2.52 persons per household.[65] Table 3-40 provides a breakdown of "persons per room" for all occupied rented units in the City in 2010. According to this table, 92% of occupied units have less than 1.00 persons per room, 5% have 1.01 to 1.50 persons per room, and 3% have 1.51 or more persons per room.[66] Mr. Hagemann and Ms. Jaeger took the weighted average of this data, which results in an average of 1.03 persons per room.[67] They then use this weighted average to calculate "a more realistic service population."[68] Assuming that the 21 studio and 185 one-bedroom apartments would have an occupancy rate of 1.03 persons, and the remaining 120 two-bedroom apartments would have 2.06 persons occupying them (2 bedrooms x 1.03 persons), Mr. Hagemann and Ms. Jaeger estimate a service population of approximately 459 residents. 29

Mr. Hagemann and Ms. Jaeger then conclude that based on the more accurate service population calculation, the Project's GHG emissions exceed ***both*** the emissions and service population thresholds. They further note that their analysis "is most likely still an underestimation of the Project's GHG emissions" because, as explained more fully in the air quality section below, the model used to determine the Project's construction and operational emissions "relies upon incorrect input parameters that result in an underestimation of Project emissions."[69] Mr. Hagemann and Ms. Jaeger's findings are summarized in the table below. 30 31

SWAPE Estimates	**Metric Tons CO_2e/year**	**Metric Tons CO_2e/sp/year**
Emissions	3,099	6.75
Thresholds	1,100	4.6
Exceedance	***Yes***	***Yes***

[65] *Id.*
[66] "City of Oakland Housing Element 2015-2023." City of Oakland, December 9, 2014, Table 3-40, *available at:* http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/housing-element-documents/oakland_5th_adopted013015.pdf, **Attachment D** (selected pages).
[67] SWAPE Comments, p. 12.
[68] *Id.*, at 13.
[69] *Id.*

Because the Project's GHG emissions exceed both of the City's thresholds, the Project would result in a significant GHG impact. Thus, the City's Standard Conditions of Approval requiring the development of a Greenhouse Gas Reduction Plan would be triggered. Furthermore, "because the Project exceeds the GHG thresholds set forth by the City of Oakland, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by AB32, the Project is also inconsistent with AB32."[70] 32

Mr. Hagemann and Ms. Jaeger conclude that "[a]n updated analysis of the Project's GHG emissions using correct values should be included in an updated DEIR, and additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan, should be identified and implemented in an effort to reduce the Project's impacts to a less-than-significant level."[71] The DEIR must be revised and recirculated to reflect these findings. 33

B. The DEIR Fails to Adequately Analyze and Mitigate Potentially Significant Impacts to Air Quality

The DEIR's air quality analysis and conclusions rely on emissions calculated from the *California Emissions Estimator Model* Version CalEEMod.2013.2.2 ("CalEEMod").[72] As explained by Mr. Hagemann and Ms. Jaeger, CalEEMod provides recommended default values based on site specific information, such as land use type and total lot acreage. If specific project information is known, the user can change the default values and input project-specific values, "but CEQA requires that such changes be justified by substantial evidence."[73] 34

After reviewing the Project's CalEEMod output files in Appendix E, Mr. Hagemann and Ms. Jaeger found that "several of the values inputted into the model were not consistent with information disclosed in the DEIR," thus underestimating the Project's air quality impacts.[74] In addition, when Mr. Hagemann and Ms. Jaeger attempted to correct those values and conduct their own assessment of the Project's impacts, they found that "the DEIR failed to provide enough information to conduct a full assessment of the Project's true impacts."[75] Thus, the DEIR's 35 36

[70] *Id.*
[71] *Id.*
[72] CalEEMod website, *available at* http://www.caleemod.com/.
[73] SWAPE Comments, p. 4.
[74] *Id.*
[75] *Id.*

conclusions are not supported by substantial evidence and "the City must prepare a revised DEIR to adequately assess the air quality impacts that the Project will have during construction and operation."[76] 36 cont.

1. Architectural Coating Emissions are Underestimated

The DEIR states that "the concentration of volatile organic compounds (VOCs) in architectural coatings were reduced from 250 gram per liter (g/L) to 150 g/L based on the regulatory requirements for non-flat high-gloss coatings described in BAAQMD Regulation 8, Rule 3: Architectural Coatings."[77] However, Mr. Hagemann and Ms. Jaeger explain that this value "is inconsistent with the values inputted into the CalEEMod model."[78] For nonresidential interior and residential exterior area coating, the values in CalEEMod were actually changed from the default value of 250 g/L to 15 g/L.[79] As noted by Mr. Hagemann and Ms. Jaeger, "[t]his value is approximately 90 percent lower than the 150 g/L value stated in the DEIR."[80] Thus, by reducing the values for nonresidential interior and residential exterior area coating to 15 g/L, Mr. Hagemann and Ms. Jaeger conclude that "the DEIR greatly underestimates the Project's volatile organic compound (VOC) emissions from architectural coating activities."[81] 37

2. The DEIR Fails to Include Demolition of Existing Buildings

The DEIR states that approximately 60,000 square feet of existing buildings would be demolished during Project construction.[82] Mr. Hagemann and Ms. Jaeger explain that the material produced from demolition, as well as trash and additional materials produced from other construction activities, will result in a significant amount of construction waste and debris.[83] They further state that this material, if not completely or partially used elsewhere on site, will most likely be transported off-site for disposal.[84] Thus, Mr. Hagemann and Ms. Jaeger find that "in order to accurately estimate the emissions that would be released during transport of this construction material, the total amount of waste hauled off-site would need to be 38

[76] *Id.*
[77] DEIR, pp. 168 – 169.
[78] SWAPE Comments, p. 4.
[79] DEIR, Appendix E, p. 138.
[80] SWAPE Comments, p. 4.
[81] *Id.*
[82] DEIR, p. 168
[83] SWAPE Comments, p. 5.
[84] *Id.*

inputted into the CalEEMod model."[85] However, the emissions estimates in the DEIR do not include the transportation of this demolished material during construction of the Project.[86] 38 cont.

As a result, Mr. Hagemann and Ms. Jaeger conclude that "the CalEEMod model greatly underestimates the total emissions released during the demolition phase of construction, only accounting for emissions from off-road equipment."[87] As a result, the DEIR fails to account for "the fugitive dust from material movement, specifically truck loading and unloading. . ."[88] According to Mr. Hagemann and Ms. Jaeger, "[t]his dust contributes to PM10 and PM2.5 emissions, and by omitting this information from the air analysis, the PM10 and PM2.5 emissions during Project construction are underestimated."[89] Furthermore, they note that "transportation of this material will produce additional mobile-source pollutant emissions."[90] Therefore, the total emissions during Project construction are greatly underestimated. 39

3. Artificially Low Percent Reduction Applied to Daily Trip Rate

The DEIR indicates that the average residential daily trip rate was reduced from the CalEEMod default value of 6.59 trips per dwelling unit to 4.01 trips per dwelling unit.[91] This adjusted trip rate is based on information disclosed in a March 3, 2015 *Memorandum: 200 4th Street – Preliminary Transportation Analysis* ("Memorandum") prepared by Fehr & Peers.[92] The Memorandum suggests that because the Project site is located approximately 0.25 miles away from the Lake Merritt BART Station, the number of automobile trips generated by the Project would decrease by approximately 43 percent. This reduction, according to the DEIR, "is based on the Bay Area Travel Survey ("BATS") 2000 which shows that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent."[93] 40

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[85] *Id.*
[86] DEIR, Appendix E, pp. 138 – 140.
[87] SWAPE Comments, p. 5.
[88] *Id.*
[89] *Id.*
[90] *Id.*
[91] DEIR, Appendix E, p. 140
[92] Fehr & Peers, Memorandum: 200 4th Street – Preliminary Transportation Analysis, March 3, 2015, p. 2.
[93] DEIR, p. 123.

However, Mr. Hagemann and Ms. Jaeger reviewed the BATS 2000 report and were unable to verify the origin of the 43 percent reduction, and as they explain, "the DEIR fails to provide any insight as to where, within the BATS 2000 report, this percentage was taken from."[94] Indeed, Mr. Hagemann and Ms. Jaeger found in the BATS 2000 report "a much lower percent decrease in daily vehicle trips from use of alternate modes of transportation. . ."[95] Thus, they conclude that "this 43 [percent] value should not be relied upon to estimate emissions."[96] 40 cont.

Furthermore, Mr. Hagemann and Ms. Jaeger found that an additional mitigation measure was applied to the model, on top of the 43 percent reduction, that further decreases the number of automobile trips generated by the Project as a function of the Project's proximity to a transit stop.[97] As a result, the DEIR improperly "double counts the reduction in total vehicle miles traveled that would typically occur as a result of the Project's close proximity to a BART station."[98] 41

The California Air Pollution Control Officers Association's ("CAPCOA") *Quantifying Greenhouse Gas Mitigation Measures* report discusses the various equations used by CalEEMod to quantify reductions (in emissions and vehicle miles traveled) from each mitigation measure.[99] According to Mr. Hagemann's and Ms. Jaeger's reading of the CAPCOA report, they calculate that the Project's proximity to the transit stop would result in a 16.2 percent reduction in total vehicle miles traveled.[100] 42

Mr. Hagemann and Ms. Jaeger conclude that "[t]he City does not provide substantial evidence in the DEIR to support the use of the 43 [percent] reduction value," but rather substantial evidence supports a 16.2 percent reduction.[101] Therefore, "by applying both the CalEEMod mitigation measure (16.2 percent reduction) as well as the 43 [percent] reduction to the vehicle trip rate, the DEIR double counts the reductions that would occur as a result of the Project's close proximity to a BART station, thus greatly underestimating the Project's mobile- 43

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[94] SWAPE Comments, p. 5.
[95] *Id.*, at 6.
[96] *Id.*
[97] DEIR, Appendix E, p. 155.
[98] SWAPE Comments, p. 5.
[99] Quantifying Greenhouse Gas Mitigation Measures, California Air Pollution Control Officers Association (CAPCOA), August 2010, *available at:* http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf
[100] SWAPE Comments, pp 6 – 7.
[101] *Id.*

source emissions."[102] The City must revise and recirculate the DEIR to address these deficiencies and provide a corrected air quality analysis. 43 cont.

4. Use of Incorrect Construction Duration

The DEIR relies upon the default values provided by CalEEMod to determine the number of construction days necessary for the Project. The DEIR states that "[b]ased on the size and type of development, CalEEMod estimated that Project construction would likely last 266 working days."[103] However, Mr. Hagemann and Ms. Jaeger find that when remodeling the Project's emissions, "CalEEMod estimates that construction of this Project, based on the size and type of development, will occur over a 310 day period."[104] 44

Mr. Hagemann and Ms. Jaeger state that "[n]ot only does the DEIR fail to use the default construction duration provided by CalEEMod for each construction phase, the DEIR completely omits the 20 day 'Paving' construction phase, and does not provide any reason as to why this phase was omitted from the model."[105]

The DEIR does explain that the Project will not require any site preparation, and as a result, the "Site Preparation" construction phase was omitted from the CalEEMod model. However, according to Mr. Hagemann and Ms. Jaeger, the DEIR fails to provide a reason for the omission of the "Paving" phase.[106] Thus, under the default construction schedule provided by CalEEMod, the total construction duration should be equal to 310 days, not 266 days as is indicated by the DEIR.[107] Furthermore, Mr. Hagemann and Ms. Jaeger find that "by shortening the construction schedule without manually adjusting the total equipment quantities for each phase, the DEIR not only underestimates the amount of equipment needed to complete Project construction, but also underestimates the emissions released by the off-road equipment used during construction."[108] Thus, this is another example of where the DEIR has underestimated emissions. The DEIR must be revised to include the correct CalEEMod estimates and recirculated for further public review. 45

[102] *Id.*, at 7.
[103] DEIR, p. 198
[104] SWAPE Comments, p. 7.
[105] *Id.*
[106] *Id.*
[107] *Id.*
[108] *Id.*, at 7 – 8.

5. Incorrectly Presumed the Use of Tier 4 Final Engines

The DEIR states that the Project intends for all off-road heavy diesel engines to meet the California Air Resources Board's ("CARB") "Tier 4 Final" emission standards.[109] However, Mr. Hagemann and Ms. Jaeger find that the City has failed to provide substantial evidence "to support the feasibility of obtaining an entirely Tier 4 fleet."[110] Although off-road Tier 4 equipment is available for purchase, it is not required that off-road construction fleets are comprised solely of Tier 4 Final engines. Furthermore, according to Mr. Hagemann and Ms. Jaeger, it is unrealistic to presume that all of the construction equipment utilized for the Project will have Tier 4 engines based on availability and cost.[111] As a result, Mr. Hagemann and Ms. Jaeger conclude that "this mitigation measure should not be relied upon to reduce the Project's construction emissions to below levels of significance ... Rather, the Project should pursue additional mitigation measures that are more technically feasible to implement."[112] 46

Mr. Hagemann and Ms. Jaeger provide background information in their comments on the United States Environmental Protection Agency's ("EPA") non-road engine emission standards and how those standards would apply to this Project.[113] Although Tier 4 is certainly a desirable level for non-road equipment, most construction equipment do not achieve Tier 4 standards and those that do are extremely expensive. Although we encourage the use of Tier 4 whenever possible to reduce Project emissions, Mr. Hagemann and Ms. Jaeger find that it would be "completely unrealistic" to assume that all 18 pieces of equipment would be Tier 4.[114] Therefore, they find that "it is more realistic to assume that the fleet will include a mix of Tier 2, 3, and 4 engines, rather than just Tier 4 Final equipment exclusively."[115] 47

Mr. Hagemann and Ms. Jaeger conclude that "[u]nless the Project applicant can demonstrate to the public, either through budget or through a preliminary agreement with a contractor or supplier, that they will purchase/rent exclusively Tier 4 construction equipment, the use of Tier 2 equipment should be conservatively 48

[109] DEIR, p. 168
[110] SWAPE Comments, p. 8.
[111] *Id.*
[112] *Id.*
[113] *Id.*, at 8 – 9.
[114] *Id.*, at 9.
[115] *Id.*

assumed, and an updated air quality analysis should be conducted to reflect this more realistic scenario."[116] 48 cont.

6. Updated Analysis Indicates Increase in Pollutant Emissions

Mr. Hagemann and Ms. Jaeger provide new emissions estimate using corrected parameters and values, which shows that the DEIR greatly underestimates Project emissions for NOx, ROGs, and GHGs.[117] They further explain that their new estimate itself underestimates Project emissions because "they were unable to adjust several parameters, such as the number of hauling trips during demolition, due to a lack of data provided by the DEIR." Thus, the City has not provided substantial evidence to support its analysis, and Mr. Hagemann and Ms. Jaeger conclude, assuming a revised DEIR will provide a more accurate analysis accounting for the missing information, that "based on our independent emissions modeling and analysis we conclude that the Project may have a potentially significant air quality impact that has not been disclosed, analyzed, or adequately mitigated in the DEIR."[118] As a result, an updated DEIR should be prepared to include an air quality analysis that uses correct input parameters and feasible mitigation measures. 49

V. THE DEIR DOES NOT ADEQUATELY INCORPORATE COMPLIANCE WITH LAWS AS ENFORCEABLE MITIGATION

Courts have imposed several parameters for the adequacy of mitigation measures. First, the lead agency may not defer the formulation of mitigation measures until a future time, unless the EIR also specifies the specific performance standards capable of mitigating the project's impacts to a less than significant level.[119] Deferral is impermissible where an agency "simply requires a project applicant to obtain a ... report and then comply with any recommendations that may be made in the report."[120] Second, a public agency may not rely on mitigation measures of uncertain efficacy or feasibility.[121] Third, "[m]itigation measures must 50

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[116] *Id.*
[117] *Id.*, at 10.
[118] *Id.*, at 14.
[119] CEQA Guidelines, § 15126.4(a)(1)(B); *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793-94; *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275.
[120] *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1275.
[121] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727 (finding groundwater purchase agreement inadequate mitigation measure because no record evidence existed that replacement water was available).

be fully enforceable through permit conditions, agreements, or other legally binding instruments."[122] Fourth, mitigation measures that are vague or so undefined that it is impossible to evaluate their effectiveness are legally inadequate.[123] 50 cont.

The DEIR concludes in several sections, including hazards, GHGs, groundwater, and transportation as discussed above, that the Project's compliance with laws and regulations are sufficient to mitigate potentially significant impacts to a level of insignificance. In some cases, such as groundwater, the DEIR simply concludes that impacts are less than significant by assuming compliance with laws. However, compliance with a regulation or law is not automatically an indication of the sufficiency of mitigation measures where there is substantial evidence that the project may result in significant impacts.[124] CEQA requires a lead agency to fully assess the significance of a Project's impacts in light of substantial evidence "notwithstanding compliance with the adopted regulations or requirements."[125] Furthermore, the DEIR may not simply assert "a bare conclusion ... not supported by facts or analysis."[126] 51 52

In *Communities for a Better Env't v. California Res. Agency*, the court struck down a CEQA Guideline because it "impermissibly allow[ed] an agency to find a cumulative effect insignificant based on a project's compliance with some generalized plan rather than on the project's actual environmental impacts."[127] The court concluded that "[i]f there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding that the project complies with the specified plan or mitigation program addressing the cumulative problem, an EIR must be prepared for the project."[128] Thus, the ruling supports the notion that compliance with an applicable standard outside of the CEQA process does not automatically obviate a lead agency's obligation to consider substantial evidence and analyze and mitigate potentially significant impacts.

In *Keep our Mountains Quiet v. County of Santa Clara*, neighbors of a wedding venue sued over the County's failure to prepare an EIR due to significant 53

[122] CEQA Guidelines § 15126.4(a)(2).
[123] *San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal.App.3d 61,79.
[124] *Keep our Mountains Quiet v. County of Santa Clara* (2015) Case No. H039707; *Communities for a Better Env't v. California Res. Agency* (2002) 126 Cal.Rptr.2d 441.
[125] CEQA Guidelines § 15064.4.
[126] *Association of Irritated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1390-1391.
[127] *Communities for a Better Env't v. California Res. Agency* (2002) 126 Cal.Rptr.2d 441, 453.
[128] *Id.*

noise impacts. The court concluded that "a fair argument [exists] that the Project may have a significant environmental noise impact" and reasoned that although the noise levels would likely comply with local noise standards, "compliance with the ordinance does not foreclose the possibility of significant noise impacts."[129] The court ordered the County to prepare an EIR.

In *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal.App.3d 1337, 1355, the court held that conditions requiring compliance with regulations are proper "where the public agency had meaningful information reasonably justifying an expectation of mitigation of environmental effects." Furthermore, under CEQA, the City must disclose the significance of all impacts and provide separate and enforceable mitigation. In *Lotus v. Department of Transportation*, an EIR approved by CalTrans contained several measures "[t]o help minimize potential stress on the redwood trees" during construction of a highway.[130] Although those measures were clearly separate mitigation, the project proponents considered them "part of the project," and the EIR concluded that because of the planned implementation of those measures, no significant impacts were expected.[131] However, the appellate court found that because the EIR had "compress[ed] the analysis of impacts and mitigation measures into a single issue, the EIR disregard[ed] the requirements of CEQA."[132] The Court continued, stating "[a]bsent a determination regarding the significance of the impacts ... it is impossible to determine whether mitigation measures are required or to evaluate whether other more effective measures than those proposed should be considered."[133]

53 cont.

Here, the City failed to provide any information explaining how compliance with laws would reduce the Project's potentially significant impacts to less than significant. The City relies on compliance with laws for reducing hazards, GHG, and groundwater impacts when there is substantial evidence that the Project will have significant impacts in those areas. The City may not rely solely on compliance with regulations or laws as reducing impacts to less than significant levels without a full analysis of impacts or enforceable mitigation. As the DEIR is currently presented, the City cannot conclude that the Project's impacts have been fully assessed and properly mitigated.

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[129] *Keep our Mountains Quiet v. County of Santa Clara* (2015) Case No. H039707, p. 21.
[130] *Lotus v. Department of Transportation,* 223 Cal.App.4th at 650.
[131] *Id.*, at 651.
[132] *Id.*, at 656.
[133] *Id.*

Furthermore, the DEIR improperly relies on compliance with laws as mitigation that cannot be considered separate and enforceable, but is merely part of the Project description. For example, the DEIR states that "[c]ompliance with applicable regulations and the City's SCAs would ensure that the proposed project would not 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."[134] However, the DEIR does not appear to provide any more information regarding which laws it refers to and whether the Applicant can reasonably be expected to comply with them. 55

The DEIR may not merely rely on a vague promise of future compliance with applicable laws and must separately identify and analyze the significance of the Project's impacts and incorporate enforceable mitigation to reduce those significant impacts. If the City's less than significant conclusions rely on compliance with laws, then it should characterize such compliance as mitigation for the significant impact.

VI. CONCLUSION

The DEIR does not satisfy CEQA's procedural and evidentiary standards for the preparation of an EIR. The DEIR fails to provide a complete Project description and fails to adequately describe the existing environmental setting for hazards on the site. The DEIR also fails adequately disclose, analyze, and mitigate the Project's potentially significant impacts to worker and public health from site hazards, air quality, and GHG emissions. For these reasons, the City must withdraw the DEIR and prepare a revised DEIR that adequately analyzes and proposes all necessary and feasible mitigation to reduce the Project's potentially significant environmental impacts. 56

Sincerely,

Laura E. Horton

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Attachments

[134] DEIR, p. 248.

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September 22, 2015

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Subject: Comments on the Jack London Square 4th & Madison Project

Dear Ms. Horton,

We have reviewed the August 2015 Draft Environmental Impact Report (DEIR) for the Jack London Square 4th & Madison Project ("Project"). The Project site comprises approximately 90,169 square feet, or 2.07 acres, in the Jack London District in the City of Oakland. Key elements of the Project include approximately 330 residential apartments (mix of studios, one-bedroom, and two-bedroom units), an interior courtyard in each building, approximately 15,000 square feet of amenity and leasing office space, approximately 3,000 square feet of ground floor commercial space across the two buildings, and approximately 365 parking spaces.

Our review concludes that the DEIR fails to adequately evaluate the Project's Hazards and Hazardous Waste, Air Quality, and Greenhouse Gas (GHG) impacts. We found the following issues with the DEIR's analyses:

- The DEIR fails to adequately disclose the environmental conditions at the Project site;
- The DEIR fails to disclose the potential impacts that would occur when encountering contaminated groundwater during site excavation;
- The DEIR relies on incorrect parameters to model the Project's air pollutant emissions, and as a result, the Project's emissions during construction are greatly underestimated;
- The DEIR, without assessing the feasibility of this measure, presumes that all off-road construction equipment with greater than 50 horsepower (hp) will adhere to "Tier 4 Final" emission controls;
- The DEIR overestimates the service population (number of residents and employees) that the Project will generate. As a result, the amount of GHG emissions generated by each service person is underestimated, and the Project's impact on global climate change is incorrectly presumed to be less-than-significant.

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An updated DEIR should be prepared to address these issues, and should include feasible mitigation measures to reduce the Project's impacts to a less-than-significant level. 57 cont.

Hazards and Hazardous Waste

Failure to Disclose Environmental Conditions at Project Site

According to the DEIR, the Project site has a history of industrial uses dating to the early 1900s, including an engine manufacturing company, a plywood company, a pipe yard, a machine shop, warehouses, and offices (p. 245). These activities have led to soil contamination of the Project site, which has not been adequately evaluated given the proposed residential land use. Groundwater contamination is also present beneath the Project site and may pose a health risk to construction workers and to future occupants of commercial buildings (p. 247). 58

The DEIR states that an additional evaluation of the Project site is to be conducted but, because this assessment is deferred, impacts that may result from any necessary cleanup activities are not disclosed. A revised DEIR should be prepared to include an updated evaluation of environmental conditions at the Project site and to provide for mitigation prior to Project certification. 59

A 2014 Phase I Environmental Site Assessment (ESA)[1], found:

- Soil contamination with detected concentrations of semi-volatile organic compounds (SVOCs), total petroleum hydrocarbons (TPHs), and metals, in the soil and groundwater on the Property.
- The potential that "more pervasive soil impacts may exist across the Property. These soil impacts, if present, could affect soil management options and costs."
- The potential for sources of groundwater contamination upgradient of the Project site, stating "if the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction."
- Review of available CAL-EPA database information indicates there are comingled gasoline plumes in the vicinity of the Property. These plumes may have migrated beneath the Property and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern. 60

On the basis of these findings, the Phase I ESA made these recommendations:

- A risk management plan (RMP) should be developed prior to demolition and construction to address potential unknown environmental issues.
- Groundwater sampling should be considered to address potential developmental constraints and construction dewatering issues.

[1] Phase I Environmental Site Assessment, Engeo, December 2014, 430 Jackson Street, Oakland, California, as cited in the DEIR on p. 245

A 2006 Phase I ESA, referenced in the 2014 Phase I ESA, documented soil and groundwater contamination found in a 1996 investigation. Detected soil contaminants included: phenol, chlorobenzene, and total petroleum hydrocarbons as diesel. Contaminants detected in groundwater included: barium, molybdenum and nickel. The Project site was "closed" by the Alameda County Department of Public Health in 1996 but the closure letter did not consider that land use would change to a residential setting (Appendix I, 2014 Phase I ESA). 60 cont.

On the basis of the findings and recommendations in the 2014 Phase I ESA, we have concluded that the DEIR fails to adequately disclose environmental conditions at the Project site that may affect the health of construction workers and adjacent residents. The DEIR incorporates the development of an RMP and soil and groundwater sampling into Standard Condition of Approval (SCA) 63 and states that a Phase II ESA is "currently planned" (p. 247). However, the RMP, soil and groundwater sampling, and the Phase II ESA will not be prepared until after certification of the DEIR. Instead, a revised EIR needs to be prepared to include and disclose the results of soil and groundwater sampling under a Phase II ESA investigation completed prior to Project certification. Impacts of any necessary mitigation should also be disclosed, incuding dust emissions from construction equipment needed to excavate contaminated soil and emissions from trucks hauling contaminated soil from the site. 61 62

The DEIR must ensure the RMP addresses any contaminants that may affect the health and safety of workers or the health and safety of adjacent residents. Exposure pathways, including the inhalation of dust generated from contaminated soil and soil contact by workers, should be evaluated. Numerous residents are located in the Allegro apartments, some as close as 20 feet away, so the risk to those neighbors should be assessed from the inhalation pathway. 63

Impacts from Dewatering Are Not Disclosed

The DEIR fails to disclose potential impacts from the likelihood of encountering contaminated groundwater during site excavation. The 2014 Phase I discusses the potential for contamination to affect dewatering activities; however, the DEIR is silent on this subject. Groundwater is less than 10 feet below ground surface (DEIR, p. 251) and maximum depths of the excavation of the Project site will likely expose the water table. Exposure of the water table will allow for any contamination to partition from water to the atmosphere, potentially putting construction workers at risk who would breathe the fumes. Therefore, the DEIR has failed to disclose, analyze, and mitigate a potentially significant impact regarding exposure to contaminated groundwater and must be revised. 64

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The DEIR relies on emissions calculated from the *California Emissions Estimator Model* Version CalEEMod.2013.2.2 ("CalEEMod").[2] CalEEMod provides recommended default values based on site specific information, such as land use type, meteorological data, total lot acreage, project type, and 65

[2] CalEEMod website, *available at*: http://www.caleemod.com/

typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but CEQA requires that such changes be justified by substantial evidence.[3] Once all the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files, which can be found in "Air Quality and Greenhouse Gas Emissions- CalEEMod, Report, HRA Dispersion Model and ISCST3 Model" (Appendix E) of the DEIR, disclose to the reader what parameters were utilized in calculating the Project's air pollution emissions, and make known which default values were changed as well as provide a justification for the values selected.[4]

65 cont.

When reviewing the Project's CalEEMod output files in Appendix E, we found that several of the values inputted into the model were not consistent with information disclosed in the DEIR. In addition, the DEIR failed to provide enough information to conduct a full assessment of the Project's true impacts. The City must prepare a revised DEIR to adequately assess the air quality impacts that the Project will have during construction and operation.

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Architectural Coating Emissions Underestimated

The DEIR states that, "the concentration of volatile organic compounds (VOCs) in architectural coatings were reduced from 250 gram per liter (g/L) to 150 g/L based on the regulatory requirements for non-flat high-gloss coatings described in BAAQMD Regulation 8, Rule 3: Architectural Coatings" (p. 168-169). This value, however, is inconsistent with the values inputted into the CalEEMod model. For nonresidential interior and residential exterior area coating, the values in CalEEMod were changed from the default value of 250 g/L to 15 g/L (Appendix E, pp. 138) (see excerpt below).

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Interior	250.00	150.00
tblAreaCoating	Area_EF_Nonresidential_Exterior	250	150
tblAreaCoating	Area_EF_Nonresidential_Interior	250	15
tblAreaCoating	Area_EF_Residential_Exterior	250	15

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This value is approximately 90 percent lower than the 150 g/L value proposed in the DEIR. By reducing the values for nonresidential interior and residential exterior area coating to 15 g/L, the DEIR greatly underestimates the Project's volatile organic compound (VOC) emissions from architectural coating activities.

Failure to Include Demolition of Existing Buildings in Model

Table IV.D-4 of the DEIR states that, "approximately 60,000 square feet of existing buildings would be demolished" during Project construction (p. 168). The material produced from demolition, as well as

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[3] CalEEMod User Guide, pp. 2, 9, *available at:* http://www.caleemod.com/

[4] CalEEMod User Guide, pp. 7, 13, *available at:* http://www.caleemod.com/ (A key feature of the CalEEMod program is the "remarks" feature, where the user explains why a default setting was replaced by a "user defined" value. These remarks are included in the report.).

trash and additional materials produced from other construction activities, will result in a significant amount of construction waste and debris. This material, if not completely or partially used elsewhere on site, will most likely be transported off-site for disposal. Therefore, in order to accurately estimate the emissions that would be released during transport of this construction material, the total amount of waste hauled off-site would need to be inputted into the CalEEMod model. When reviewing the CalEEMod output files, however, we found that transportation of this demolished material was not included in the emission estimates during construction of the Project (Appendix E, pp. 138-140). As a result, the CalEEMod model greatly underestimates the total emissions released during the demolition phase of construction, only accounting for emissions from off-road equipment. As a result, the fugitive dust from material movement, specifically truck loading and unloading, is not accounted for.[5] This dust contributes to PM10 and PM2.5 emissions, and by omitting this information from the air analysis, the PM10 and PM2.5 emissions during Project construction are underestimated. Furthermore, transportation of this material will produce additional mobile-source pollutant emissions. By omitting this information from the emissions model, the total emissions during Project construction are greatly underestimated.

68 cont.

Artificially Low Percent Reduction Applied to Daily Trip Rate

According to Appendix E of the DEIR, the average residential daily trip rate was reduced from the CalEEMod default value of 6.59 trips per dwelling unit to 4.01 trips per dwelling unit (p. Appendix E, pp. 140). This adjusted trip rate is based on information disclosed in a March 3, 2015 *Memorandum: 200 4th Street – Preliminary Transportation Analysis* ("Memorandum") prepared by Fehr & Peers. Consistent with what is discussed in the DEIR, the Memorandum suggests that because the Project site is located approximately 0.25 miles away from the Lake Merritt BART Station, the number of automobile trips generated by the Project would decrease by approximately 43% (DEIR, p. 123).[6] This reduction, according to the DEIR, "is based on the Bay Area Travel Survey (BATS) 2000 which shows that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent" (p. 123).

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When reviewing the BATS 2000 report, however, we were unable to verify the origin of this reduction percentage, and the DEIR fails to provide any insight as to where, within the BATS 2000 report, this percentage was taken from. Furthermore, when we reviewed the BATS 2000 report, we found a different trend in transit ridership. According to this report, for the random sample component of the survey, 82% of the reported trips were made by private vehicle, 11% by walking, 2% by bus, 2% by rail, and 1% by bicycle.[7] Furthermore, for the BART rider sample, 11% of the trips were made by rail, and 6% were made by bus. Because it is vague as to where this 43% reduction in number of trips was derived from, and because evidence, taken directly from the referenced report, indicates a much lower percent

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[5] "CalEEMod User's Guide Appendix A Calculation Details for CalEEMod." p. 7, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2

[6] "Memorandum: 200 4th Street – Preliminary Transportation Analysis." March 3, 2015, Fehr & Peers.

[7] "Bay Area Travel Survey 2000 Final Report Volume I: Methodology, Design, and Analysis of Results." March 2002, *available at:* ftp://ftp.abag.ca.gov/pub/mtc/planning/BATS/BATS2000/BATS%20Final%20Report/Executive%20Summary%20and%20TOC/execsum.pdf

decrease in daily vehicle trips from use of alternate modes of transportation in San Francisco, this 43% value should not be relied upon to estimate emissions. 72 cont.

Furthermore, when reviewing the rest of the parameters entered into the CalEEMod emissions model, we found that an additional mitigation measure was applied to the model, on top of the 43% reduction, that further decreases the number of automobile trips generated by the Project as a function of the site's proximity to a transit stop (see excerpt below) (Appendix E, pp. 155). 73

As a result, the DEIR double counts the reduction in total vehicle miles traveled that would typically occur as a result of the Project's close proximity to a BART station.

The California Air Pollution Control Officers Association's (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures* report discusses the various equations used by CalEEMod to quantify reductions (in emissions and vehicle miles traveled) from each mitigation measure.[8] According to CAPCOA's report, the percent reduction in vehicle miles traveled (VMT) when the "Increase Transit Accessibility" mitigation measure (LUT-5) is applied, is calculated using the following equation, where X is equal to the distance of the Project to transit:

$$\%\ \text{Reduction in VMT} = [(-50 * \text{X} + 38) - 1.3\%] * 0.67 = \mathbf{16.2}\%$$

This equation is built into the CalEEMod model, so the only input parameter the DEIR is required to enter into the model is the Project's distance to a transit stop (X). Assuming a distance of 0.25 miles, which is consistent with the distance disclosed in the DEIR, we estimate a 16.2% reduction in total vehicle miles traveled. Therefore, by applying both the CalEEMod mitigation measure (16.2% reduction) as well as the 43% reduction to the vehicle trip rate, the DEIR double counts the reductions that would occur as a result of the Project's close proximity to a BART station, thus greatly underestimating the Project's mobile-source emissions. Furthermore, when comparing the 16.2% reduction value to the ridership trends disclosed in the BATS 2000 report, we find that they are generally consistent with each other, and are not at all consistent with the 43% reduction set forth by the DEIR. 74 75

The City does not provide substantial evidence in the DEIR to support the use of the 43% reduction value. Thus, this value may not be relied upon in the DEIR to determine the significance of air quality 76

[8] "Quantifying Greenhouse Gas Mitigation Measures." California Air Pollution Control Officers Association (CAPCOA), August 2010, *available at:* http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf

impacts. Using the equations set forth by CAPCOA and the CalEEMod model, we estimated a 16.2% reduction in vehicle miles traveled, which is consistent with the ridership trends disclosed in the BATS 2000 report. By applying both a 43% reduction to the residential daily trips as well as a 16.2% reduction through the "Increase Transit Accessibility" mitigation measure in CalEEMod, the DEIR greatly underestimates the total number of daily trips, and resultant mobile emissions, generated by the Project.

76 cont.

Use of Incorrect Construction Duration

The DEIR relies upon the default values provided by CalEEMod to determine the number of days that construction of the Project would need. The DEIR states, "Based on the size and type of development, CalEEMod estimated that Project construction would likely last 266 working days" (p. 198). However, when remodeling the Project's emissions using CalEEMod, we find that CalEEMod estimates that construction of this Project, based on the size and type of development, will occur over a 310 day period (see excerpt below).

Phase Name	Phase Type	Start Date	End Date	Days/Week	Total Days
Demolition	Demolition	01/01/2016	01/28/2016	5 Days/Week	20
Site Preparation	Site Preparation	01/29/2016	02/11/2016	5 Days/Week	10
Grading	Grading	02/12/2016	03/10/2016	5 Days/Week	20
Building Construction	Building Construction	03/11/2016	01/26/2017	5 Days/Week	230
Paving	Paving	01/27/2017	02/23/2017	5 Days/Week	20
Architectural Coating	Architectural Coating	02/24/2017	03/23/2017	5 Days/Week	20

Not only does the DEIR fail to use the default construction duration provided by CalEEMod for each construction phase, the DEIR completely omits the 20 day "Paving" construction phase, and does not provide any reason as to why this phase was omitted from the model. The DEIR explains that the Project will not require any site preparation, and as a result, the "Site Preparation" construction phase was omitted from the CalEEMod model. However, the DEIR fails to provide a reason for the omission of the "Paving" phase. Due to the anticipated construction of a 147,000 square foot parking structure, paving activities will most likely occur during Project construction. Therefore, it was assumed that the 20-day paving phase will occur at some point during construction. Furthermore, since the DEIR states that site preparation will not occur during construction, this 10-day phase was not included in the 310 work day construction duration. The table below summarizes the difference in the construction schedule used in the DEIR compared to the CalEEMod default values.

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Construction Phase	CalEEMod Default Duration (Days)	DEIR Phase Duration (Days)	Number of Days Underestimated
Demolition	20	20	-
Grading	20	6	14
Building Construction	230	230	-
Paving	20	-	20
Architectural Coating	20	10	10
Total	**310**	**266**	**44**

If the DEIR were to use the default construction schedule provided by CalEEMod, then the total construction duration would be equal to 310 days, not 266 days as is indicated by the DEIR. 77 cont.

The DEIR's emissions model also relies on CalEEMod default values for the type and amount of construction equipment needed during each construction phase. These default values for equipment types and total equipment quantities for each construction phase are based on Project acreage and construction duration. When the construction schedule is shortened, more equipment is needed to finish construction in that shorter period of time. But changes in the construction schedule do not automatically trigger an equipment list change in the model.[9] Therefore, by shortening the construction schedule without manually adjusting the total equipment quantities for each phase, the DEIR not only underestimates the amount of equipment needed to complete Project construction, but also underestimates the emissions released by the off-road equipment used during construction. 78

Incorrectly Presumed the Use of Tier 4 Final Engines

The DEIR states that the Project intends for all off-road heavy diesel engines to meet the California Air Resources Board's (CARB) "Tier 4 Final" emission standards (p. 168). There is no substantial evidence, however, to support the feasibility of obtaining an entirely Tier 4 fleet. Although off-road Tier 4 equipment is available for purchase, it is not required that off-road construction fleets be comprised solely of Tier 4 Final engines. Furthermore, based on availability and cost, it is unrealistic to presume that all of the construction equipment utilized for the Project will have Tier 4 engines. As a result, this mitigation measure should not be relied upon to reduce the Project's construction emissions to below levels of significance. Rather, the Project should pursue additional mitigation measures that are more technically feasible to implement. 79 80 81

The United States Environmental Protection Agency's (USEPA) 1998 nonroad engine emission standards were structured as a three-tiered progression. Tier 1 standards were phased-in from 1996 to 2000 and Tier 2 emission standards were phased in from 2001 to 2006. Tier 3 standards, which applied to engines from 37-560 kilowatts (kW) only, were phased in from 2006 to 2008. The Tier 4 emission standards were introduced in 2004, and were phased in from 2008 – 2015.[10] These tiered emission standards, however, are only applicable to newly manufactured nonroad equipment. According to the United States Environmental Protection Agency (USEPA) "if products were built before EPA emission standards started to apply, they are generally not affected by the standards or other regulatory requirements."[11] Therefore, pieces of equipment manufactured prior to 2000 are not required to adhere to Tier 2 emission standards, and pieces of equipment manufactured prior to 2008 are not required to adhere to Tier 4 emission standards. Construction equipment often lasts more than 30 years; as a result, Tier 1 82

[9] "SMAQMD Tips for Using CalEEMod." Sacramento Metropolitan Air Quality Management District, *available at*: http://www.airquality.org/ceqa/UserTipsSMAQMD.pdf

[10] Emission Standards, Nonroad Diesel Engines, *available at:* https://www.dieselnet.com/standards/us/nonroad.php#tier3

[11] "Frequently Asked Questions from Owners and Operators of Nonroad Engines, Vehicles, and Equipment Certified to EPA Standards." United States Environmental Protection Agency, August 2012. *Available at:* http://www.epa.gov/oms/highway-diesel/regs/420f12053.pdf

equipment and non-certified equipment are currently still in use.[12] It is estimated that of the two million diesel engines currently used in construction, 31 percent were manufactured before the introduction of emissions regulations.[13]

Furthermore, in a 2010 white paper, the California Industry Air Quality Coalition estimated that approximately 7% and less than 1% of all off-road heavy duty diesel equipment in California was equipped with Tier 2 and Tier 3 engines, respectively.[14] It goes on to explain that "cleaner burning Tier 4 engines…are not expected to come online in significant numbers until 2014." Given that significant production activities have only just begun within the last couple of years, it can be presumed that there is limited availability of Tier 4 equipment. Furthermore, due to the complexity of Tier 4 engines, it is very difficult if not nearly impossible, to retrofit older model machinery with this technology.[15] Therefore, available off-road machinery equipped with Tier 4 engines are most likely new. According to a September 20, 2013 EPA Federal Register document, a new Tier 4 scraper or bulldozer would cost over $1,000,000 to purchase.[16] Utilizing the construction equipment list from the CalEEMod output file, it would be completely unrealistic to assume that all 18 pieces of equipment would be purchased at this price Appendix E, pp. 144). It is also relatively expensive to retrofit a piece of old machinery with a Tier 3 engine. For example, replacing a Tier 0 engine with a Tier 3 engine would cost roughly $150,000 or more.[17] Therefore, before applying mitigation measures of this caliber to a Project, the applicant should consider both the cost of the proposed equipment as well as determine the probability of obtaining an entirely Tier 4 construction fleet.

82 cont.

It should be noted that there are regulations, currently enforced by the California Air Resources Board (CARB), with regards to construction fleets. According to CARB, large and medium fleets (fleets with over 2,500 horse power) will not be allowed to add a vehicle with a Tier 1 engine to its fleet starting on January 1, 2014. The engine tier must be Tier 2 or higher.[18] Therefore, it is more realistic to assume that the fleet will include a mix of Tier 2, 3, and 4 engines, rather than just Tier 4 Final equipment exclusively. Unless the Project applicant can demonstrate to the public, either through budget or through a preliminary agreement with a contractor or supplier, that they will purchase/rent exclusively Tier 4 construction equipment, the use of Tier 2 equipment should be conservatively assumed, and an updated air quality analysis should be conducted to reflect this more realistic scenario.

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[12] "Best Practices for Clean Diesel Construction." Northeast Diesel Collaborative, August 2012. *Available at:* http://northeastdiesel.org/pdf/BestPractices4CleanDieselConstructionAug2012.pdf

[13] Northeast Diesel Collaborative Clean Construction Workgroup, *available at:* http://northeastdiesel.org/construction.html

[14] "White Paper: An Industry Perspective on the California Air Resources Board Proposed Off-Road Diesel Regulations."Construction Industry Air Quality Coalition, *available at:* http://www.agc-ca.org/uploadedFiles/Member_Services/Regulatory-Advocacy-Page-PDFs/White_Paper_CARB_OffRoad.pdf

[15] "Tier 4- How it will affect your equipment, your business and your environment."Milton CAT, *available at:* http://www.miltoncat.com/News/Documents/Articles/For%20the%20Trenches%20-%20Tier%204.pdf

[16] "Federal Register." Environmental Protection Agency, September 20, 2013, *available at:* http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/pdf/2013-22930.pdf

[17] "Federal Register." Environmental Protection Agency, September 20, 2013, *available at:* http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/pdf/2013-22930.pdf

[18] "Enforcement of the In-Use Off-Road Vehicle Regulations."California Air Resources Board, February 2014, *available at:* http://www.arb.ca.gov/msprog/mailouts/msc1401/msc1401.pdf

Updated Analysis Indicates Increase in Pollutant Emissions

In an effort to more accurately estimate the Project's emissions, we modeled emissions in CalEEMod using more site specific information and correct modeling parameters. The updated CalEEMod output files are included as an attachment to this letter. The following parameters, summarized in the table below, were adjusted in an effort to more accurately reflect the Project criteria discussed in the DEIR.

CalEEMod Parameter	DEIR Model Input	SWAPE Model Input
Architectural Coating Nonresidential Interior/Residential Exterior	15 g/L	150 g/L
Demolition Material Exported	-	60,000 square feet
Average Daily Residential Trip Rate (Trips per Dwelling Unit)	4.01 trips/unit	6.59 trips/unit
Construction Phase Grading	6 Days	20 Days
Construction Phase Paving	-	20 Days
Construction Phase Architectural Coating	10 Days	20 Days
Use of Cleaner Engines for Construction Equipment	Tier 4 Final	Tier 2

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When the correct input parameters are used, we find that the Project's NO_x emissions increase from 21 pounds per day (lbs/day) to 26 lbs/day and ROG emissions increase from 22 lbs/day to 31 lbs per day (see table below).

Summary of Average Unmitigated Criteria Air Pollutant Emissions		
	ROG	**NOx**
pounds per day:		
DEIR Model - Construction Emissions	31	29
DEIR Model - Operational Emissions	21	20
DEIR Model – Total Project Emissions [19]	**22**	**21**
SWAPE Model - Construction Emissions	34	34
SWAPE Model - Operational Emissions	30	25
SWAPE Model – Total Project Emissions [20]	**31**	**26**

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Furthermore, the Project's greenhouse gas (GHG) emissions during construction and operation also increase from 3,100 $MTCO_2e$/year to 3,931 $MTCO_2e$/year (see table below).

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[19] Construction emissions amortized over 40 years.
[20] Construction emissions amortized over 40 years.

Summary of Greenhouse Gas Emissions - Unmitigated		
Project Activity	**$MTCO_2e$/year**	
	DEIR Model	**SWAPE Model**
Construction Emissions (Amortized over 40 years)	18	18
Operational Emissions	3,081	3,912
Total	**3,100**	**3,931**
Threshold	**1,100**	**1,100**
Exceedance	***Yes***	***Yes***

86 cont.

When correct modeling parameters are used, the Project's construction and operational ROG, NO_x, and GHG emissions increase. It should be noted that our model likely still underestimates emissions, as we were unable to adjust several parameters, such as the number of hauling trips during demolition, due to a lack of data provided by the DEIR. Thus, we conclude that a potentially significant air quality impact has not been disclosed or adequately mitigated. As a result, an updated DEIR should be prepared to include an air quality analysis that uses correct input parameters and feasible mitigation measures.

Failure to Demonstrate Consistency with Applicable GHG Regulations

The significance criteria for GHG emissions established by the City of Oakland states that a project would have a significant impact if it produces "total emissions of more than 1,100 metric tons of CO_2e annually **AND** more than 4.6 metric tons of CO_2e per service population annually" (DEIR, p. 196). Therefore, in order for the Project's GHG impact to be considered as significant, both of these thresholds need to be exceeded. In other words, if a project complies with one of the above thresholds, the project is deemed as having a less-than-significant GHG impact.

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Using these thresholds, the DEIR concludes that there would be no significant impact in relation to GHG emissions that would result from construction or operation of the Project. The DEIR justifies this conclusion by stating that, "The Project's estimated CO_2e emissions exceed the City's annual emissions threshold, but were below the efficiency-based threshold in terms of annual emissions per service population. Since annual CO_2e emissions need only to be below one of the thresholds, the Project's GHG emissions would have a less-than-significant impact on global climate change" (DEIR, p. 198). The DEIR further states that because the Project is below the City of Oakland's efficiency-based threshold for GHG emissions, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by Assembly Bill 32 (AB32), the Project would comply with AB32.

When reviewing the assumptions and methods used to come to this conclusion, however, we found that the DEIR's analysis of the Project's potential GHG impacts is flawed. When correct parameters are used and the updated GHG emissions are compared to applicable thresholds, we find that the Project's GHG emissions will result in a significant impact. An updated DEIR should be prepared to assess the Project's GHG emissions using the correct assumptions, and should implement additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan in accordance with the City's Standard Conditions of Approval.

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Overestimation of Service Population Generated by Project

To calculate the Project's service population, the DEIR used a value of 2.52 persons per household, which is based on data from the 2013 United States Census for the City of Oakland. Assuming 330 units are to be built for the Project, the service population was estimated to be approximately 831.6 residents (p. 198). Using this service population, the DEIR estimates that the Project will generate 3.8 metric tons of carbon dioxide equivalents per person per year ($MTCO_2e$/sp/year) during operation (p. 199). Therefore, even though the Project's annual emissions (3,099 $MTCO_2e$/year) exceed the 1,100 $MTCO_2e$/year significance threshold, the DEIR concludes that the Project does not exceed the 4.6 $MTCO_2e$/sp/year significance threshold (Table IV.E-4, p. 199). As a result, because only one of the thresholds was exceeded, the Project was deemed to have a less-than-significant GHG impact. However, the 2.52 persons per household value the DEIR relied upon to estimate the service population is incorrect and greatly overestimates the number of residents the Project will generate. As a result, the significance determination made in the DEIR is incorrect, and does not adequately represent the Project's impacts on global climate change.

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According to the December 9, 2014 *City of Oakland Housing Element 2015-2023*, the 2.52 persons per household value relied upon by the DEIR is in reference to the average household size in Oakland in 1990, which takes into account multi-family households, and single family households with children.[21] According to the DEIR, the Project proposes to construct 21 studios, 185 one-bedroom, and 120 two-bedroom apartments, totaling to approximately 330 units (p. 43). Assuming that 2.52 people will occupy each of the studio and single bedroom apartments is absurd, and results in a drastic overestimation of the number of people likely to occupy these apartments.

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A more reasonable value can be calculated using values disclosed in Table 3-40 of the *City of Oakland Housing Element 2015-2023*, which is the same document relied upon by the DEIR to derive the initial service population value of 2.52 persons per household. Table 3-40 provides a breakdown of "persons per room" for all occupied rented units in the City of Oakland. According to this table, 92% of occupied units have less than 1.00 persons per room, 5% have 1.01 to 1.50 persons per room, and 3% have 1.51 or more persons per room.[22] The weighted average of this data results in an average of 1.03 persons per room, which is more reasonable than the value used in the DEIR (see table below).

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Persons Per Room	Number of Rented Units	Percent of Rented Units
Less Than 1.00	81,813	92%
1.01 to 1.50	4,390	5%
1.51 or More	3,007	3%
Total	**89,210**	**100%**
Average Persons Per Room		**1.03**

[21] "City of Oakland Housing Element 2015-2023." City of Oakland, December 9, 2014, p. 125, *available at:* http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/housing-element-documents/oakland_5th_adopted013015.pdf

[22] "City of Oakland Housing Element 2015-2023." City of Oakland, December 9, 2014, Table 3-40, *available at:* http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/housing-element-documents/oakland_5th_adopted013015.pdf

Using this weighted average, we estimated a more realistic service population. Assuming that the 21 studio and 185 one-bedroom apartments would have an occupancy rate of 1.03 persons, and the remaining 120 two-bedroom apartments would have 2.06 persons occupying them (2 bedrooms x 1.03 persons), we estimated a service population of approximately 459 residents (see table below).

Land Uses	Amount	Units	Number of Residents
Residential Units	326	Dwelling Units (DU)	459
Studio	*21*	*DU*	*22*
One-Bedroom	*185*	*DU*	*191*
Two-Bedroom	*120*	*DU*	*247*

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To calculate the GHG emissions per person per year, we used the annual Project emissions from the CalEEMod output file and divided it by the new service population. It should be noted that our analysis is most likely still an underestimation of the Project's GHG emissions, as it relies on the emissions estimated by the DEIR. As previously discussed, the CalEEMod model used to determine the Project's construction and operational emissions relies upon incorrect input parameters that result in an underestimation of Project emissions. Therefore, and updated DEIR should be prepared to adequately estimate construction and operational emissions, and should include an updated GHG analysis that uses these updated emissions estimates to determine Project significance.

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Dividing the annual Project emissions of 3,099 $MTCO_2e$/yr by the updated service population value of 459 residents, we find that the Project would emit 6.75 $MTCO_2e$/sp/year. This value greatly exceeds the 4.6 $MTCO_2e$/sp/year significance threshold. Additionally, the Project's total annual emissions estimate of 3,099 $MTCO_2e$/yr exceeds the 1,100 $MTCO_2e$/yr threshold (see table below).

SWAPE Estimates	Metric Tons CO_2e/year	Metric Tons CO_2e/sp/year
Emissions	3,099	6.75
Thresholds	1,100	4.6
Exceedance	***Yes***	***Yes***

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Since the Project exceeds both thresholds, the Project's GHG emissions would result in a significant GHG impact. Furthermore, because the Project exceeds the GHG thresholds set forth by the City of Oakland, and because the City's thresholds were designed to ensure compliance with the GHG reduction goals set forth by AB32, the Project is also inconsistent with AB32. An updated analysis of the Project's GHG emissions using correct values should be included in an updated DEIR, and additional mitigation measures, including the development of a Greenhouse Gas Reduction Plan, should be identified and implemented in an effort to reduce the Project's impacts to a less-than-significant level.

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Conclusion

The DEIR fails to adequately evaluate the Project's Hazards and Hazardous Waste, Air Quality, and Greenhouse Gas (GHG) impacts. First, the DEIR fails to adequately disclose the environmental conditions at the Project site, and the potential impacts that would occur when encountering contaminated groundwater during site excavation. Second, the DEIR relied upon incorrect parameters to model the Project's air pollutant and GHG emissions, and as a result, the Project's emissions during construction and operation were greatly underestimated. When we modeled emissions using correct input parameters, we found that the Project's ROG, NO_x, and GHG emissions increased substantially. Our updated model, however, may still underestimate Project emissions, as we were unable to change some of the incorrect input parameters used due to lack of information. Thus, based on our independent emissions modeling and analysis, we conclude that the Project may have a potentially significant air quality impact that has not been disclosed, analyzed, or adequately mitigated in the DEIR. 97

Finally, the DEIR overestimates the service population (number of residents and employees) that the Project will generate. As a result, the amount of GHG emissions generated by each service person is underestimated, and the Project's impact on global climate change is incorrectly presumed to be less-than-significant. When a more realistic service population is used, we find that the Project exceeds both of the BAAQMD's GHG thresholds; as a result, the Project will have a significant GHG impact.

An updated DEIR should be prepared and recirculated to address these issues, and should include feasible mitigation measures to reduce the Project's impacts to a less-than-significant level.

Sincerely,

Matt Hagemann, P.G., C.Hg.

Jessie Jaeger

Letter B6 - Attachment B

Jack London Square 4th and Madison Project

San Francisco Bay Area Air Basin, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	11.73	1000sqft	0.00	11,734.00	0
Enclosed Parking with Elevator	147.00	1000sqft	3.37	147,000.00	0
Health Club	4.10	1000sqft	0.00	4,104.00	0
Apartments Mid Rise	330.00	Dwelling Unit	2.07	362,455.00	944
Convenience Market (24 Hour)	2.96	1000sqft	0.00	2,962.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	5			**Operational Year**	2018
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Letter B6 - Attachment B cont.

Project Characteristics -

Land Use - Total lot acreage = 2.07 acres.

Construction Phase - Site Preparation not required at Project site. Removed from construction schedule.

Demolition - 60,000 sq. ft. of existing building will be demolished.

Grading -

Architectural Coating - 150 g/L emission factor.

Woodstoves -

Area Coating - 150 g/L emission factor

Water And Wastewater - Appendix E of the DEIR.

Construction Off-road Equipment Mitigation - Water Exposed Area 2x Daily - DEIR, p. 18 - 21.
Reduce speed on Unpaved Roads to 15mph
Clean Paved Roads - 9% PM Reduction

Mobile Land Use Mitigation - Increase Density - 125 dwelling units/acre
Improve Destination Accessibility - 0.8 miles to Downtown Oakland [Source: Google Maps]
Increase Transit Accessibility - 0.25 miles [Source: DEIR]

Area Mitigation - Use Low VOC Paint

Waste Mitigation -

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Nonresidential_Interior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Exterior	250.00	150.00
tblArchitecturalCoating	EF_Residential_Interior	250.00	150.00
tblAreaCoating	Area_EF_Nonresidential_Exterior	250	150
tblAreaMitigation	UseLowVOCPaintNonresidentialInteriorValue	250	150
tblAreaMitigation	UseLowVOCPaintResidentialExteriorValue	250	150
tblAreaMitigation	UseLowVOCPaintResidentialInteriorValue	250	150
tblConstDustMitigation	CleanPavedRoadPercentReduction	0	9

tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	4.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
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tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblLandUse	LandUseSquareFeet	11,730.00	11,734.00
tblLandUse	LandUseSquareFeet	4,100.00	4,104.00
tblLandUse	LandUseSquareFeet	330,000.00	362,455.00
tblLandUse	LandUseSquareFeet	2,960.00	2,962.00

tblLandUse	LotAcreage	0.27	0.00
tblLandUse	LotAcreage	0.09	0.00
tblLandUse	LotAcreage	8.68	2.07
tblLandUse	LotAcreage	0.07	0.00
tblProjectCharacteristics	OperationalYear	2014	2018
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AerobicPercent	87.46	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
tblWater	AnaDigestCogenCombDigestGasPercent	0.00	100.00
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tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
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tblWater	AnaDigestCombDigestGasPercent	100.00	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
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tblWater	AnaerobicandFacultativeLagoonsPercent	2.21	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00

tblWater	SepticTankPercent	10.33	0.00
tblWater	SepticTankPercent	10.33	0.00

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2016	0.6757	4.9059	5.5206	9.0800e-003	0.4509	0.2757	0.7266	0.1337	0.2581	0.3919	0.0000	771.0825	771.0825	0.1017	0.0000	773.2171
2017	4.6015	0.3792	0.3875	6.7000e-004	0.0212	0.0217	0.0428	5.6700e-003	0.0202	0.0259	0.0000	56.8768	56.8768	0.0102	0.0000	57.0908
Total	**5.2772**	**5.2851**	**5.9080**	**9.7500e-003**	**0.4721**	**0.2973**	**0.7694**	**0.1394**	**0.2783**	**0.4177**	**0.0000**	**827.9592**	**827.9592**	**0.1118**	**0.0000**	**830.3079**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2016	0.4132	4.1171	5.3418	9.0800e-003	0.3715	0.1350	0.5065	0.1061	0.1339	0.2400	0.0000	771.0821	771.0821	0.1017	0.0000	773.2167
2017	4.5820	0.3619	0.4096	6.7000e-004	0.0196	0.0122	0.0317	5.2700e-003	0.0121	0.0174	0.0000	56.8767	56.8767	0.0102	0.0000	57.0908
Total	**4.9952**	**4.4790**	**5.7514**	**9.7500e-003**	**0.3911**	**0.1471**	**0.5382**	**0.1114**	**0.1460**	**0.2574**	**0.0000**	**827.9588**	**827.9588**	**0.1118**	**0.0000**	**830.3075**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**5.34**	**15.25**	**2.65**	**0.00**	**17.15**	**50.51**	**30.04**	**20.10**	**47.54**	**38.39**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	3.1670	0.0377	3.1251	1.3900e-003		0.1140	0.1140		0.1140	0.1140	11.7297	12.7312	24.4609	0.0436	4.5000e-004	25.5159
Energy	0.0177	0.1522	0.0720	9.6000e-004		0.0122	0.0122		0.0122	0.0122	0.0000	877.5649	877.5649	0.0351	9.7800e-003	881.3346
Mobile	2.3348	4.3363	20.5052	0.0382	2.6113	0.0555	2.6668	0.7008	0.0511	0.7519	0.0000	2,849.5904	2,849.5904	0.1184	0.0000	2,852.0768
Waste						0.0000	0.0000		0.0000	0.0000	39.5792	0.0000	39.5792	2.3391	0.0000	88.6995
Water						0.0000	0.0000		0.0000	0.0000	8.5080	49.7183	58.2263	0.0315	0.0190	64.7684
Total	**5.5195**	**4.5262**	**23.7023**	**0.0405**	**2.6113**	**0.1817**	**2.7931**	**0.7008**	**0.1774**	**0.8782**	**59.8169**	**3,789.6048**	**3,849.4218**	**2.5677**	**0.0292**	**3,912.3951**

Letter B6 - Attachment B cont.

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	2.8826	0.0377	3.1251	1.3900e-003		0.1140	0.1140		0.1140	0.1140	11.7297	12.7312	24.4609	0.0436	4.5000e-004	25.5159
Energy	0.0177	0.1522	0.0720	9.6000e-004		0.0122	0.0122		0.0122	0.0122	0.0000	877.5649	877.5649	0.0351	9.7800e-003	881.3346
Mobile	2.2523	3.7832	18.6469	0.0320	2.1628	0.0472	2.2100	0.5804	0.0435	0.6239	0.0000	2,386.9270	2,386.9270	0.1017	0.0000	2,389.0631
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	8.5080	49.7183	58.2263	0.0317	0.0190	64.7819
Total	**5.1526**	**3.9731**	**21.8440**	**0.0344**	**2.1628**	**0.1734**	**2.3362**	**0.5804**	**0.1697**	**0.7501**	**20.2377**	**3,326.9413**	**3,347.1791**	**0.2121**	**0.0292**	**3,360.6955**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**6.65**	**12.22**	**7.84**	**15.25**	**17.18**	**4.58**	**16.36**	**17.17**	**4.32**	**14.58**	**66.17**	**12.21**	**13.05**	**91.74**	**-0.10**	**14.10**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2016	1/28/2016	5	20	
2	Grading	Grading	1/29/2016	2/25/2016	5	20	
3	Building Construction	Building Construction	2/26/2016	1/12/2017	5	230	
4	Paving	Paving	1/13/2017	2/9/2017	5	20	
5	Architectural Coating	Architectural Coating	2/10/2017	3/9/2017	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 10

Acres of Paving: 0

Residential Indoor: 733,971; Residential Outdoor: 244,657; Non-Residential Indoor: 248,700; Non-Residential Outdoor: 82,900 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	162	0.38
Demolition	Rubber Tired Dozers	2	8.00	255	0.40
Grading	Excavators	1	8.00	162	0.38
Grading	Graders	1	8.00	174	0.41
Grading	Rubber Tired Dozers	1	8.00	255	0.40
Grading	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Building Construction	Cranes	1	7.00	226	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	125	0.42
Paving	Paving Equipment	2	8.00	130	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	273.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	6	15.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	306.00	62.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	61.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Letter B6 - Attachment B cont.

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Clean Paved Roads

3.2 Demolition - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0295	0.0000	0.0295	4.4700e-003	0.0000	4.4700e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0429	0.4566	0.3503	4.0000e-004		0.0229	0.0229		0.0214	0.0214	0.0000	37.0974	37.0974	0.0101	0.0000	37.3092
Total	**0.0429**	**0.4566**	**0.3503**	**4.0000e-004**	**0.0295**	**0.0229**	**0.0525**	**4.4700e-003**	**0.0214**	**0.0258**	**0.0000**	**37.0974**	**37.0974**	**0.0101**	**0.0000**	**37.3092**

Letter B6 - Attachment B cont.

3.2 Demolition - 2016

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	3.2300e-003	0.0409	0.0353	1.0000e-004	2.3000e-003	5.3000e-004	2.8300e-003	6.3000e-004	4.9000e-004	1.1200e-003	0.0000	9.3642	9.3642	7.0000e-005	0.0000	9.3656
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.7000e-004	8.2000e-004	7.9800e-003	2.0000e-005	1.3600e-003	1.0000e-005	1.3700e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.2348	1.2348	7.0000e-005	0.0000	1.2362
Total	**3.8000e-003**	**0.0417**	**0.0433**	**1.2000e-004**	**3.6600e-003**	**5.4000e-004**	**4.2000e-003**	**9.9000e-004**	**5.0000e-004**	**1.4900e-003**	**0.0000**	**10.5989**	**10.5989**	**1.4000e-004**	**0.0000**	**10.6018**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0133	0.0000	0.0133	2.0100e-003	0.0000	2.0100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0129	0.3347	0.2527	4.0000e-004		9.3400e-003	9.3400e-003		9.3400e-003	9.3400e-003	0.0000	37.0973	37.0973	0.0101	0.0000	37.3092
Total	**0.0129**	**0.3347**	**0.2527**	**4.0000e-004**	**0.0133**	**9.3400e-003**	**0.0226**	**2.0100e-003**	**9.3400e-003**	**0.0114**	**0.0000**	**37.0973**	**37.0973**	**0.0101**	**0.0000**	**37.3092**

Letter B6 - Attachment B cont.

3.2 Demolition - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	3.2300e-003	0.0409	0.0353	1.0000e-004	2.1400e-003	5.3000e-004	2.6800e-003	5.9000e-004	4.9000e-004	1.0800e-003	0.0000	9.3642	9.3642	7.0000e-005	0.0000	9.3656
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.7000e-004	8.2000e-004	7.9800e-003	2.0000e-005	1.2500e-003	1.0000e-005	1.2700e-003	3.4000e-004	1.0000e-005	3.5000e-004	0.0000	1.2348	1.2348	7.0000e-005	0.0000	1.2362
Total	**3.8000e-003**	**0.0417**	**0.0433**	**1.2000e-004**	**3.3900e-003**	**5.4000e-004**	**3.9500e-003**	**9.3000e-004**	**5.0000e-004**	**1.4300e-003**	**0.0000**	**10.5989**	**10.5989**	**1.4000e-004**	**0.0000**	**10.6018**

3.3 Grading - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0655	0.0000	0.0655	0.0337	0.0000	0.0337	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0367	0.3845	0.2608	3.0000e-004		0.0220	0.0220		0.0202	0.0202	0.0000	28.0664	28.0664	8.4700e-003	0.0000	28.2442
Total	**0.0367**	**0.3845**	**0.2608**	**3.0000e-004**	**0.0655**	**0.0220**	**0.0875**	**0.0337**	**0.0202**	**0.0539**	**0.0000**	**28.0664**	**28.0664**	**8.4700e-003**	**0.0000**	**28.2442**

Letter B6 - Attachment B cont.

3.3 Grading - 2016

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.7000e-004	8.2000e-004	7.9800e-003	2.0000e-005	1.3600e-003	1.0000e-005	1.3700e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.2348	1.2348	7.0000e-005	0.0000	1.2362
Total	**5.7000e-004**	**8.2000e-004**	**7.9800e-003**	**2.0000e-005**	**1.3600e-003**	**1.0000e-005**	**1.3700e-003**	**3.6000e-004**	**1.0000e-005**	**3.7000e-004**	**0.0000**	**1.2348**	**1.2348**	**7.0000e-005**	**0.0000**	**1.2362**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0295	0.0000	0.0295	0.0152	0.0000	0.0152	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0110	0.2626	0.2038	3.0000e-004		8.2300e-003	8.2300e-003		8.2300e-003	8.2300e-003	0.0000	28.0664	28.0664	8.4700e-003	0.0000	28.2441
Total	**0.0110**	**0.2626**	**0.2038**	**3.0000e-004**	**0.0295**	**8.2300e-003**	**0.0377**	**0.0152**	**8.2300e-003**	**0.0234**	**0.0000**	**28.0664**	**28.0664**	**8.4700e-003**	**0.0000**	**28.2441**

Letter B6 - Attachment B cont.

3.3 Grading - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.7000e-004	8.2000e-004	7.9800e-003	2.0000e-005	1.2500e-003	1.0000e-005	1.2700e-003	3.4000e-004	1.0000e-005	3.5000e-004	0.0000	1.2348	1.2348	7.0000e-005	0.0000	1.2362
Total	**5.7000e-004**	**8.2000e-004**	**7.9800e-003**	**2.0000e-005**	**1.2500e-003**	**1.0000e-005**	**1.2700e-003**	**3.4000e-004**	**1.0000e-005**	**3.5000e-004**	**0.0000**	**1.2348**	**1.2348**	**7.0000e-005**	**0.0000**	**1.2362**

3.4 Building Construction - 2016

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.3764	3.1500	2.0450	2.9600e-003		0.2174	0.2174		0.2043	0.2043	0.0000	267.5797	267.5797	0.0664	0.0000	268.9734
Total	**0.3764**	**3.1500**	**2.0450**	**2.9600e-003**		**0.2174**	**0.2174**		**0.2043**	**0.2043**	**0.0000**	**267.5797**	**267.5797**	**0.0664**	**0.0000**	**268.9734**

Letter B6 - Attachment B cont.

3.4 Building Construction - 2016

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0872	0.6867	1.0134	1.6300e-003	0.0441	0.0102	0.0543	0.0127	9.4100e-003	0.0221	0.0000	148.1592	148.1592	1.1900e-003	0.0000	148.1842
Worker	0.1282	0.1858	1.7998	3.6500e-003	0.3067	2.5600e-003	0.3093	0.0816	2.3500e-003	0.0839	0.0000	278.3461	278.3461	0.0153	0.0000	278.6681
Total	**0.2154**	**0.8725**	**2.8132**	**5.2800e-003**	**0.3508**	**0.0128**	**0.3636**	**0.0942**	**0.0118**	**0.1060**	**0.0000**	**426.5053**	**426.5053**	**0.0165**	**0.0000**	**426.8523**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1696	2.6048	2.0209	2.9600e-003		0.1040	0.1040		0.1040	0.1040	0.0000	267.5794	267.5794	0.0664	0.0000	268.9731
Total	**0.1696**	**2.6048**	**2.0209**	**2.9600e-003**		**0.1040**	**0.1040**		**0.1040**	**0.1040**	**0.0000**	**267.5794**	**267.5794**	**0.0664**	**0.0000**	**268.9731**

Letter B6 - Attachment B cont.

3.4 Building Construction - 2016

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0872	0.6867	1.0134	1.6300e-003	0.0413	0.0102	0.0515	0.0120	9.4100e-003	0.0214	0.0000	148.1592	148.1592	1.1900e-003	0.0000	148.1842
Worker	0.1282	0.1858	1.7998	3.6500e-003	0.2829	2.5600e-003	0.2854	0.0757	2.3500e-003	0.0781	0.0000	278.3461	278.3461	0.0153	0.0000	278.6681
Total	**0.2154**	**0.8725**	**2.8132**	**5.2800e-003**	**0.3241**	**0.0128**	**0.3369**	**0.0877**	**0.0118**	**0.0995**	**0.0000**	**426.5053**	**426.5053**	**0.0165**	**0.0000**	**426.8523**

3.4 Building Construction - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0140	0.1188	0.0816	1.2000e-004		8.0200e-003	8.0200e-003		7.5300e-003	7.5300e-003	0.0000	10.7766	10.7766	2.6500e-003	0.0000	10.8323
Total	**0.0140**	**0.1188**	**0.0816**	**1.2000e-004**		**8.0200e-003**	**8.0200e-003**		**7.5300e-003**	**7.5300e-003**	**0.0000**	**10.7766**	**10.7766**	**2.6500e-003**	**0.0000**	**10.8323**

Letter B6 - Attachment B cont.

3.4 Building Construction - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.2200e-003	0.0251	0.0388	7.0000e-005	1.8000e-003	3.6000e-004	2.1600e-003	5.2000e-004	3.3000e-004	8.5000e-004	0.0000	5.9318	5.9318	5.0000e-005	0.0000	5.9328
Worker	4.6300e-003	6.7700e-003	0.0652	1.5000e-004	0.0125	1.0000e-004	0.0126	3.3200e-003	9.0000e-005	3.4100e-003	0.0000	10.9037	10.9037	5.7000e-004	0.0000	10.9157
Total	**7.8500e-003**	**0.0318**	**0.1040**	**2.2000e-004**	**0.0143**	**4.6000e-004**	**0.0148**	**3.8400e-003**	**4.2000e-004**	**4.2600e-003**	**0.0000**	**16.8355**	**16.8355**	**6.2000e-004**	**0.0000**	**16.8485**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.6300e-003	0.1058	0.0820	1.2000e-004		4.1700e-003	4.1700e-003		4.1700e-003	4.1700e-003	0.0000	10.7766	10.7766	2.6500e-003	0.0000	10.8323
Total	**6.6300e-003**	**0.1058**	**0.0820**	**1.2000e-004**		**4.1700e-003**	**4.1700e-003**		**4.1700e-003**	**4.1700e-003**	**0.0000**	**10.7766**	**10.7766**	**2.6500e-003**	**0.0000**	**10.8323**

Letter B6 - Attachment B cont.

3.4 Building Construction - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.2200e-003	0.0251	0.0388	7.0000e-005	1.6800e-003	3.6000e-004	2.0400e-003	4.9000e-004	3.3000e-004	8.2000e-004	0.0000	5.9318	5.9318	5.0000e-005	0.0000	5.9328
Worker	4.6300e-003	6.7700e-003	0.0652	1.5000e-004	0.0115	1.0000e-004	0.0116	3.0800e-003	9.0000e-005	3.1800e-003	0.0000	10.9037	10.9037	5.7000e-004	0.0000	10.9157
Total	**7.8500e-003**	**0.0318**	**0.1040**	**2.2000e-004**	**0.0132**	**4.6000e-004**	**0.0137**	**3.5700e-003**	**4.2000e-004**	**4.0000e-003**	**0.0000**	**16.8355**	**16.8355**	**6.2000e-004**	**0.0000**	**16.8485**

3.5 Paving - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0191	0.2030	0.1473	2.2000e-004		0.0114	0.0114		0.0105	0.0105	0.0000	20.6934	20.6934	6.3400e-003	0.0000	20.8266
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0191**	**0.2030**	**0.1473**	**2.2000e-004**		**0.0114**	**0.0114**		**0.0105**	**0.0105**	**0.0000**	**20.6934**	**20.6934**	**6.3400e-003**	**0.0000**	**20.8266**

Letter B6 - Attachment B cont.

3.5 Paving - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-004	7.4000e-004	7.1000e-003	2.0000e-005	1.3600e-003	1.0000e-005	1.3700e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.1878	1.1878	6.0000e-005	0.0000	1.1891
Total	**5.0000e-004**	**7.4000e-004**	**7.1000e-003**	**2.0000e-005**	**1.3600e-003**	**1.0000e-005**	**1.3700e-003**	**3.6000e-004**	**1.0000e-005**	**3.7000e-004**	**0.0000**	**1.1878**	**1.1878**	**6.0000e-005**	**0.0000**	**1.1891**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	9.1200e-003	0.1970	0.1693	2.2000e-004		6.5400e-003	6.5400e-003		6.5400e-003	6.5400e-003	0.0000	20.6934	20.6934	6.3400e-003	0.0000	20.8265
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**9.1200e-003**	**0.1970**	**0.1693**	**2.2000e-004**		**6.5400e-003**	**6.5400e-003**		**6.5400e-003**	**6.5400e-003**	**0.0000**	**20.6934**	**20.6934**	**6.3400e-003**	**0.0000**	**20.8265**

Letter B6 - Attachment B cont.

3.5 Paving - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-004	7.4000e-004	7.1000e-003	2.0000e-005	1.2500e-003	1.0000e-005	1.2700e-003	3.4000e-004	1.0000e-005	3.5000e-004	0.0000	1.1878	1.1878	6.0000e-005	0.0000	1.1891
Total	**5.0000e-004**	**7.4000e-004**	**7.1000e-003**	**2.0000e-005**	**1.2500e-003**	**1.0000e-005**	**1.2700e-003**	**3.4000e-004**	**1.0000e-005**	**3.5000e-004**	**0.0000**	**1.1878**	**1.1878**	**6.0000e-005**	**0.0000**	**1.1891**

3.6 Architectural Coating - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.5547					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.3200e-003	0.0219	0.0187	3.0000e-005		1.7300e-003	1.7300e-003		1.7300e-003	1.7300e-003	0.0000	2.5533	2.5533	2.7000e-004	0.0000	2.5589
Total	**4.5580**	**0.0219**	**0.0187**	**3.0000e-005**		**1.7300e-003**	**1.7300e-003**		**1.7300e-003**	**1.7300e-003**	**0.0000**	**2.5533**	**2.5533**	**2.7000e-004**	**0.0000**	**2.5589**

Letter B6 - Attachment B cont.

3.6 Architectural Coating - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0500e-003	3.0000e-003	0.0289	7.0000e-005	5.5300e-003	4.0000e-005	5.5800e-003	1.4700e-003	4.0000e-005	1.5100e-003	0.0000	4.8303	4.8303	2.5000e-004	0.0000	4.8356
Total	**2.0500e-003**	**3.0000e-003**	**0.0289**	**7.0000e-005**	**5.5300e-003**	**4.0000e-005**	**5.5800e-003**	**1.4700e-003**	**4.0000e-005**	**1.5100e-003**	**0.0000**	**4.8303**	**4.8303**	**2.5000e-004**	**0.0000**	**4.8356**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.5547					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.1400e-003	0.0235	0.0183	3.0000e-005		9.5000e-004	9.5000e-004		9.5000e-004	9.5000e-004	0.0000	2.5533	2.5533	2.7000e-004	0.0000	2.5589
Total	**4.5558**	**0.0235**	**0.0183**	**3.0000e-005**		**9.5000e-004**	**9.5000e-004**		**9.5000e-004**	**9.5000e-004**	**0.0000**	**2.5533**	**2.5533**	**2.7000e-004**	**0.0000**	**2.5589**

Letter B6 - Attachment B cont.

3.6 Architectural Coating - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0500e-003	3.0000e-003	0.0289	7.0000e-005	5.1000e-003	4.0000e-005	5.1500e-003	1.3700e-003	4.0000e-005	1.4100e-003	0.0000	4.8303	4.8303	2.5000e-004	0.0000	4.8356
Total	**2.0500e-003**	**3.0000e-003**	**0.0289**	**7.0000e-005**	**5.1000e-003**	**4.0000e-005**	**5.1500e-003**	**1.3700e-003**	**4.0000e-005**	**1.4100e-003**	**0.0000**	**4.8303**	**4.8303**	**2.5000e-004**	**0.0000**	**4.8356**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Density

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Letter B6 - Attachment B cont.

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.2523	3.7832	18.6469	0.0320	2.1628	0.0472	2.2100	0.5804	0.0435	0.6239	0.0000	2,386.9270	2,386.9270	0.1017	0.0000	2,389.0631
Unmitigated	2.3348	4.3363	20.5052	0.0382	2.6113	0.0555	2.6668	0.7008	0.0511	0.7519	0.0000	2,849.5904	2,849.5904	0.1184	0.0000	2,852.0768

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	2,174.70	2,362.80	2003.10	4,859,988	4,025,265
Convenience Market (24 Hour)	2,184.45	2,554.78	2245.01	1,710,506	1,416,719
Enclosed Parking with Elevator	0.00	0.00	0.00		
General Office Building	129.15	27.80	11.50	233,865	193,698
Health Club	135.01	85.57	109.59	214,780	177,890
Total	4,623.31	5,030.94	4,369.20	7,019,140	5,813,572

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	12.40	4.30	5.40	26.10	29.10	44.80	86	11	3
Convenience Market (24 Hour)	9.50	7.30	7.30	0.90	80.10	19.00	24	15	61
Enclosed Parking with Elevator	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
General Office Building	9.50	7.30	7.30	33.00	48.00	19.00	77	19	4
Health Club	9.50	7.30	7.30	16.90	64.10	19.00	52	39	9

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.546229	0.063048	0.174586	0.122573	0.033968	0.004845	0.015596	0.024745	0.002089	0.003270	0.006707	0.000678	0.001667

4.4 Fleet Mix

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	702.5635	702.5635	0.0318	6.5700e-003	705.2682
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	702.5635	702.5635	0.0318	6.5700e-003	705.2682
NaturalGas Mitigated	0.0177	0.1522	0.0720	9.6000e-004		0.0122	0.0122		0.0122	0.0122	0.0000	175.0014	175.0014	3.3500e-003	3.2100e-003	176.0664
NaturalGas Unmitigated	0.0177	0.1522	0.0720	9.6000e-004		0.0122	0.0122		0.0122	0.0122	0.0000	175.0014	175.0014	3.3500e-003	3.2100e-003	176.0664

Letter B6 - Attachment B cont.

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
General Office Building	238083	1.2800e-003	0.0117	9.8000e-003	7.0000e-005		8.9000e-004	8.9000e-004		8.9000e-004	8.9000e-004	0.0000	12.7050	12.7050	2.4000e-004	2.3000e-004	12.7823
Health Club	105391	5.7000e-004	5.1700e-003	4.3400e-003	3.0000e-005		3.9000e-004	3.9000e-004		3.9000e-004	3.9000e-004	0.0000	5.6241	5.6241	1.1000e-004	1.0000e-004	5.6583
Apartments Mid Rise	2.92171e+006	0.0158	0.1346	0.0573	8.6000e-004		0.0109	0.0109		0.0109	0.0109	0.0000	155.9136	155.9136	2.9900e-003	2.8600e-003	156.8625
Convenience Market (24 Hour)	14217.6	8.0000e-005	7.0000e-004	5.9000e-004	0.0000		5.0000e-005	5.0000e-005		5.0000e-005	5.0000e-005	0.0000	0.7587	0.7587	1.0000e-005	1.0000e-005	0.7633
Total		**0.0177**	**0.1522**	**0.0720**	**9.6000e-004**		**0.0122**	**0.0122**		**0.0122**	**0.0122**	**0.0000**	**175.0014**	**175.0014**	**3.3500e-003**	**3.2000e-003**	**176.0664**

Letter B6 - Attachment B cont.

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
General Office Building	238083	1.2800e-003	0.0117	9.8000e-003	7.0000e-005		8.9000e-004	8.9000e-004		8.9000e-004	8.9000e-004	0.0000	12.7050	12.7050	2.4000e-004	2.3000e-004	12.7823
Health Club	105391	5.7000e-004	5.1700e-003	4.3400e-003	3.0000e-005		3.9000e-004	3.9000e-004		3.9000e-004	3.9000e-004	0.0000	5.6241	5.6241	1.1000e-004	1.0000e-004	5.6583
Apartments Mid Rise	2.92171e+006	0.0158	0.1346	0.0573	8.6000e-004		0.0109	0.0109		0.0109	0.0109	0.0000	155.9136	155.9136	2.9900e-003	2.8600e-003	156.8625
Convenience Market (24 Hour)	14217.6	8.0000e-005	7.0000e-004	5.9000e-004	0.0000		5.0000e-005	5.0000e-005		5.0000e-005	5.0000e-005	0.0000	0.7587	0.7587	1.0000e-005	1.0000e-005	0.7633
Total		**0.0177**	**0.1522**	**0.0720**	**9.6000e-004**		**0.0122**	**0.0122**		**0.0122**	**0.0122**	**0.0000**	**175.0014**	**175.0014**	**3.3500e-003**	**3.2000e-003**	**176.0664**

Letter B6 - Attachment B cont.

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	1.19307e+006	347.0764	0.0157	3.2500e-003	348.4126
Convenience Market (24 Hour)	34388.8	10.0041	4.5000e-004	9.0000e-005	10.0426
Enclosed Parking with Elevator	990780	288.2293	0.0130	2.7000e-003	289.3389
General Office Building	162868	47.3802	2.1400e-003	4.4000e-004	47.5625
Health Club	33940.1	9.8736	4.5000e-004	9.0000e-005	9.9116
Total		**702.5635**	**0.0318**	**6.5700e-003**	**705.2682**

Letter B6 - Attachment B cont.

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	1.19307e+006	347.0764	0.0157	3.2500e-003	348.4126
Convenience Market (24 Hour)	34388.8	10.0041	4.5000e-004	9.0000e-005	10.0426
Enclosed Parking with Elevator	990780	288.2293	0.0130	2.7000e-003	289.3389
General Office Building	162868	47.3802	2.1400e-003	4.4000e-004	47.5625
Health Club	33940.1	9.8736	4.5000e-004	9.0000e-005	9.9116
Total		**702.5635**	**0.0318**	**6.5700e-003**	**705.2682**

6.0 Area Detail

6.1 Mitigation Measures Area

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

Letter B6 - Attachment B cont.

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.8826	0.0377	3.1251	1.3900e-003		0.1140	0.1140		0.1140	0.1140	11.7297	12.7312	24.4609	0.0436	4.5000e-004	25.5159
Unmitigated	3.1670	0.0377	3.1251	1.3900e-003		0.1140	0.1140		0.1140	0.1140	11.7297	12.7312	24.4609	0.0436	4.5000e-004	25.5159

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.7399					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.0631					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.2878	9.0800e-003	0.6559	1.2600e-003		0.1006	0.1006		0.1006	0.1006	11.7297	8.7257	20.4554	0.0396	4.5000e-004	21.4269
Landscaping	0.0762	0.0287	2.4692	1.3000e-004		0.0135	0.0135		0.0135	0.0135	0.0000	4.0055	4.0055	3.9700e-003	0.0000	4.0889
Total	**3.1670**	**0.0377**	**3.1251**	**1.3900e-003**		**0.1140**	**0.1140**		**0.1140**	**0.1140**	**11.7297**	**12.7312**	**24.4609**	**0.0436**	**4.5000e-004**	**25.5159**

Letter B6 - Attachment B cont.

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4555					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	2.0631					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.2878	9.0800e-003	0.6559	1.2600e-003		0.1006	0.1006		0.1006	0.1006	11.7297	8.7257	20.4554	0.0396	4.5000e-004	21.4269
Landscaping	0.0762	0.0287	2.4692	1.3000e-004		0.0135	0.0135		0.0135	0.0135	0.0000	4.0055	4.0055	3.9700e-003	0.0000	4.0889
Total	**2.8826**	**0.0377**	**3.1251**	**1.3900e-003**		**0.1140**	**0.1140**		**0.1140**	**0.1140**	**11.7297**	**12.7312**	**24.4609**	**0.0436**	**4.5000e-004**	**25.5159**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	58.2263	0.0317	0.0190	64.7819
Unmitigated	58.2263	0.0315	0.0190	64.7684

Letter B6 - Attachment B cont.

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	21.5008 / 13.5549	52.1010	0.0282	0.0170	57.9503
Convenience Market (24 Hour)	0.219255 / 0.134382	0.5274	2.9000e-004	1.7000e-004	0.5870
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
General Office Building	2.08482 / 1.27779	5.0147	2.7300e-003	1.6400e-003	5.5818
Health Club	0.242487 / 0.148621	0.5833	3.2000e-004	1.9000e-004	0.6492
Total		**58.2263**	**0.0315**	**0.0190**	**64.7684**

Letter B6 - Attachment B cont.

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	21.5008 / 13.5549	52.1010	0.0283	0.0170	57.9625
Convenience Market (24 Hour)	0.219255 / 0.134382	0.5274	2.9000e-004	1.7000e-004	0.5871
Enclosed Parking with Elevator	0 / 0	0.0000	0.0000	0.0000	0.0000
General Office Building	2.08482 / 1.27779	5.0147	2.7500e-003	1.6500e-003	5.5829
Health Club	0.242487 / 0.148621	0.5833	3.2000e-004	1.9000e-004	0.6494
Total		**58.2263**	**0.0317**	**0.0190**	**64.7819**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Letter B6 - Attachment B cont.

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	39.5792	2.3391	0.0000	88.6995

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	151.8	30.8140	1.8211	0.0000	69.0562
Convenience Market (24 Hour)	8.9	1.8066	0.1068	0.0000	4.0488
Enclosed Parking with Elevator	0	0.0000	0.0000	0.0000	0.0000
General Office Building	10.91	2.2146	0.1309	0.0000	4.9631
Health Club	23.37	4.7439	0.2804	0.0000	10.6314
Total		**39.5792**	**2.3391**	**0.0000**	**88.6995**

Letter B6 - Attachment B cont.

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise		0.0000	0.0000	0.0000	0.0000
Convenience Market (24 Hour)		0.0000	0.0000	0.0000	0.0000
Enclosed Parking with Elevator		0.0000	0.0000	0.0000	0.0000
General Office Building		0.0000	0.0000	0.0000	0.0000
Health Club		0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Vegetation

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Email: mhagemann@swape.com

Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 100 environmental impact reports since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, Valley Fever, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a community adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.

JESSIE MARIE JAEGER

SOIL WATER AIR PROTECTION ENTERPRISE
2656 29th Street, Suite 201
Santa Monica, California 90405
Mobile: (530) 867-6202
Office: (310) 452-5555
Fax: (310) 452-5550
Email: jessie@swape.com

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

EDUCATION

UNIVERSITY OF CALIFORNIA, LOS ANGELES **B.S. CONSERVATION BIOLOGY & ENVIRONMENTAL SCIENCES** *JUNE 2014*

PROJECT EXPERIENCE

SOIL WATER AIR PROTECTION ENTERPRISE ***SANTA MONICA, CA***

AIR QUALITY SPECIALIST

SENIOR ANALYST: CEQA ANALYSIS & MODELING

- Calculated roadway, stationary source, and cumulative impacts for risk and hazard analyses at proposed land use projects.
- Quantified criteria air pollutant and greenhouse gas emissions released during construction and operational activities of proposed land use projects using CalEEMod and EMFAC2011 emission factors.
- Utilized AERSCREEN, a screening dispersion model, to determine the ambient air concentrations at sensitive receptor locations.
- Organized presentations containing figures and tables comparing results of particulate matter analyses to CEQA thresholds.
- Prepared reports that discuss results of the health risk analyses conducted for several land use redevelopment projects.

SENIOR ANALYST: GREENHOUSE GAS MODELING AND DETERMINATION OF SIGNIFICANCE

- Quantified greenhouse gas (GHG) emissions of a "business as usual" scenario for proposed land use projects using CalEEMod.
- Determined compliance of proposed projects with AB 32 GHG reduction targets, with measures described in CARB's Scoping Plan for each land use sector, and with GHG significance thresholds recommended by various Air Quality Management Districts in California.
- Produced tables and figures that compare the results of the GHG analyses to applicable CEQA thresholds and reduction targets.

PROJECT MANAGER: OFF-GASSING OF FORMALDEHYDE FROM FLOORING PRODUCTS

- Determined the appropriate standard test methods to effectively measure formaldehyde emissions from flooring products.
- Compiled and analyzed laboratory testing data. Produced tables, charts, and graphs to exhibit emission levels.
- Compared finalized testing data to Proposition 65 No Significant Risk Level (NSRL) and to CARB's Phase 2 Standard.
- Prepared a final analytical report and organized supporting data for use as Expert testimony in environmental litigation.
- Participated in meetings with clients to discuss project strategy and identify solutions to achieve short and long term goals.

PROJECT ANALYST: EXPOSURE ASSESSMENT OF CONTAMINANTS EMITTED BY INCINERATOR

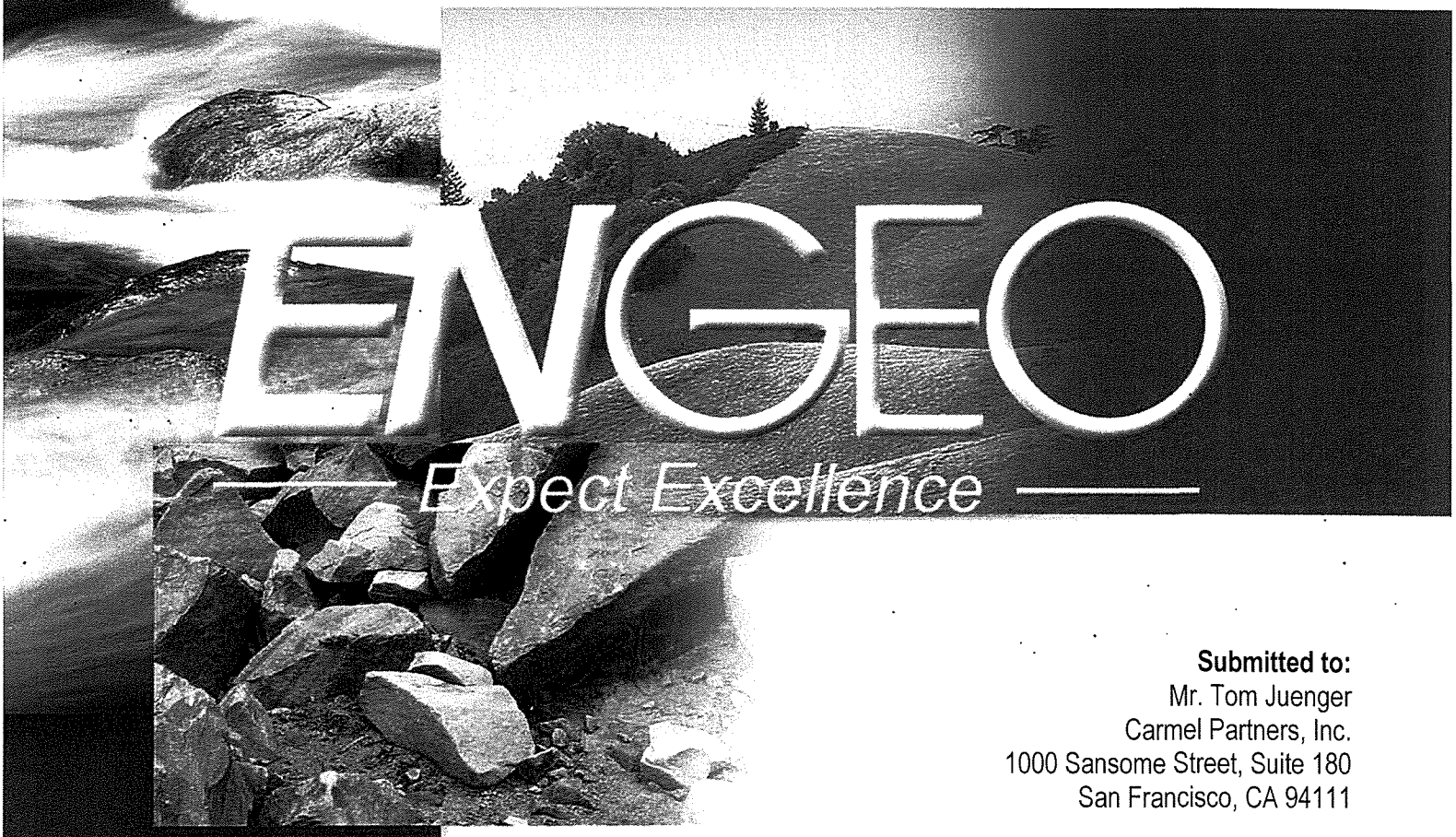
- Reviewed and organized sampling data, and determined the maximum levels of arsenic, dioxin, and lead in soil samples.
- Determined cumulative and hourly particulate deposition of incinerator and modeled particle dispersion locations using GIS and AERMOD.
- Conducted risk assessment using guidance set forth by the Office of Environmental Health Hazard Assessment (OEHHA).
- Utilized LeadSpread8 to evaluate exposure, and the potential adverse health effects from exposure, to lead in the environment.
- Compared final results of assessment to the Environmental Protection Agency's (EPA) Regional Screening Levels (RSLs).

ACCOMPLISHMENTS

- **Recipient**, Bruins Advantage Scholarship, University of California, Los Angeles ***SEPT 2010 – JUNE 2014***
- **Academic Honoree,** Dean's List, University of California, Los Angeles ***SEPT 2013 – JUNE 2014***
- **Academic Wellness Director**, UCLA Undergraduate Students Associated Council ***SEPT 2013 – JUNE 2014***
- **Student Groups Support Committee Member**, UCLA Undergraduate Students Associated Council ***SEPT 2012 – JUNE 2013***

PHASE I ENVIRONMENTAL SITE ASSESSMENT

430 JACKSON STREET PROPERTY
OAKLAND, CALIFORNIA



Submitted to:
Mr. Tom Juenger
Carmel Partners, Inc.
1000 Sansome Street, Suite 180
San Francisco, CA 94111

Prepared by:
ENGEO Incorporated

December 18, 2014

Project No:
11773.000.000

ENGEO
Expect Excellence

GEOTECHNICAL
ENVIRONMENTAL
WATER RESOURCES
CONSTRUCTION SERVICES

Project No.
11773.000.000

December 18, 2014

Mr. Tom Juenger
Carmel Partners, Inc.
1000 Sansome Street, Suite 180
San Francisco, CA 94111

Subject: 430 Jackson Street Property
Oakland, California

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Dear Mr. Juenger:

ENGEO is pleased to present our phase I environmental site assessment of the subject property (Property), located in Oakland, California. The attached report includes a description of the site assessment activities, along with ENGEO's findings, opinions, and conclusions regarding the Property.

ENGEO has the specific qualifications based on education, training, and experience to assess the nature, history, and setting of the Property, and has developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312. We declare that, to the best of our professional knowledge and belief, the responsible charge for this study meets the definition of Environmental Professional as defined in Section 312.10 of 40 CFR Part 312 and ASTM 1527-13.

We are pleased to be of service to you on this project. If you have any questions concerning the contents of our report, please contact us.

Sincerely,

ENGEO Incorporated

Kelsey Gerhart

Kelsey Gerhart

Shawn Munger, CHG

Divya Bhargava, PE
kg/db/sm/cjn

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EXECUTIVE SUMMARY

ENGEO conducted a phase I environmental site assessment for the 430 Jackson Street property (Property) located in Oakland, California (Figures 1 and 2). The Property is approximately 2 acres in area and comprises four parcels identified by Assessor's Parcel Numbers (APN) 001-0161-001, 001-0161-002, 001-0161-007-6, and 001-0161-007-7 (Figure 3). The addresses and APN associated with the Property are listed in Table 1.1-1. The Property is currently occupied by one large commercial building in the northern portion, and an apartment complex and paved parking in the southern portion.

We understand the proposed development consists of half-level below-grade podium structures. The buildings will be five stories of residences of wood construction over two stories of concrete. Both concrete levels will include retail shops on some of the perimeters and parking throughout the remainder.

This assessment included a review of local, state and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources; a reconnaissance of the Property to review site use and current conditions to check for the storage, use, production or disposal of hazardous or potentially hazardous materials; and interview with persons knowledgeable about current and past site use.

The reconnaissance and records research did find documentation or physical evidence of soil or groundwater impairments associated with the current or past use of the Property. A review of regulatory databases maintained by county, state and federal agencies did find documentation of hazardous materials violations or discharge on the Property. However, a review of regulatory agency records and available databases did identify contaminated facilities within the appropriate ASTM search distances that could potentially impact the Property.

Based on the findings of this assessment, the following historic Recognized Environmental Condition (RECs) was identified for the Property:

- The Property has been previously used for various industrial/commercial purposes. A previous investigation conducted at the Property identified concentrations of SVOCs, TPHs, and metals, in the soil and groundwater on the Property. The site was granted closure by the Alameda County Health Care Services Agency (ACHCSA) on August 19, 1996.

Based on the findings of this assessment, the following potential RECs were identified for the Property:

- Based on the past industrial use of the Property and the noted soil impacts from the previous investigation, it is conceivable that more pervasive soil impacts may exist across the Property. These soil impacts, if present, could affect soil management options and costs.

- Our records research indicates there are potential sources of groundwater contamination upgradient of the Property. If the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction.

- Review of available CAL-EPA database information indicates there are comingled gasoline plumes in the vicinity of the Property. These plumes may have migrated beneath the Property and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern.

ENGEO has performed a phase I environmental site assessment in general conformance with the scope and limitations of ASTM E1527-13 of the Property. Based on the findings of this assessment, ENGEO recommends the following:

- A risk management plan (RMP) should be developed prior to demolition and construction to address potential unknown environmental issues.

- Groundwater sampling should be considered to address potential developmental constraints and construction dewatering issues.

- Given the age of the commercial building existing on the northern portion of the Property, it is possible that asbestos-containing materials or lead-based paint materials were used in its construction. If the structure is to be demolished, an environmental professional should be retained to determine if asbestos-containing materials and/or lead-based paint are present.

1.0 INTRODUCTION

ENGEO conducted a phase I environmental site assessment for the 430 Jackson Street property (Property) located in Oakland, California (Figures 1 and 2). The Property is approximately 2 acres in area and comprises of four parcels identified by Assessor's Parcel Numbers (APN) 001-0161-001, 001-0161-002, 001-0161-007-6, and 001-0161-007-7 (Figure 3). The addresses and APN associated with the Property are listed in Table 1.1-1. The Property is currently occupied by one large commercial building in the northern portion, and an apartment complex and paved parking in the southern portion.

We understand the proposed development consists of half-level below-grade podium structures. The buildings will be five stories of residences of wood construction over two stories of concrete. Both concrete levels will include retail shops on some of the perimeters and parking throughout the remainder.

1.1 SITE LOCATION

The Property is bounded by 5th Street to the north, 3rd Street to the south, Jackson Street to the west, and Madison Street to the east. 4th Street divides the Property into the northern parcels and the southern parcels (Figure 3). The addresses and APN associated with the Property are listed in Table 1.1-1.

TABLE 1.1-1
List of Addresses and APN

APN	Address
001-0161-001	430 Jackson Street
001-0161-001	200 4th Street
001-0161-002	425 Madison Street
001-0161-007-6	308 Jackson Street
001-0161-007-7	431 Madison Street

1.2 SITE AND VICINITY CHARACTERISTICS

According to published topographic maps, the Property is relatively level at approximately 17 feet above mean sea level (msl). A review of the 1991 Wagner et al. Geologic Map (Wagner 1991) found that the Property is primarily underlain by Dune Sand deposits (Qs).

Geocheck – Physical Setting Source Summary of the Environmental Resources Data report (Appendix A) indicated that no Federal United States Geological Survey (USGS) wells nor State wells are located within 1 mile of the Property.

We reviewed the Department of Water Resources On-line Water Data Library for depth to water in the vicinity of the site. No wells were identified within 1 mile of the Property.

We reviewed EnviroStor, a website maintained by the State of California, Department of Toxic Substances Control, and GeoTracker, a website maintained by the State of California, Water Resources Control Board, for nearby facilities with records that include depth to groundwater measurements. The following information was obtained regarding local groundwater conditions.

TABLE 1.2-1
Local Groundwater Conditions

Proximity to Property	Reported Depth to Groundwater	Reported Groundwater Flow Direction
130Feet East	7 to 10 Feet	Southeast
400 Feet Northeast	6 to 16 Feet	Southeast
600 Feet Northwest	14 to 18 Feet	South-Southeast

The site-specific depth to groundwater and direction of groundwater flow was not determined as part of this assessment. Previous investigation conducted at the Property indicated that the groundwater flow direction is to the south, and the depth to groundwater measured in 2006 was between 5 to 8 feet below ground surface. Fluctuations in groundwater levels may occur seasonally and over a period of years due to variations in precipitation, temperature, irrigation and other factors.

We reviewed the Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) website and map database to determine if any historic oil and/or gas wells were located within the Property. No wells were mapped within 1 mile of the Property.

1.3 CURRENT USE OF PROPERTY/DESCRIPTION OF SITE IMPROVEMENTS

The Property is currently occupied by one large commercial building in the northern portion – the Cost Plus World Market Headquarters, and an apartment complex and paved parking in the southern portion.

Based on a review of historic aerials, the commercial building in the northern portion appears to have been constructed in the 1930s. The apartment complex in the southern portion is relatively recent and was constructed in the 2000s.

1.4 CURRENT USE OF ADJOINING PROPERTIES

The Property is located in a mixed commercial/industrial and residential area of Oakland. The Property is bounded by 5th Street to the north, 3rd Street to the south, Jackson Street to the west, and Madison Street to the east. 4th Street divides the Property into the northern parcels and the southern parcels.

1.5 PURPOSE OF PHASE I ENVIRONMENTAL SITE ASSESSMENT

This assessment was performed at the request of Carmel Partners, Inc., for the purpose of environmental due diligence during property acquisition. The objective of this phase I environmental site assessment is to identify Recognized Environmental Conditions (RECs) associated with the Property. As defined in the ASTM Standard Practice E 1527-13, an REC is "the presence or likely presence of any hazardous substances or petroleum products in, on, or at on a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment."

1.6 DETAILED SCOPE OF SERVICES

The scope of services performed included the following:

- A review of publicly available and practically reviewable standard local, state, tribal, and federal environmental record sources.
- A review of publicly available and practically reviewable standard historical sources, aerial photographs, fire insurance maps and physical setting sources.
- A reconnaissance of the Property to review site use and current conditions. The reconnaissance was conducted to check for the storage, use, production or disposal of hazardous or potentially hazardous materials.
- Interviews with owners/occupants and public sector officials.
- Preparation of this report with our findings, opinions, and conclusions.

1.7 SIGNIFICANT ASSUMPTIONS OR DEVIATIONS FROM ASTM STANDARD PRACTICE

There were no significant deviations from the ASTM Standard Practice.

1.8 LIMITATIONS AND EXCEPTIONS OF ASSESSMENT

The professional staff at ENGEO strives to perform its services in a proper and professional manner with reasonable care and competence, but is not infallible. The recommendations and conclusions presented in this report were based on the findings of our study, which were developed solely from the contracted services. The findings of the report are based in part on contracted database research, out-of-house reports and personal communications. The opinions formed by ENGEO are based on the assumed accuracy of the relied upon data in conjunction with our relevant professional experience related to such data interpretation. ENGEO assumes no liability for the validity of the materials relied upon in the preparation of this report.

This document must not be subject to unauthorized reuse; that is, reuse without written authorization of ENGEO. Such authorization is essential because it requires ENGEO to evaluate the document's applicability given new circumstances, not the least of which is passage of time. The findings from a phase I environmental site assessment are valid for one year after completion of the report. Updates of portions of the assessment may be necessary after a period of 180 days after completion.

This phase I environmental site assessment is not intended to represent a complete soil or groundwater characterization, nor define the depth or extent of soil or groundwater contamination. It is intended to provide an evaluation of potential environmental concerns associated with the use of the Property. A more extensive assessment that would include a subsurface exploration with laboratory testing of soil and groundwater samples could provide more definitive information concerning site-specific conditions. If additional assessment activities are considered for the Property and if other entities are retained to provide such services, ENGEO cannot be held responsible for any and all claims arising from or resulting from the performance of such services by other persons or entities. ENGEO can also not be held responsible from any and all claims arising or resulting from clarifications, adjustments, modifications, discrepancies or other changes necessary to reflect changed field or other conditions.

1.9 SPECIAL TERMS AND CONDITIONS

ENGEO has prepared this report for the exclusive use of our client, Carmel Partners, Inc. It is recognized and agreed that ENGEO has assumed responsibility only for undertaking the study for the client. The responsibility for disclosures or reports to a third party and for remedial or mitigative action shall be solely that of the Client.

Laboratory testing of soil or groundwater samples was not within the scope of the contracted services. The assessment did not include an asbestos survey, an evaluation of lead-based paint, an inspection of light ballasts for polychlorinated biphenyls (PCBs), a radon evaluation, or a mold survey.

This report is based upon field and other conditions discovered at the time of preparation of ENGEO's assessment. Visual observations referenced in this report are intended only to represent conditions at the time of the reconnaissance. ENGEO would not be aware of site contamination, such as dumping and/or accidental spillage, that occurred subsequent to the reconnaissance conducted by ENGEO personnel.

2.0 USER-PROVIDED INFORMATION

2.1 PROPERTY RECORDS

2.1.1 Title Report/Ownership

The Title Report lists recorded land title detail, ownership fees, leases, land contracts, easements, liens, deficiencies, and other encumbrances attached to or recorded against a subject property. Laws and regulations pertaining to land trusts vary from state to state and the detail of information presented in a Title Report can vary greatly by jurisdiction. As a result, ENGEO utilizes a Title Report, when provided to us, as a supplement to other historical record sources.

A Commitment for Title Insurance for the Property, prepared by the Chicago Title Insurance Company and dated November 19, 2014, was provided for our review. The Property title is vested in Square I, LLC, a California Limited Liability Company.

No references to environmental liens, deed restrictions or other potential environmental issues were noted. This report is included in Appendix D.

2.1.2 Environmental Liens and Activity Use Limitations

Environmental Data Resources, Inc. (EDR) provided an Environmental Lien Search Report for the Property. The report, which is included in Appendix G, listed no environmental liens associated with the Property APN.

2.2 USER KNOWLEDGE OF PROPERTY

Mr. Tom Juenger, Client, completed an environmental site assessment questionnaire pertaining to user-related applicable environmental information regarding the Property. In the questionnaire, Mr. Juenger mentioned that he is unaware of commonly known, reasonably ascertainable, or specialized knowledge indicative of releases or threatened releases material to the potential presence of Recognized Environmental Conditions. Mr. Juenger has indicated that the purchase price of the Property is reflective of fair market value of the Property. The questionnaire is presented in its entirety in Appendix J.

3.0 RECORDS REVIEW

3.1 PREVIOUS ENVIRONMENTAL REPORTS

AEI Consultants, Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California, February 22, 2006

AEI Consultants (AEI) conducted a phase I environmental site assessment for the Property in 2006 (AEI, 2006). According to this report, the Property was formerly developed with a

boarding school and academy in the late 1900s. The Property was redeveloped for mixed commercial and industrial purposes, and was utilized as a pipe yard and a machine shop.

Based on the findings of this assessment, no Recognized Environmental Conations (RECs) were identified for the Property. The following historical REC was identified for the Property:

- AEI reported that a soil and groundwater sampling investigation was conducted at the Property in 1996 by McLaren Hart, following a previous phase I ESA, which identified the historical commercial/industrial occupants of the Property (Dork Gas Engine Co., a machine shop, a plywood company, a pipe yard, and the Western Pacific Railroad freight yard), as well as the adjacent property to the east (Lakeside Non-Ferrous Metals Corporation) as recognized environmental conditions.

Five borings were advanced on the Property by Mclaren Hart in 1996 and another four borings were advanced on the adjacent parcels to the west, to depths of 3 to 6 feet below ground surface. Soil and groundwater samples were collected, and analyzed for semi-volatile organic compounds (SVOCs), metals, and total petroleum hydrocarbons (TPHs) as diesel and motor-oil (TPH-d and TPH-mo). Phenols, chlorobenzene, and TPH-d were detected in soil, and phenols, TPH-d, TPH-mo, and metals were detected in groundwater. TPH-d was detected at a maximum concentration of 1,200 milligrams per kilograms (mg/kg) in soil. No pesticides or polychlorinated biphenyls were detected in the soil samples In the groundwater samples, TPH-d and TPH-mo were detected at maximum concentrations of 100 and 570 micrograms per liter (µg/L).

All concentrations were below the corresponding screening levels at that time for residential land use. A request for closure was submitted by McLaren Hart, and the site was granted closure by the Alameda County Health Care Services Agency (ACHCSA) on August 19, 1996. In this letter, the ACHCSA stated that there was a plume of elevated levels of petroleum hydrocarbons found in the area, and the contamination found on the Property had originated from an off-site source. This closure letter is presented in Appendix I.

AEI concluded that no further investigation was necessary. However, SVOCs and TPHs are likely to be present in the soil and groundwater at the Property. Therefore, further investigation might be required if the Property is planned for redevelopment in the future.

3.2 HISTORICAL RECORD SOURCES

The purpose of the historical record review is to develop a history of the previous uses or occupancies of the Property and surrounding area in order to identify those uses or occupancies that are likely to have led to recognized environmental conditions on the Property.

3.2.1 Historical Topographic Maps

Historical USGS topographic maps were reviewed to determine if discernible changes in topography or improvements pertaining to the Property had been recorded. The following maps

were provided to us through an EDR Historical Topographic Map Report, presented in Appendix C.

TABLE 3.2.1-1
Historical Topographic Maps

Quad	Year	Series	Scale
San Francisco	1895	15	1:62500
San Francisco	1915	15	1:62500
San Francisco	1948	15	1:50000
OaklandWest	1949	7.5	1:24000
OaklandWest	1959	7.5	1:24000
OaklandWest	1968	7.5	1:24000
OaklandWest	1973	7.5	1:24000
OaklandWest	1980	7.5	1:24000
OaklandWest	1993	7.5	1:24000

1895 Map – The Property is developed and mapped southeast of Lake Merritt. The Southern Pacific Railroad (Livermore Line) exists south of the Property, trending west-to-east. A separate railroad line appears to enter the southern portion of the Property from the east, where the rail line ends is unclear. The San Antonio Creek, as well as the Oakland Harbor, is mapped south of the Property.

1915 Map – Property conditions appear similar to the 1895 map. The City of Oakland, Emeryville, and Berkeley are labeled northwest of the Property. The Western Pacific Railroad now exists just north of the Southern Pacific Railroad and south of the parcel.

1948 Map – The Property is unchanged from the previous maps. Interstate 50 (currently Interstate 580) is mapped south of the Property and Interstate 17 (currently Interstate 880) is mapped north of the Property. The Bay Bridge, located northwest of the Property, is in the current configuration.

1949 and 1959 Maps – Development has continued in the surrounding area. Lincoln School, a courthouse, and a hospital are pictured north of the Property. Nimitz Freeway, Broadway and 5th Street are mapped in their current configurations. In the 1959 Map, a naval reservation is located southeast of the Property in Alameda.

1968 Map – The parcels located south of Lake Merritt and east of the Property now harbor an auditorium and several other structures. Oakland and Alameda continue to become further developed.

1973, 1980, and 1993 Map – Property conditions remain similar to the previous maps as the surrounding parcels of land continue to develop.

3.2.2 Aerial Photographs

The following aerial photographs, provided by EDR, were reviewed for information regarding past conditions and land use at the Property and in the immediate vicinity. These photographs are presented in Appendix E.

TABLE 3.2.2-1
Aerial Photographs

Flyer	Year	Scale
USGS	1939	1"=500'
USGS	1946	1"=500'
USGS	1958	1"=500'
USGS	1968	1"=500'
USGS	1974	1"=500'
USGS	1982	1"=500'
USGS/DOQQ	1993	1"=500'
USGS	1998	1"=500'
USDA/NAIP	2005	1"=500'
USDA/NAIP	2009	1"=500'
USDA/NAIP	2010	1"=500'
USDA/NAIP	2012	1"=500'

1939 Photograph – The northern parcel of land appears to be occupied by a commercial building and a small structure. The southern parcel of land appears vacant, aside from a small structure located on the western side of the Property. A railroad line appears to enter the southern portion of the Property from the east, where the rail line ends is unclear. Residential development exists north of the Property and several commercial buildings exist to the west. Aside from the land located further east, the surrounding parcels are developed.

1946 Photograph – The small structure located on the northern parcel has been demolished and replaced with a larger structure which appears as an expansion in the easterly direction to the existing commercial building; the northern parcel appears to be in the current configuration.

1958 Photograph – The northern portion of the Property remains in the current configuration. The southern portion of the Property now appears to be a parking lot. A freeway (currently Nimitz Freeway) is visible along the northern border of the Property.

1968 through 1998 Photographs – Property conditions appear similar to the previous photograph. Commercial development has taken place on the land further east of the Property and apartment buildings exist southeast of the Property.

2005 and 2009 Photographs – The southern portion of the Property is now occupied with an apartment complex on the west and a paved parking lot to the east, similar to the current configuration. The railroad line that ran along the southern portion of the Property no longer exists. The structure that appeared to support the rail line on the adjacent west parcel has been demolished and replaced with an apartment complex.

2010 and 2012 Photographs – Property conditions remain unchanged. The buildings located on the adjacent northwest parcel have been demolished and replaced with commercial structures.

3.2.3 Fire Insurance Maps

EDR prepared a Sanborn Fire insurance map search for the Property and surrounding properties. EDR reported maps for the Property are summarized below.

1889 and 1903 Maps- The northern portion of the Property is labeled as St. Josephs Academy, R.C. Boarding School. The southern portion appears to be occupied by multiple undesignated structures.

1911 Map- The northern portion of the Property is now labeled as the following: Ware Ho and Dorks' Gas Engine in the southwestern corner, Machine Shop in the southeastern corner, and People's Pipe Water CO's Pipe Yard in the northern half. The southern half of the Property is composed of unidentified structures in the upper half and the lower half is a designated W.P.R.R Yard.

1950 Map - Grocery W. HO. with the addition of a Steel Truss RF yard and office building make up the northern portion of the Property. The southern portion is vacant with the exception of the W.P.R.R Yard.

1952 and 1953 Maps - Bay Plywood CO. is located on the northwestern portion of the Property, R.C. Lucas Co, Inc. and an office building are located on the northeastern portion of the Property, and the southern portion of the Property remains unchanged from the 1950 Map.

1957 through 1965 Maps- A majority of the northern portion of the Property was occupied by R.C. Lucas Co. Inc. with an office space located in the northeastern corner. Safeway Stores Inc. exists on the northwestern portion and the southern portion of the Property remains a W.P.R.R Yard.

1967 Map - Property occupancy appears similar to the previous map with the exclusion of R.C. Lucas Co Inc. being replaced by American Toy CO W.HO No.2.

1969 Map- The northern portion now reportedly hosts multiple occupancies. Safeway Stores, Inc. and the W.P.R.R Yard remain in the previously identified locations.

The Sanborn Map Report is presented in Appendix B.

3.2.4 City Directory

City Directories, published since the 18th century for major towns and cities, lists the name of the resident or business associated with each address. A city directory search conducted by EDR is located in Appendix F.

The following listings were provided for 430 Jackson Street: Gay Products Summer Furn. (1970), Smith Merel & Associates (1970).

The following listings were provided for 200 4th Street: Certegy (2013, 2006), Cost Plus Inc. (2013, 2008), CTGY (2013), Cost Plus of Texas Inc. (2008), World Market (2008), Cost Plus World Market (2006, 2000).

The following listings were provided for 425 Madison Street: Lucas R C CO Inc. Whsle. Notn. (1955, 1950).

The following listings were provided for 308 Jackson Street: Canine Comforts (2013), Downtown Catering (2013), Golden Gate Locksmith Keyosk (2013), North Beach Food (2013), World Ground Café (2013, 2008, 2006), New Islamic Directions (2008), Sierra New Judgment Recovery (2008), Apartments- Residence (2006), Residence (1967), American Toy CQ Whol (1967), Lucas R C Inc Whol Notions (1967, 1962), S&W Fine Foods Inc. T P Hasenkamp Mgr. (1943).

No listings were provided for 431 Madison Street.

Other listings in the vicinity of the Property are associated with commercial, industrial, and residential uses.

3.3 ENVIRONMENTAL RECORD SOURCES

EDR performed a search of federal, tribal, state, and local databases regarding the Property and nearby properties. Details regarding the databases searched by EDR are provided in Appendix A. A list of the facilities documented by EDR within the approximate minimum search distance of the Property is provided below.

3.3.1 Standard Environmental Records

3.3.1.1 Subject Property

The target property was not listed in any of the databases searched by EDR.

3.3.1.2 Other Properties

The following database includes facilities listed within the appropriate ASTM search distances of the Property on Standard Environmental Records source.

TABLE 3.3.1.2-1

Facility	Street	Databases
Reynolds Family Trust 201 4th	201 4th St	RCRA-SQG
Lakeside Non Ferrous Metals	412 Madison St	CS ALAMEDA, LUST, ENVIROSTOR
East Bay Tire Company	225 3rd St	CS ALAMEDA, LUST
East Bay Packing Company	208 Jackson St	CS ALAMEDA, LUST
Private Residence	Private Residence	SLIC
Miller Packing Company	206 2nd St	CS ALAMEDA, LUST
Miller Packing	201 2nd St	LUST
Miller Packing Company	201 2nd St	CS ALAMEDA, LUST
Shell #13-5700	105 5th	CS ALAMEDA, LUST
Shell	105 5th St	LUST
A. Bercovich 2nd Street	127 2nd Street	ENVIROSTOR, RESPONSE
Penn Partners	333 Oak St	LUST
Post Tool	400 Oak	CS ALAMEDA, LUST
Port Of Oakland / Amtrak Station	245 2nd	CS ALAMEDA, LUST
United Beverage	105 Jackson St	CS ALAMEDA, LUST
Chevron	609 Oak St	CS ALAMEDA, LUST
T & T Auto	610 Oak St	CS ALAMEDA, LUST
Sunset Wholesale Company	105 Embarcadero Ave	CS ALAMEDA, LUST
Former ORP Building 1 Area	100 Alaska St	RCRA-LQG
Balco Properties	55 4th St	CS ALAMEDA, LUST
Oakland Automatic Sales	719 Alice	SLIC, CS ALAMEDA
Peerless Coffee	225 Fallon St	CS ALAMEDA, LUST
Extra Space Storage	210 Fallon St	RCRA-SQG
PE Ohare Company	309 4th St	CS ALAMEDA, LUST
Caltrans District 4 Maintenance	415 Harrison Street	RCRA-LQG
East Basin Marina	Embarcadero @ Alice St, Jack London Square	SLIC
Vic's Automotive	245 8th St	UST, CS ALAMEDA, LUST
Meyer Plumbing Supply	311 2nd St	SLIC, CS ALAMEDA, LUST
Macy's Movers	200 Victory Ct	SLIC, CS ALAMEDA, LUST
Exxon	250 8th St	CS ALAMEDA, LUST
Gin's Arco Service	706 Harrison St	CS ALAMEDA, LUST
Card Lock Former Building H 204	79 8th Ave	CS ALAMEDA, LUST
Oakland Fire Station #12	822 Alice St	CS ALAMEDA, LUST
Kin Shell	726 Harrison St	CS ALAMEDA, LUST
Alameda County Warehouse	39 4th St	RCRA-SQG
Bart Oakland Store Room	25 4th St	RCRA-SQG

Facility	Street	Databases
Waste Consolid & Disposal Inc.	105 Embarcadero	RCRA-SQG
Pe O'hair & Company	339 3rd St	LUST
Tosco Corporation #30343	800 Harrison St	UST
Unocal	800 Harrison St	CS ALAMEDA, LUST
Salvation Army	601-605 Webster St	CS ALAMEDA, LUST
Laney College Athletic Fields & Field House	900 Fallon St	CS ALAMEDA, LUST
KTVU-Tv	2 Jack London Square	RCRA-SQG
KTVU	2 Jack London Sq	CS ALAMEDA, LUST, UST
Jack London Square Parcels D And F2	40 And 466 Water Street	SLIC
Bill Louie's Auto Service	800 Franklin St	CS ALAMEDA
Bill Louie's Auto Service	800 Franklin St	LUST
The Ellington / 3rd & Broadway Residence	222 Broadway	CS ALAMEDA, SLIC
Port Of Oakland Crowley Dry Dock Yard1 2	321 1441 Embarcadero	SLIC
Express Auto Service	333 Broadway	CS ALAMEDA, LUST
Howard Johnson Express Inn	423 7th St	SLIC, CS ALAMEDA
Western Union	125 12th St	CS ALAMEDA, LUST
Pacific Renaissance Plaza	1000 Franklin St	CS ALAMEDA, LUST
Jal-Vue Window Corporation	295 6th Ave	LUST
Jal-Vue Window Corporation	295 6th Ave	LUST
Jal-Vue Window Corporation	295 6th Ave	LUST
Pacific Drydock & Repair Company	321 Embarcadero	RCRA-SQG, LUST, CS ALAMEDA
Site B Properties	Embarcadero At Alice Street	SLIC
Port Of Oakland Lot 12	475 2nd St	SLIC
Golden State Diesel	351 Embarcadero	ENVIROSTOR
Shell	461 8th	CS ALAMEDA, LUST
City Of Oakland Redevelopment Agency / EBMUD	383 11th Street	CS ALAMEDA, LUST
City Of Oakland Parking Lot	910 Broadway	CS ALAMEDA, SLIC
Alcopark Garage	165 13th St	LUST, UST, CS ALAMEDA
Nir Repair Oakland (J09ca1086)		ENVIROSTOR
Alco Health Headquarters	499 5th St	CS ALAMEDA, LUST
Office Of The President U	1111 Franklin	LUST
University Of California, Office Of	1111 Franklin St	CS ALAMEDA, LUST
Fire Alarm Station	1310 Oak St	CS ALAMEDA, LUST
Frank G Mar Community Housing	283 13th St	SLIC, CS ALAMEDA
Allright Parking Lot	1225 Webster St	CS ALAMEDA, LUST
Pg&E Gas Plant Oakland 601 2a	First & Washington	CERCLIS-NFRAP
Oakland Area Hospital		ENVIROSTOR, RESPONSE

Facility	Street	Databases
Lee Family Associates	387 12th St E	CS ALAMEDA, LUST
Building H 209	271 8th St	CS ALAMEDA, LUST
John Beery Organization	2420 Mariner Square Loop	LUST
Mariner Square Ltd	2420 Mariner Square Dr	CS ALAMEDA, LUST
Shore Acres Gas	403 12th	LUST
Mobil #10-Mhg	160 14th St.	CS ALAMEDA, LUST
Quality Tune Up	246 14th St	CS ALAMEDA, LUST
Union Machine Works Of Oa	534 2nd	CS ALAMEDA, LUST
Port Of Oakland - Site A	530 Water St	SLIC
Barnhill Construction Company	2394 Mariner Square Dr	LUST, CS ALAMEDA
Chevron #21-1663 / Mariner Boat Yard	2415 Mariner Square Dr	CS ALAMEDA, LUST
Mariner Boat Yard	2415 Mariner Square Dr	LUST
La Escuelita Education Center	314 East 10th Street	ENVIROSTOR
Port Of Oakland/Cinema Pr	Clay & Embarcadero	VCP, ENVIROSTOR
Oakland City Hall	#1 City Hall Plaza	RCRA-SQG, CS ALAMEDA, LUST
Howard Marine Terminal Site	Embarcadero West And Market Streets	ENVIROSTOR, RESPONSE
Port Of Oakland / Cannery Bldg H-211	845 Embarcadero	CS ALAMEDA, LUST, ENVIROSTOR
E-D Coat, Inc.	715 4th Street	RCRA-LQG, ENVIROSTOR
Pg & E Oakland Power Plant	50 Martin Luther King	VCP, CS ALAMEDA, LUST, ENVIROSTOR
720 East 11th Street	720 East 11th Street	VCP, ENVIROSTOR
Liquid Carbonic	901 Embarcadero	ENVIROSTOR
UWS Navy/Fleet &.Industrial Supply Ctr-Alameda	2155 Mariner Square Loop	VCP, ENVIROSTOR
CSO-Sfba, Alameda Point Annex (Formally	950 W. Mall Sq., (Ala Annex)	CORRACTS, RCRA-SQG, RCRA-TSDF
Smith's Wrecking Yard	1600 3rd Street	VCP, ENVIROSTOR
PG&E Oakland-1 MGP	50 Market Street And 101 Jefferson Street	VCP, ENVIROSTOR
Oakland Dock & Warehouse (J09ca1087)		ENVIROSTOR
Safety-Kleen Oakland	400 Market St	ENVIROSTOR
Roberts Tires	4333 Mcarthur Boulevard	CORRACTS, CERCLIS, RCRA-LQG, RCRA-TSDF
Francis Plating Of Oakland Inc	785 7th St	CORRACTS, CERCLIS, RCRA-SQG, RCRA-TSDF, ENVIROSTOR
Shinsei Gardens	410 Stargell Avenue	VCP, ENVIROSTOR
Micronesian Cargo International	955 7th Street	VCP, ENVIROSTOR

3.3.2 Additional Environmental Records

3.3.2.1 Subject Property

The target property was not listed in any of the databases searched by EDR.

3.3.2.2 Other Properties

The following database includes facilities listed within the appropriate ASTM search distances of the Property on the Additional Environmental Record source.

TABLE 3.3.2.2-1

Facility	Street	Databases
Alameda Naval Air Station (Closed)	--	DOD
Oak Street Shell	105 5th St	FID, SWEEPS UST
Reynolds Family Trust 201 4th	201 4th St	FINDS
Lakeside Non Ferrous Metals	412 Madison St	WDS, SWRCY, HIST CORTESE, NPDES, PROC
East Bay Tire Co.	225 3rd St	HIST UST
East Bay Packing Company	208 Jackson St	HIST UST, FID, SWEEPS UST, HIST CORTESE
Dillaro Bros Truck Auto Repairs	208 Madison St	EDR GAS STATIONS
Miller Packing Company Ii	206 2nd St	HIST CORTESE
Miller Packing Company	201 2nd St	HIST UST, HIST CORTESE
---	240 3RD ST	EDR DRY CLEANERS
Sp Oper	105 5th St	HIST UST
Shell #13-5700	105 5th	HIST UST, HIST CORTESE
A. Bercovich 2nd Street	127 2nd Street	DEED
Port Of Oakland	251 5th	RCRA-NLR, FINDS
Port Of Oakland / Amtrak Station	245 2nd	SWEEPS UST, HIST CORTESE
United Beverage	105 Jackson St	FID, SWEEPS UST, HIST CORTESE, HIST UST
94587	609 OAK ST	HIST UST
Chevron	609 Oak St	FID, SWEEPS UST
Bill S Garage	186 7th St	EDR GAS STATIONS
East Bay Tire Co.	225 003rd St	FID, SWEEPS UST
---	610 OAK ST	EDR GAS STATIONS
Canton Garage	715 Madison St	EDR GAS STATIONS
---	141 EMBARCADERO W	EDR GAS STATIONS
Controlco, Inc.	70 4th St	SWEEPS UST
Metrocenter	101 008th St	FID, SWEEPS UST

Facility	Street	Databases
Sunset Wholesale Company	105 Embarcadero Ave	HIST CORTESE
---	105 EMBARCADERO	SWEEPS UST
Tani Moto	709 Oak St	EDR DRY CLEANERS
Balco Properties	55 4th St	HIST CORTESE
Chu Wm	715 Alice St	EDR GAS STATIONS
Miller Packing Company	201 002nd St	SWEEPS UST, FID
Peerless Coffee	225 Fallon St	HIST CORTESE
Extra Space Storage	210 Fallon St	FINDS, HAZNET
P. E. O'hair & Co.	309 Fourth Street	PROP65, HIST CORTESE, HIST UST
Corporation Yard	2 Fallon St	BROWNFIELDS, FINDS
Retail/Entertainment Center	2 Fallon St	BROWNFIELDS, FINDS
---	425 HARRISON ST	EDR GAS STATIONS
Caltrans District 4 Maintenance	415 Harrison Street	FINDS
Laney College	600 Fallon Street	PROP65
---	245 8TH ST	EDR GAS STATIONS
Vic's Automotive Service	245 8th Ave	HIST CORTESE
Dick & Vics Arco	245-8th St.	HIST UST
Metro Center	101 8th St	HIST UST
Meyer Plumbing Supply	311 2nd St	HIST CORTESE
Macy Movers	200 Victory Court	SWEEPS UST, HIST CORTESE
Mandarin Auto Service	250 8th St	HIST UST
Exxon	250 8th St	EMI, SWEEPS UST, HIST CORTESE. EDR GAS STATIONS
Gin's Arco Service	706 Harrison St	FID, SWEEPS UST, HIST CORTESE, HIST UST
Yee L W	300 7th St	EDR GAS STATIONS
Card Lock Former Building H 204	79 8th Ave	HIST CORTESE
---	77 8TH ST	EDR DRY CLEANERS
Vukasin/Southern Pacific Trans	54 Embarcadero At Fallon	PROP65
Oakland Fire Station #12	822 Alice St	HIST CORTESE
Massingill R K	726 Harrison St	EDR GAS STATIONS
Kin's Shell Service	726 Harrison St	HIST UST, FID, SWEEPS UST, HIST CORTESE
Abbott H G	43 8th St	EDR GAS STATIONS
Alameda County Warehouse	39 4th St	FINDS
Bart Oakland Store Room	25 4th St	FINDS
Waste Consolid & Disposal Inc.	105 Embarcadero	FINDS

Facility	Street	Databases
Rogers Frank	326 7th St	EDR GAS STATIONS
Bay Alarm Company	325 7th St	HIST UST
Pe O'hair & Company	339 3rd St	HIST CORTESE
No O-Lay Cleaners	148 9th St	EDR DRY CLEANERS
City Auto Repair	330 Webster	HIST CORTESE
---	330 WEBSTER ST	EDR GAS STATIONS
Unocal	800 Harrison St	HIST UST, SWEEPS UST, HIST CORTESE, HIST UST
Wong L C	800 Harrison St	EDR GAS STATIONS
Kimura S	331 7th St	EDR DRY CLEANERS
Arney Ernest	100 9th Ave	EDR GAS STATIONS
Pimental & Bruzzone	201 Webster St	EDR GAS STATIONS
Kitagawa J	307 8th St	EDR DRY CLEANERS
Rehabilitation Center	601 Webster	FID
The Salvation Army	601 Webster St	SWEEPS UST, HIST UST
Vics Automotive Service	245 008th St	FID, SWEEPS UST
Jenkins E S	312 8th St	EDR GAS STATIONS
Ludlow A B	66 9th St	EDR GAS STATIONS
Hines R F	59 9th St	EDR GAS STATIONS
Baird Bros	58 9th St	EDR GAS STATIONS
P.E. O'hair & Co.	309 004th St	FID, SWEEPS UST
Hyde B G	47 9th St	EDR GAS STATIONS
Richfield Oil Co	39 9th St	EDR GAS STATIONS
Central Auto Repair	324 8th St	EDR GAS STATIONS
Shaw & Garland	38 9th St	EDR GAS STATIONS
Chew Sam Laundry & Cleaners	708 Webster St	EDR DRY CLEANERS
Eastern Cleaners	329 8th St	EDR DRY CLEANERS
Laney College Athletic Fields & Field House	900 Fallon St	HIST UST, HIST CORTESE, NPDES
Ktvu-Tv	2 Jack London Square	FINDS, FID, HIST UST, SWEEPS UST, HIST CORTESE
Bill Louie's Auto Service	800 Franklin St	FID, SWEEPS UST, HIST CORTESE
The Ellington Community Association	222 Broadway	EMI
Express Auto Service	333 Broadway	FID, SWEEPS UST, HIST CORTESE
Western Union	125 12th St	SWEEPS UST, HIST CORTESE
Pacific Renaissance Plaza	1000 Franklin St	HIST CORTESE

Facility	Street	Databases
Jal-Vue Window Corporation	295 6th Ave	FID, SWEEPS UST, HIST CORTESE
Pacific Dry Dock & Repair Co,	321 Embarcadero	FID, EMI, CHMIRS, SWEEPS UST, HIST CORTESE, NPDES, FINDS, HIST UST, ENF
Golden State Diesel	351 Embarcadero	FID, SWEEPS UST
Shell	461 8th	HIST CORTESE
Naval Industrial Repair Facility Oakland		FUDS
Alcopark Garage	165 13th St	HIST UST, SWEEPS UST, FID, HIST CORTESE
Alco Health Headquarters	499 5th St	HIST CORTESE
Office Of The President U	1111 Franklin	HIST CORTESE
Fire Alarm Station	1310 Oak St	HAZNET, SWEEPS UST, HIST CORTESE
Allright Parking Lot	1225 Webster St	HIST CORTESE
Oakland Area Hospital Site		FUDS
Lee Family Associates	387 12th St E	HIST CORTESE
Building H 209	271 8th St	HIST CORTESE
Pg And E Gas Plant Oakland	First And Washington	EDR MGP
John Beery Organization	2420 Mariner Square Loop	HIST CORTESE
F.G. Mar Community Housing Prj	Harrison & 13th Streets	PROP65
Kristich Monterey Pipe Co	190 14th	DRYCLEANERS, HIST CORTESE
Mobil #10-Mhg	160 14th St.	HIST CORTESE
Quality Tune Up	246 14th St	HIST CORTESE
Union Machine Works Of Oa	534 2nd	HIST CORTESE
Time Oil Company	255 14th	HIST CORTESE
Port Of Oakland - Site A	530 Water St	NPDES
Barnhill Construction Com	2394 Mariner Square	HIST CORTESE
Chevron #21-1663 / Mariner Boat Yard	2415 Mariner Square Dr	CHMIRS
Mariner Boat Yard	2415 Mariner Square Dr	FTTS, HIST FTTS, HIST CORTESE
La Escuelita Education Center	314 East 10th Street	SCH
Port Of Oakland/Cinema Pr	Clay & Embarcadero	HIST CORTESE, DEED
Oakland City Hall	#1 City Hall Plaza	PROP65, HIST CORTESE
Howard Marine Terminal Site	Embarcadero West And Market Streets	HIST CALSITES, DEED, CORTESE
American Ink Products	630 East 10th Street	PROP65
Port Of Oakland / Cannery Bldg H-211	845 Embarcadero	HIST UST, HWP
E-D Coat, Inc.	715 4th Street	HIST UST, NPDES

Facility	Street	Databases
PG & E Oakland Power Plant	50 Martin Luther King	NPDES, EDR MGP
PG & E Oakland	50 Market St Btwn 1st And Grove	EDR MGP
720 East 11th Street	720 East 11th Street	DEED
Liquid Carbonic	901 Embarcadero	FID, HIST UST, PROP65, WDS, SWEEPS UST
Uws Navy/Fleet & Indust Supl Ctr-Alameda	2155 Mariner Square Loop	DEED
Cso-Sfba, Alameda Point Annex (Formally	950 W. Mall Sq., (Ala Annex)	PADS
Alameda Navy Supply Center (Nsc) Annex,	2155 Mariner Square Loop	HIST CALSITES, HIST CORTESE, HWP
Smith's Wrecking Yard	1600 3rd Street	HAZNET
PG&E Oakland-1 MGP	50 Market Street And 101 Jefferson Street	DEED
Safety-Kleen Oakland	400 Market St	CHMIRS, WDS
Roberts Tires	4333 Mcarthur Boulevard	FINDS, LEAD SMELTER 1
Safety-Kleen Systems Inc	766 Fourth Street	2020 CORRECTIVE ACTION, FID, HIST UST, SWEEPS UST, HWP
Francis Plating Of Oakland Inc	785 7th St	PRP, HIST UST, HAZNET, HWP
Shinsei Gardens	410 Stargell Avenue	DEED
Micronesian Cargo International	955 7th Street	HAZNET

The following summarizes other listings in the vicinity of the Property:

- Port of Oakland/Alift & Equipment Company, located at 251 5th Street (approximately 0.074 mile northwest of the Property) is listed as a closed leaking underground storage tank (LUST) site. Soil is listed as the potential media affected and gasoline is listed as the potential contaminant of concern. The site has been closed since January 3, 1994.

- Port of Oakland/Lakeside Non-Ferrous Metals, located at 412 Madison Street (approximately 0.005 mile southeast of the Property) is also listed as a closed LUST site. Other groundwater (uses other than drinking water) is listed as the potential media affected and gasoline is listed as the potential contaminant of concern. The site has been closed since October 13, 2005.

- East Bay Packing Company, located at 208 Jackson Street (approximately 0.052 mile southwest of the Property) is also listed as a closed LUST site. Other groundwater (uses other than drinking water) is listed as the potential media affected and diesel is listed as the potential contaminant of concern. The site has been closed since April 12, 2002.

- Shell #13-5700, located at 105 5th Street (approximately 0.066 mile east of the Property) is also listed as a closed LUST site. Other groundwater (uses other than drinking water) is listed as the potential media affected and gasoline is listed as the potential contaminant of concern. The site has been closed since January 24, 2013.

- East Bay Tire Company, located at 225 3rd Street (approximately 0.033 mile west-southwest of the Property) is also listed as a closed LUST site. Other groundwater (uses other than drinking water) is listed as the potential media affected and gasoline is listed as the potential contaminant of concern. The site has been closed since May 30, 1997.

- Penn Partners, located at 333 Oak Street (approximately 0.075 mile south-southeast of the Property) is also listed as a closed LUST site. Soil is listed as the potential media affected and diesel is listed as the potential contaminant of concern. The site has been closed since June 24, 1993.

- Seabreeze Yacht Center, located at 280 Sixth Avenue (approximately 0.11 mile north-northeast of the Property) is listed as an open remediation cleanup program site. Groundwater and soil are listed as the potential media affected, and petroleum hydrocarbons and metals are listed as the potential contaminants of concern. In 1996, the containment structure (the foundation of a former aboveground 440,000-gallon Bunker C oil tank) and approximately 780 tons of soil were removed from the site. Groundwater monitoring has taken pace on an annual basis since 1998 and on a quarterly basis prior to that.

- Macy's Movers Toxic, located at 200 Victory (approximately 0.227 mile south-southeast of the Property) as of August 2012 is listed as an open remediation cleanup program site. Groundwater and soil are listed as the potential media affected, and petroleum hydrocarbons, metals, and polynuclear aromatic hydrocarbons (PAH) are listed as the potential contaminants of concern. The area was reported to have been occupied by a lumber and milling company from the early 1900s to about 1929. A 1,000-gallon UST was removed from the site in 1992. TPHs, PAHs, and metals were detected in soil and groundwater. Much of the contamination documented during UST investigation was not attributable to the UST, but to a regional industrial source- possibly the lumber mill with possible wood treatment.

- Lim Property Gas Stations, located at 250 8th Street (approximately 0.181 mile north of the Property) is also listed as an open LUST site under site assessment as of November 2007. Other groundwater is listed as the potential media affected and gasoline is listed as the potential contaminant of concern. A gasoline service station formerly occupied the site. Ten USTs were removed in May 1992. Soil overexcavation was conducted between December 1992 and March 1993. Various site investigation activities have been conducted since 1995. Several remedial actions have taken place since 1999. A remedial system consisting of a soil vapor extraction and ozone sparging system has been installed and continues to operate at the site to remove the gasoline from vapor phase. Since the direction of groundwater flow is to the south, and this site is directly upgradient, there is a potential that this site poses an environmental risk to the Property.

- Chan's Service Station/Shell (Kin Shell), Oakland Auto Parts (GIN's ARCO Service) and UNOCAL located at 726, 706 and 800 Harrison (approximately 0.21 mile north-northwest of the Property) are all listed as an open LUST sites. The three Responsible Parties completed a Comingled Plume Application in 2011 to address any potential data gaps associated with their current characterization of the existing plume. Other groundwater is listed as the potential media affected and benzene and gasoline are listed as the potential contaminants of concern. A remedial action is proposed to remove residual mass beneath the sites, and a Remedial Action Plan was approved for the three sites in July 2014. The planned remediation consists of air sparging and vapor extraction.

Based on the distances to the identified database sites, regional topographic gradient, and the EDR findings, there is a potential that the above-stated sites pose an environmental risk to the Property, specifically the comingled gasoline plume adjacent north of the Property. Properties that are on the "Orphan Summary" list appear to be located beyond the ASTM recommended radius search criteria.

3.4 REGULATORY AGENCY FILES AND RECORDS

The following agencies were contacted pertaining to possible past development and/or activity at the Property.

- City of Oakland Building and Planning Departments
- City of Oakland Fire Department
- Alameda County Department of Environmental Health
- Alameda County Assessor's Office
- California Regional Water Quality Control Board
- Department of Toxic Substance Control

City of Oakland Building and Planning Departments – The Building Department was contacted regarding files for the Property. We reviewed files on December 16, 2014. The following records were reviewed for the different addresses on the Property:

- *430 Jackson Street:* Mechanical permit (2006), Electrical permit (2006), Obstruction permit (2014), Excavation permit (2014).

- *308 Jackson Street:* Building permit (2005), Plumbing permit (2007, 2014), Electrical permit (2007), Obstruction permit (2010), Encroachment Permit (2013, 2014).

- *200 4th Street:* Plumbing permit (2012), Excavation permit (2013).

- *425 Madison Street:* Permit to repair sidewalk (2013)

- *431 Madison Street:* Excavation permit (2013)

In addition, a building permit report prepared by EDR is presented in Appendix H.

City of Oakland Fire Department – The Oakland Fire Department was contacted regarding files relating to the Property. The department did not respond to our request at the time of report completion.

Alameda County Department of Environmental Health – The Alameda County Department of Environmental Health (ACDEH) was contacted to determine if files exist for the Property. A representative of the ACDEH informed us on December 12, 2014, that Oakland is out of their jurisdiction and suggested that we contact the City of Oakland Fire Department for CUPA records. Additionally, we reviewed the ACDEH's online database for any records for the Property. No records were found for the Property.

Alameda County Assessor's Office – The Alameda County Assessor's Office website was viewed for information regarding the Property. Information on the website confirmed that the Property is approximately 2 acres in area and comprises of four parcels identified by APN 001-0161-001, 001-0161-002, 001-0161-007-6, and 001-0161-007-7.

California Regional Water Quality Control Board – The California Regional Water Quality Control Board's online database, GeoTracker, was reviewed for files relating to the Property. There were no listings for the Property in the GeoTracker database.

Department of Toxic Substances Control – We reviewed the EnviroStor Database maintained by the Department of Toxic Substances Control (DTSC) to identify ongoing environmental site assessment and remedial activities at the Property. There were no listings for the Property in the EnviroStor database.

4.0 SITE RECONNAISSANCE

4.1 METHODOLOGY

ENGEO conducted a reconnaissance of the Property on December 8, 2014. The reconnaissance was performed by Divya Bhargava, Project Engineer of ENGEO. The Property was viewed for hazardous materials storage, superficial staining or discoloration, debris, stressed vegetation, or other conditions that may be indicative of potential sources of soil or groundwater contamination. The site was also checked for evidence of fill/ventilation pipes, ground subsidence, or other evidence of existing or preexisting underground storage tanks. Photographs taken during the site reconnaissance are presented in Figure 4.

4.2 GENERAL SITE SETTING

The Property is currently occupied by one large commercial building in the northern portion – the Cost Plus World Market Headquarters, and an apartment complex and paved parking in the southern portion

The Cost Plus building consist mostly of office spaces along with a receiving area. Cans of paints were stored in the receiving area. A few dumpsters were observed along the eastern portion of the Property.

4.3 EXTERIOR OBSERVATIONS

Structures. One large commercial building currently exists in the northern portion of the Property, and one apartment complex exists in the southern portion of the Property.

Hazardous Substances and Petroleum Products in Connection with Identified Uses. No hazardous substances were observed within the Property at the time of our reconnaissance.

Storage Tanks. No storage tanks were observed on the Property at the time of reconnaissance.

Odors. No odors indicative of hazardous materials or petroleum material impacts were noted at the time of the reconnaissance.

Pools of Potentially Hazardous Liquid. No pools of potentially hazardous liquid were observed within the Property at the time of our reconnaissance.

Drums. No drums were observed within the Property at the time of our reconnaissance.

Hazardous Substance and Petroleum Product Containers. No hazardous substance or petroleum product containers were observed on the Property at the time of our reconnaissance.

Polychlorinated Biphenyls (PCBs). Pole-mounted transformers were observed on the Property during the reconnaissance. No signs of leaks were observed.

Pits, Ponds and Lagoons. No pits, ponds or lagoons were observed within the Property at the time of our reconnaissance.

Stained Soil/Pavement. No stained soil or pavement was observed within the Property at the time of our reconnaissance.

Stressed Vegetation. No signs of stressed vegetation were observed on the Property at the time of our reconnaissance.

Solid Waste/Debris. No disposal of solid waste was observed at the subject property, except for a few dumpsters along the eastern boundary.

Wastewater. No wastewater conveyance systems were observed at the Property during the reconnaissance.

Wells. No wells were observed on the Property during our site reconnaissance.

Septic Systems. No septic systems were found within the Property during our site reconnaissance.

4.4 INTERIOR OBSERVATIONS

The Property is currently occupied by one large commercial building in the northern portion – the Cost Plus World Market Headquarters, and an apartment complex and paved parking in the southern portion. The Cost Plus building consist mostly of office spaces along with a receiving area.

4.5 ASBESTOS-CONTAINING MATERIALS AND LEAD-BASED PAINT

An asbestos and lead-based paint survey was not conducted as part of this assessment. The commercial structures in the northern portion of the Property appear to have been built in the 1930s. The apartment complex in the southern portion of the Property appears to be relatively recent and built in the 2000s. Given the age of the existing commercial structure in the northern portion of the Property, it is conceivable that asbestos-containing materials and lead-based paint materials may exist within the structure.

4.6 INDOOR AIR QUALITY

An evaluation of indoor air quality, mold, or radon was not included as part of the contracted scope of services. The California Department of Health Services has conducted studies of radon risks throughout the state, sorted by zip code. Results of the studies indicate that 3 tests were conducted within the Property zip code, with none of the tests exceeding the current EPA action level of 4 picocuries per liter [pCi/L][1]).

In accordance with ASTM E2600-10 (Tier 1) (*Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*); there are potential petroleum hydrocarbon sources for vapor intrusion within 1/10 mile of the Property, as well as potential volatile organic compound (VOCs) sources within 1/3 mile of the Property.

5.0 INTERVIEWS

Mr. Tom Juenger, Carmel Partners, Inc., completed an environmental site assessment questionnaire pertaining to user-related applicable environmental information regarding the Property. In the questionnaire, Mr. Juenger mentioned that he is unaware of commonly known, reasonably ascertainable, or specialized knowledge indicative of releases or threatened releases material to the potential presence of Recognized Environmental Conditions. The questionnaire is presented in its entirety in Appendix J.

[1] California Department of Health Services – Division of Drinking Water and Environmental Management – Radon (http://www.cdph.ca.gov/HealthInfo/environhealth/Documents/Radon/CaliforniaRadonDatabase.pdf).

We did not receive a completed key site manager questionnaire at the time of report completion.

6.0 EVALUATION

6.1 FINDINGS

The reconnaissance and records research did find documentation or physical evidence of past soil and groundwater impairments associated with the current or past use of the Property. A review of regulatory databases maintained by county, state and federal agencies did find documentation of hazardous materials violations or discharge on the Property. In addition, a review of regulatory agency records and available databases did identify contaminated facilities within the appropriate ASTM search distances that could potentially impact the Property.

The Property was formerly occupied by Dork's Gas Engine, a machine shop, People's Pipe Water Co's Pipe Yard, and was a designated Western Pacific Railroad (WPRR) Yard. The Property is currently occupied by one large commercial building in the northern portion, and an apartment complex and paved parking in the southern portion.

Based on the findings of this assessment, the following historic Recognized Environmental Condition (RECs) was identified for the Property:

- The Property has been previously used for various industrial/commercial purposes. A previous investigation conducted at the Property identified concentrations of SVOCs, TPHs, and metals, in the soil and groundwater on the Property. The site was granted closure by the Alameda County Health Care Services Agency (ACHCSA) on August 19, 1996.

Based on the findings of this assessment, the following potential RECs was identified for the Property:

- Based on the past industrial use of the Property and the noted soil impacts from the previous investigation, it is conceivable that more pervasive soil impacts may exist across the Property. These soil impacts, if present, could affect soil management options and costs.

- Our records research indicates there are potential sources of groundwater contamination upgradient of the Property. If the underlying groundwater is impacted, this could affect the podium design and also require additional groundwater management during construction.

- Review of available CAL-EPA database information indicates there are comingled gasoline plumes in the vicinity of the Property. These plumes may have migrated beneath the Property and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern.

6.2 OPINIONS AND DATA GAPS

It is our opinion that the findings of this study may not be based on a sufficient level of information obtained during our contracted scope of services to render a conclusion as to whether additional appropriate investigation is required to identify the presence or likely presence of a REC. The following data gaps were identified:

- The Oakland Fire Department did not respond to our request at the time of report completion.
- We did not receive a completed key site manager questionnaire at the time of report completion.
- We were not able to access the interiors of the apartment complex in the southern portion of the Property.

The data gaps identified during this process may affect the conclusions as to the presence or lack of presence of RECs at the Property.

6.3 CONCLUSIONS

The study included a review of local, state and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources; a reconnaissance of the Property to review site use and current conditions to check for the storage, use, production or disposal of hazardous or potentially hazardous materials; and interview with persons knowledgeable about current and past site use.

The reconnaissance and records research did find documentation or physical evidence of soil or groundwater impairments associated with the current or past use of the Property. A review of regulatory databases maintained by county, state and federal agencies did find documentation of hazardous materials violations or discharge on the Property. In addition, a review of regulatory agency records and available databases identified contaminated facilities within the appropriate ASTM search distances that could potentially impact the Property.

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ENGEO has performed a phase I environmental site assessment in general conformance with the scope and limitations of ASTM E1527-13 of the Property. Based on the findings of this assessment, ENGEO recommends the following:

- A risk management plan (RMP) should be developed prior to demolition and construction to address potential unknown environmental issues.

- Groundwater sampling should be considered to address potential developmental constraints and construction dewatering issues.

- Given the age of the commercial building existing on the northern portion of the Property, it is possible that asbestos-containing materials or lead-based paint materials were used in its construction. If the structure is to be demolished, an environmental professional should be retained to determine if asbestos-containing materials and/or lead-based paint are present.

SELECTED REFERENCES

AEI Consultants, Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California, February 22, 2006.

California Department of Water Resources (http://wdl.water.ca.gov).

California Department of Conservation, Department of Oil, Gas and Geothermal Resources Website; Oil and Gas Maps, (http://www.consrv.ca.gov/dog/maps/pages/index_map.aspx).

California Department of Health Services – Division of Drinking Water and Environmental Management – Radon (http://ww2.cdph.ca.gov/HealthInfo/environhealth/Documents/Radon/CaliforniaRadonDatabase.pdf)

EnviroStor Website, Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public//

GeoTracker Website, State Water Resources Control Board, http://geotracker.swrcb.ca.gov/.

Google Maps (http://maps.google.com)

Graymer, R.W., Helley, E.J., Quaternary Geology of Alameda County, and Surrounding Areas: Derived from the Digital Database Open-File Report 97-97, USGS, 1997.

United States Environmental Protection Agency Indoor Air Quality Website (http://www.cdph.ca.gov/HealthInfo/environhealth/Documents/Radon/CaliforniaRadonDatabase.pdf)

Wagner, et al. Geologic Map of the San Francisco- San Jose Quadrangle, CA, 1991.

FIGURES

LIST OF FIGURES

BASE MAP SOURCE: GOOGLE EARTH PRO

ENGEO Expect Excellence

VICINITY MAP
430 JACKSON STREET
OAKLAND, CALIFORNIA

PROJECT NO.: 11773.000.000		FIGURE NO 1
SCALE: AS SHOWN		
DRAWN BY: SRP	CHECKED BY: SM	

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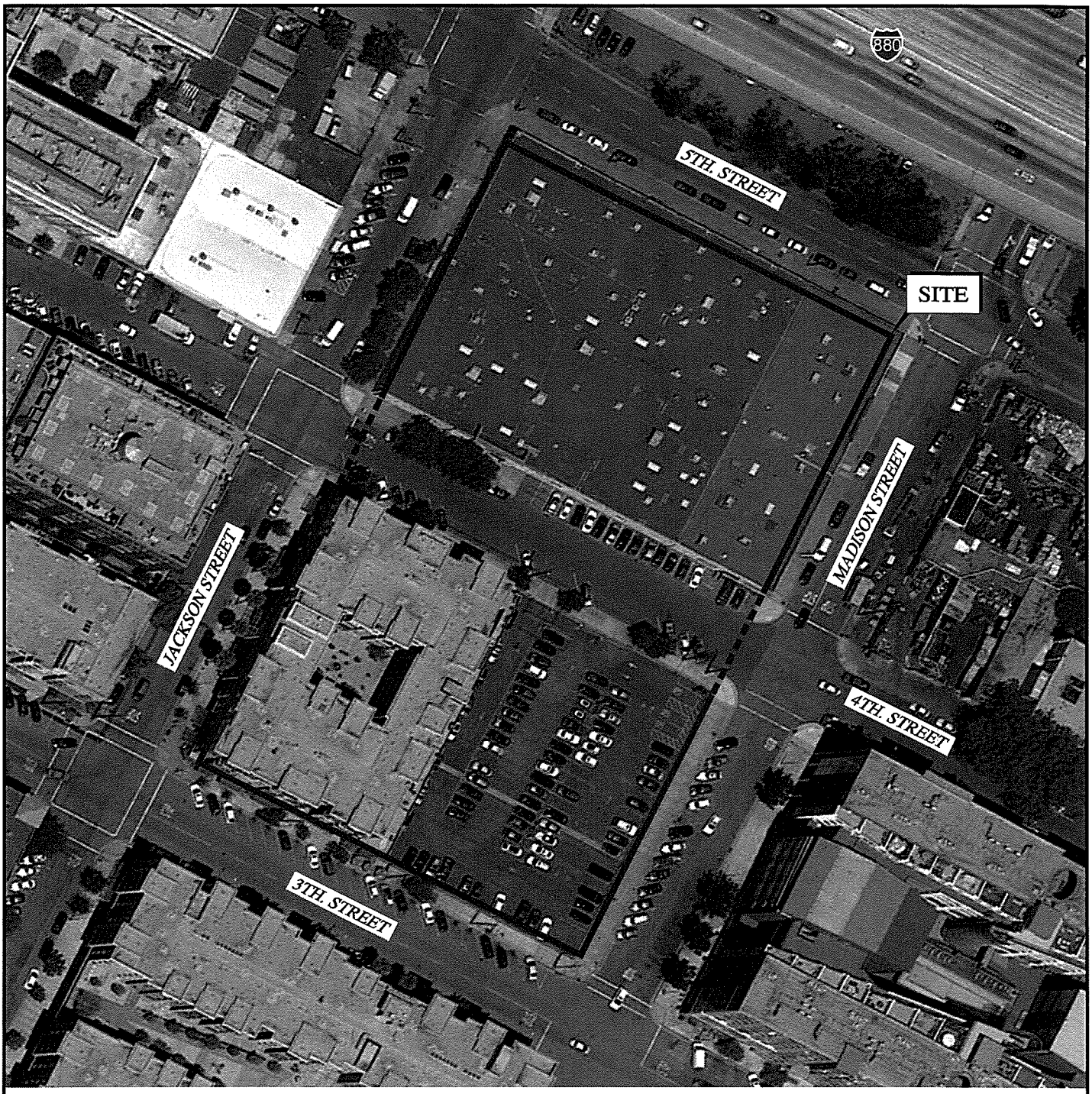
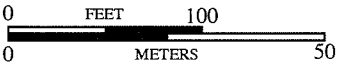
ORIGINAL FIGURE PRINTED IN COLOR





BASE MAP SOURCE: GOOGLE EARTH PRO

ENGEO
Expect Excellence

AERIAL MAP
430 JACKSON STREET
OAKLAND, CALIFORNIA

PROJECT NO.: 11773.000.000		FIGURE NO. 2
SCALE: AS SHOWN		
DRAWN BY: SRP	CHECKED BY: SM	

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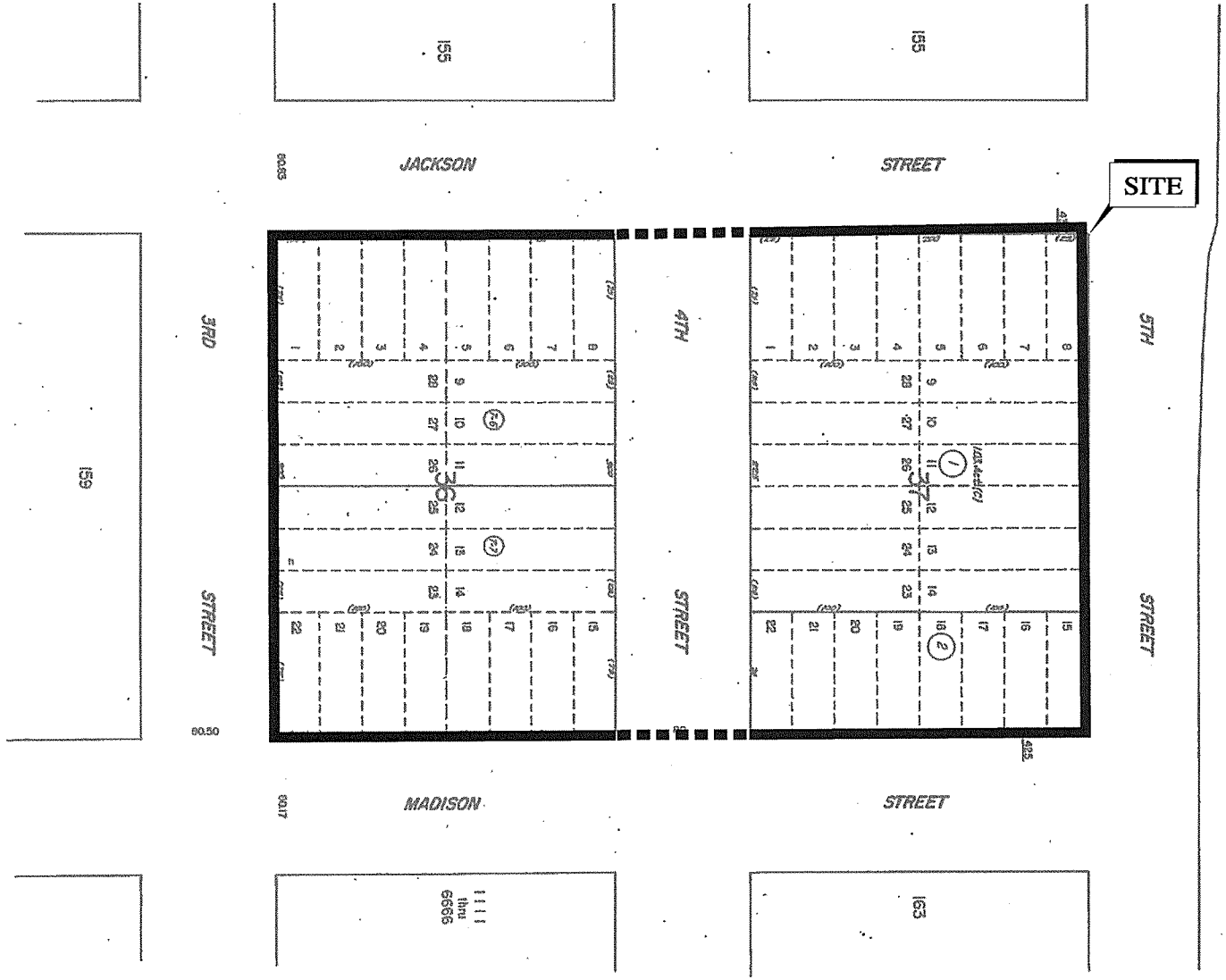
ORIGINAL FIGURE PRINTED IN COLOR



0 FEET 100
0 METERS 50

BASE MAP SOURCE: ALAMEDA COUNTY

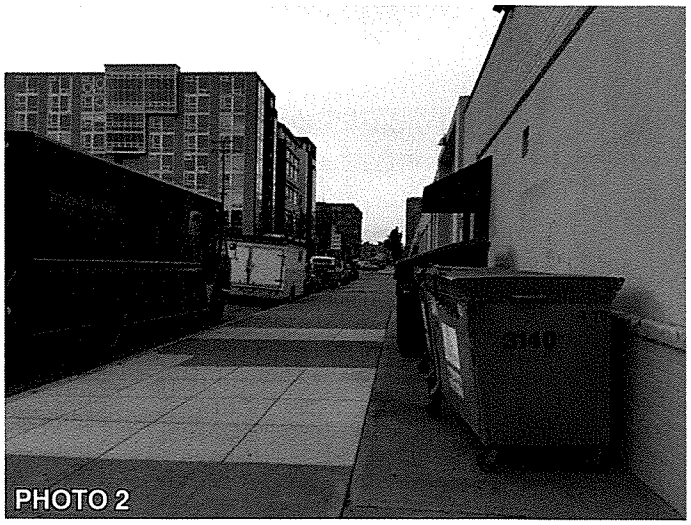
ENGEO
Expect Excellence

ASSESSOR'S PARCEL MAP
430 JACKSON STREET
OAKLAND, CALIFORNIA

PROJECT NO.: 11773.000.000		FIGURE NO. 3
SCALE: AS SHOWN		
DRAWN BY: SRP	CHECKED BY: SM	

ORIGINAL FIGURE PRINTED IN COLOR

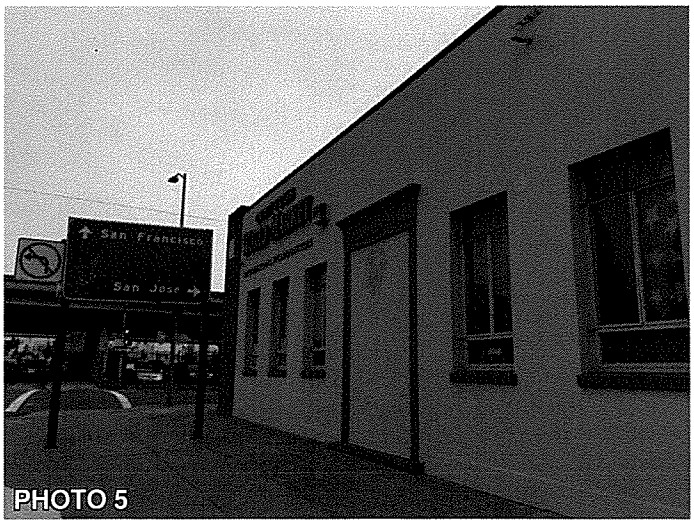
APARTMENT COMPLEX & PARKING IN THE SOUTHERN PORTION OF PROPERTY



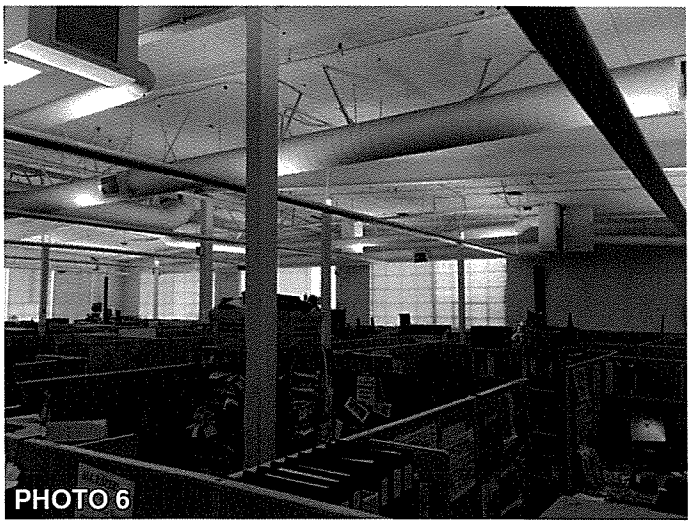
DUMPSTERS ALONG EASTERN BOUNDARY

ENTRANCE OF APARTMENT COMPLEX

ENTRANCE OF COST PLUS BUILDING ALONG 4TH STREET



NORTHWEST CORNER OF PROPERTY



OFFICE SPACE INSIDE COST PLUS BUILDING

ENGEO
Expect Excellence

SITE PHOTOGRAPHS
430 JACKSON STREET
OAKLAND, CALIFORNIA

PROJECT NO.: 11773.000.000		FIGURE NO. 4A
SCALE: NO SCALE		
DRAWN BY: SRP	CHECKED BY: SM	

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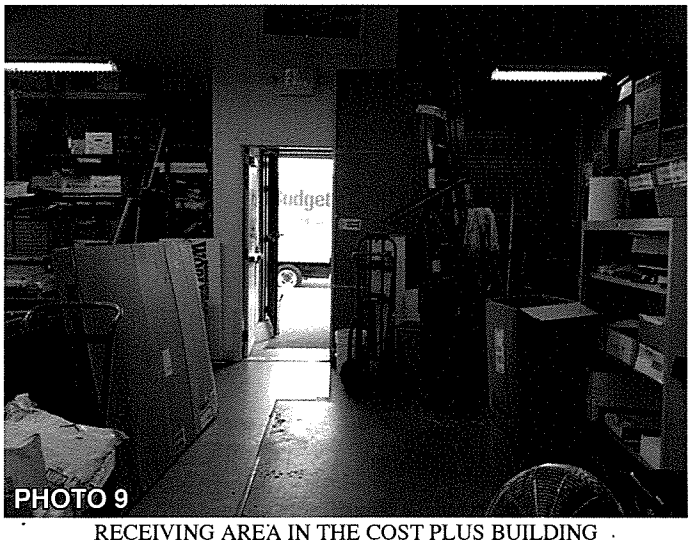
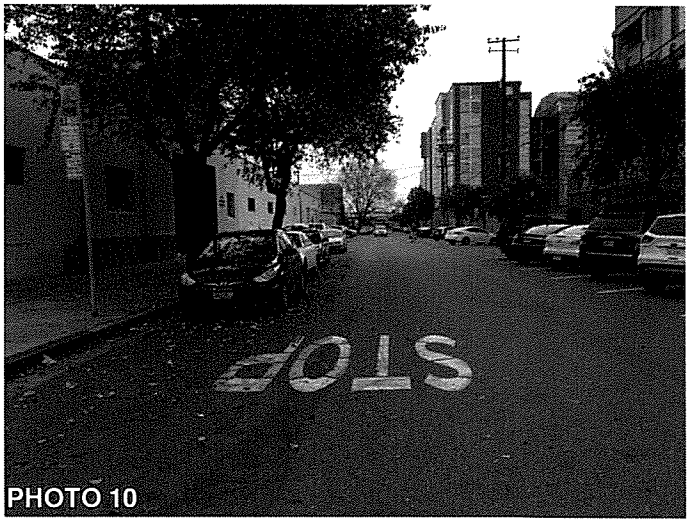
ORIGINAL FIGURE PRINTED IN COLOR

PAINT STORED INSIDE THE COST PLUS BUILDING

PARKING LOT IN SOUTHEAST PORTION OF PROPERTY



RECEIVING AREA IN THE COST PLUS BUILDING



VIEW LOOKING EAST ALONG 4TH STREET

VIEW LOOKING NORTH ALONG WESTERN BOUNDARY

VIEW LOOKING WEST ALONG SOUTHERN BOUNDARY

ENGEO
Expect Excellence

SITE PHOTOGRAPHS
430 JACKSON STREET
OAKLAND, CALIFORNIA

PROJECT NO.: 11773.000.000		FIGURE NO. 4B
SCALE: NO SCALE		
DRAWN BY: SRP	CHECKED BY: SM	

G:\Drafting\DRAFTING2_Dwg_10000 to 12999\11773\000\ESA\11773000000-4B-SitePhotographs-1214.dwg Plot Date:12-15-14 SPATTERS

ORIGINAL FIGURE PRINTED IN COLOR

February 22, 2006

AEI Project No. 116184

PHASE I
ENVIRONMENTAL SITE ASSESSMENT

430 Jackson Street
Oakland, California 94612

Prepared For

BANK OF SAN FRANCISCO
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Prepared By

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AEI

EXECUTIVE SUMMARY

AEI Consultants (AEI) was retained by the Bank of San Francisco to conduct a Phase I Environmental Site Assessment (ESA), in conformance with the scope and limitations of ASTM Standard Practice E1527-00, for the property located at 430 Jackson Street in the City of Oakland, Alameda County, California. Any exceptions to, or deletions from, this practice are described in Section 1.2 of this report.

Property Description

The subject property is located in a mixed commercial, residential, and light industrial area of Oakland. The property encompasses five separate parcels totaling approximately 2.066 acres. The northern portion of the subject property is bordered by 5th Street to the north, Madison Street to the east, 4th Street to the south, and Jackson Street to the west. The northern portion is improved with one single-story warehouse building (430 Jackson Street) totaling approximately 45,000 square feet connected to one single-story office building (425 Madison Street) totaling approximately 15,000 square feet. The subject property buildings function as the corporate office headquarters of Cost Plus World Market. In addition to the subject property buildings, the northern portion is improved with associated landscaping. The southern portion of the subject property is bordered by 4th Street to the north, Madison Street to the east, 3rd Street to the south, and a residential apartment building to the west. The southern portion is improved with a paved parking area consisting of wheel blocks, a drainage channel, a picnic area, and pole-mounted spot lights.

The immediately surrounding properties consist of Interstate 880 to the north; Lakeside Recycling scrap yard, the Sierra Deli, Smile Dental (330 Madison), Subway (336 Madison), and a residential apartment complex to the east; Barry Pilger Real Estate and residential apartments (189 3rd Street) to the south; and the Del Monte Meat Company (401 Jackson Street), Proud Pet (465 Jackson Street), Jack's Auto Parts, and commercial and residential properties to the west.

Based on a review of historical sources, the subject property was formerly developed with a boarding school and academy in the late 19th to early 20th century. The property was redeveloped for mixed commercial and industrial purposes in the early to mid 1900s, and was utilized as a pipe yard, the Dork Gas Engine Co. and Warehouse, and a machine shop. The main warehouse building on the northern portion of the subject property (430 Jackson Street) was constructed in 1937 by John Tullick for use as the S.W. Fine Foods warehouse. The subject property building addressed as 425 Madison Street was constructed prior to 1951 for use as a warehouse and office building.

Based upon topographic map interpretation and groundwater monitoring data for nearby sites, the inferred direction of groundwater flow beneath the subject property is inferred to be to the southeast. Groundwater at the site is located between 5 and 8 feet below ground surface (bgs).

Findings

Recognized environmental conditions (RECs) are defined by the ASTM Standard Practice E1527-00 as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, a past release, or a material threat of a release into structures on the property or into the ground, groundwater, or surface water of the property. AEI's investigation has revealed the following recognized environmental conditions associated with the subject property or nearby properties:

- No on-site recognized environmental conditions were identified during the course of this investigation.

Historical recognized environmental conditions (HRECs) are defined by the ASTM Standard Practice E1527-00 as an environmental condition which in the past would have been considered a recognized environmental condition, but which may or may not be considered a recognized environmental condition currently. AEI's investigation has revealed the following historical recognized environmental conditions associated with the subject property or nearby properties:

- According to files reviewed at the Oakland Fire Department (OFD), a soil and groundwater sampling investigation was conducted at the property in 1996 by McLaren Hart, following a Phase I Environmental Site Assessment which identified the historical commercial/industrial occupants of the subject property (the Dork Gas Engine Co., a machine shop, a plywood company, a pipe yard, and the Western Pacific Railroad freight yard and tracks), as well as the adjacent property to the east (Lakeside Non-Ferrous Metals Corporation) as recognized environmental conditions.

  Five borings on the subject property and four boring on the adjacent properties to the west were advanced into groundwater in order to collect soil and groundwater samples for analysis of metals, semi-volatile organic compounds (SVOCs), and total petroleum hydrocarbons (TPH) in March of 1996. The review of laboratory analytical results indicated concentrations of phenol, chlorobenzene, and diesel range petroleum hydrocarbons (TPH-D) in the soil; and concentrations of phenol, TPH-D, TPH-Motor Oil (TPH-MO), and metals (barium, molybdenum, and nickel) in water. The concentrations of all constituents detected were below their respective U.S. EPA Region IX Preliminary Remediation Goals for residential soil and tap water.

  Based on the results of the laboratory analyses, the subject property was recommended for no further remedial action by McLaren Hart in May of 1996. The site was granted case closure by the Alameda County Health Care Services Agency Environmental Protection Division (ACHCSA) on August 19, 1996.

  Based on the regulatory status, no further investigation appears to be warranted at this time. However, the client should be aware that SVOCs, and TPH in the groundwater and soil are likely present in the subsurface of the subject property. It should be noted that policy

guidelines change over time. Therefore if the subject property is planned for redevelopment in the future, further investigation may be warranted at that time.

Environmental issues include environmental concerns identified by AEI that warrant discussion but do not qualify as recognized environmental conditions, as defined by the ASTM Standard Practice E1527-00. AEI's investigation has revealed the following environmental issues associated with the subject property or nearby properties:

- Due to the age of the subject property buildings, there is a potential that asbestos-containing materials (ACMs) and/or lead-based paint are present. All suspect ACMs and painted surfaces were observed in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time.

Conclusions, Opinions, and Recommendations

AEI's investigation has revealed no other evidence of recognized environmental conditions associated with the subject property or nearby properties. AEI recommends no further investigations for the subject property at this time.

TABLE OF CONTENTS

1.0 INTRODUCTION

This report documents the methods and findings of the Phase I Environmental Site Assessment (ESA) of the property located at 430 Jackson Street in the City of Oakland, Alameda County, California (Figure 1: Site Location Map, Figure 2: Site Map, and Appendix A: Property Photographs).

1.1 Scope of Work

The purpose of the Phase I Environmental Site Assessment is to identify potential environmental liabilities associated with the presence of hazardous materials, their use, storage, and disposal at and in the vicinity of the subject property, as well as regulatory non-compliance that may have occurred at the subject property. Property assessment activities focused on: 1) a review of federal, state, and local lists that identify and describe underground fuel tank sites, leaking underground fuel tank sites, hazardous waste generation sites, and hazardous waste storage and disposal facility sites within the ASTM approximate minimum search distance; 2) a property and surrounding site reconnaissance with personnel interviews to identify environmental contamination; and 3) a review of historical sources to help ascertain previous land use at the site and in the surrounding area.

The goal of AEI Consultants in conducting the environmental site assessment was to identify the presence or likely presence of any hazardous substances or petroleum products on the property that may indicate an existing release, a past release, or a material threat of a release of any hazardous substance or petroleum product into the soil, groundwater, or surface water of the property.

1.2 Limitations

Property conditions, as well as local, state, and federal regulations can change significantly over time. Therefore, the recommendations and conclusions presented as a result of this study apply strictly to the environmental regulations and property conditions existing at the time the study was performed. Available information has been analyzed using currently accepted assessment techniques and it is believed that the inferences made are reasonably representative of the property. AEI Consultants makes no warranty, expressed or implied, except that the services have been performed in accordance with generally accepted environmental property assessment practices applicable at the time and location of the study.

Considerations identified by ASTM as beyond the scope of a Phase I ESA that may affect business environmental risk at a given property include the following: asbestos-containing materials, radon, lead-based paint, lead in drinking water, wetlands, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality, and high voltage lines. These environmental issues or conditions may warrant assessment based on the type of the property transaction; however, they are considered non-scope issues under ASTM Standard Practice E1527-00.

If requested by the client, these non-scope issues are discussed in Section 5.2. Otherwise, the purpose of this investigation is solely to satisfy one of the requirements to qualify for the innocent landowner defense under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), that is, ASTM Standard Practice E1527-00 constitutes "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined in 42 USC § 9601(35)(B), referenced in the ASTM Standard Practice E1527-00.

The Phase I Environmental Site Assessment is not, and should not be construed as, a warranty or guarantee about the presence or absence of environmental contaminants that may affect the property. Neither is the assessment intended to assure clear title to the property in question. The sole purpose of investigation into property title records is to ascertain a historical basis of prior land use.

1.3 Reliance

This investigation was prepared for the sole use and benefit of the Bank of San Francisco. Neither this report, nor any of the information contained herein shall be used or relied upon for any purpose by any person or entity other than the Bank of San Francisco.

1.4 Limiting Conditions

Pursuant to ASTM Standards, historical sources were obtained to document property use back to the property's first developed use or back to 1940, whichever is earlier. Historical data source failure may occur when standard historical sources are not reasonably ascertainable. Based on the quality of historical data obtained for this assessment, AEI does not expect historical data source failure to impact the conclusions or recommendations of this report.

AEI was granted full and complete access to the subject property.

2.0 SITE AND VICINITY DESCRIPTION

2.1 Site Location and Description

The subject property is located in a mixed commercial, residential, and light industrial area of Oakland. The property encompasses five separate parcels totaling approximately 2.066 acres. The northern portion of the subject property is bordered by 5th Street to the north, Madison Street to the east, 4th Street to the south, and Jackson Street to the west. The northern portion is improved with one single-story warehouse building (430 Jackson Street) totaling approximately 45,000 square feet connected to one single-story office building (425 Madison Street) totaling approximately 15,000 square feet. The subject property buildings function as the corporate office headquarters of Cost Plus World Market. In addition to the subject property buildings, the northern portion is improved with associated landscaping. The southern portion of the subject property is bordered by 4th Street to the north, Madison Street to the east, 3rd Street to the south, and a residential apartment building to the west. The southern portion is improved with a paved parking area consisting of wheel blocks, a drainage channel, a picnic area, and pole-mounted spot lights.

The subject property is identified by the Assessor's Parcel Numbers (APNs) 001-0161-001, -002, -003, -004, and -007-03. Heating and cooling systems on the subject property are fueled by natural gas and electricity provided by Pacific Gas & Electric (PG&E). Potable water and sewage disposal are provided by municipal services.

Refer to Figure 1: Site Location Map, Figure 2: Site Map, and Appendix A: Property Photographs for site location.

2.2 Site and Vicinity Characteristics

The subject property is located in a mixed commercial, residential, and light industrial area of Oakland. The immediately surrounding properties consist of Interstate 880 to the north; Lakeside Recycling scrap yard, the Sierra Deli, Smile Dental (330 Madison), Subway (336 Madison), and a residential apartment complex to the east; Barry Pilger Real Estate and residential apartments (189 3rd Street) to the south; and the Del Monte Meat Company (401 Jackson Street), Proud Pet (465 Jackson Street), Jack's Auto Parts, and commercial and residential properties to the west.

The adjacent property to the east, Lakeside Non-Ferrous Metals (412 Madison Street), was identified by the regulatory database as a State and leaking underground storage tank (LUST) site, and is further discussed in Section 4.3.

2.3 Geology and Hydrogeology

Based on a review of the United States Geological Survey (USGS) Quaternary Geologic Map of the San Francisco Bay Quadrangle, the area surrounding the subject property is underlain by Pleistocene-age Merritt Sand with an estimated thickness of approximately 50 feet. The Merritt Sand lies over earlier Quaternary continental and marine sands, clays, and gravels of the Alameda Formation, the maximum thickness of which exceeds estimates of 1,050 feet.

Based on a review of the USGS Oakland West, California Quadrangle Topographic Map, the subject property is situated 36 feet above mean sea level, and the local topography is sloped to the south. The nearest surface water is the Oakland Inner Harbor, located approximately 0.24 mile to the south. Based on topographic map interpretation and groundwater monitoring data for nearby sites, the inferred flow direction of groundwater at the subject property is to the southeast. Groundwater beneath the subject property is encountered between 5 and 8 feet below ground surface (bgs).

3.0 HISTORICAL REVIEW OF SITE AND VICINITY

According to historical sources, the main warehouse building on the northern portion of the subject property was constructed in 1937 by John Tullick for use as the S.W. Fine Foods warehouse. Prior to the construction of the warehouse building, the northern portion of the property was developed with a boarding school and academy in the late 19th to early 20th century. The property was redeveloped for mixed commercial and industrial purposes in the early to mid 1900s, and consisted of a pipe yard, the Dork Gas Engine Co. and Warehouse, and a machine shop. The subject property building addressed as 425 Madison Street was constructed between 1912 and 1951 for use as a warehouse and office building. The southern portion of the subject property formerly consisted of residential properties, until the redevelopment of the property in early 1900s until the late 1990s with the Western Pacific Railroad tracks and a freight storage facility. The presence of the Dork Gas Engine Co. and former industrial occupants is discussed further in Section 3.6.

3.1 Aerial Photograph Review

On February 13, 2006, AEI Consultants reviewed aerial photographs of the subject property and surrounding area. Aerial photographs were reviewed for the following years:

Date: 1939
Scale: 1 : 2,400

Date: 1946
Scale: 1 : 24,000

Date: 1956
Scale: 1 : 20,000

Date: 1968
Scale: 1 : 30,000

Date: 1981
Scale: 1 : 24,000

Date: 1994
Scale: 1 : 2,400

Date: 2006
Scale: Unknown

In the 1939 aerial photograph, the north portion of the subject property appears developed with a large commercial warehouse structure on the west side of the block, and a smaller commercial structure on the southeastern corner of the block. The northwestern corner of the block appears undeveloped. The south portion of the subject property appears as a largely undeveloped lot with railroad spurs and box car storage on the south side of the block.

The immediately surrounding properties to the north appear developed as residences. The immediately surrounding properties to the east appear developed as mixed residential and commercial properties to the northeast, and a large railroad depot or storage structure to the southeast. The immediately surrounding properties to the west appear developed with large commercial structures.

In the 1946 aerial photograph, the north portion of the subject property appears developed with the current commercial structures. The south portion of the property appears as an undeveloped lot on the north side, and railroad spurs and box car storage on the south side.

The immediately surrounding property to the west of the south portion of the property appears developed with an unknown structure or patch of concrete, followed by large commercial structures. No significant changes were noted in the remaining surrounding properties.

In the 1956 aerial photograph, the north portion of the subject property appears developed with the current structures. The south portion of the property appears developed with a parking or storage lot on the north side, and railroad spurs and box car storage on the south side.

The surrounding properties to the north appear redeveloped as an above ground freeway. The immediately surrounding property to the west of the south portion of the subject property appears as an undeveloped storage lot and railroad spurs and boxcar storage lot. No significant changes were noted in the remaining surrounding properties.

In the 1968 aerial photograph, the north portion of the subject property appears developed with the current structures. The south portion of the property appears as a vacant lot on the north side, and railroad spurs with box car storage on the south side.

No significant changes were noted in the immediately surrounding properties.

In the 1981 and 1994 aerial photographs, the north portion of the subject property appears developed with the current structures. The south portion of the subject property appears developed with a parking lot on the northern side, and box car storage and railroad spurs on the southern side.

No significant changes were noted in the surrounding properties.

In the 2006 aerial photograph, the subject property and surrounding properties are developed as they are today.

If available, high-quality copies of reviewed aerial photographs are included as Figure 3.

3.2 Local Agencies

Local agencies, such as environmental health departments, fire prevention bureaus, and building departments are contacted to identify any current or previous reports of hazardous materials use, storage, and/or unauthorized releases that may have impacted the subject property.

3.2.1 Health Department

On February 16, 2006, the Alameda County Environmental Health Services Agency (ACEHSA) was visited to review files on the subject property and nearby sites of concern. Files at the ACEHSA may contain information regarding hazardous materials storage, as well as information

regarding unauthorized releases of petroleum hydrocarbons or other contaminants that may affect the soil or groundwater in the area.

No information indicating current or previous hazardous materials use or storage on the subject property was on file with the ACEHSA.

3.2.2 Fire Department

On January 30, 2006, the Oakland Fire Department (OFD) was contacted for information on the subject property and/or nearby sites of concern to identify any evidence of previous or current hazardous material usage.

According to files at the OFD, a soil and groundwater sampling investigation was conducted at the property following a Phase I Environmental Site Assessment in 1996 which identified the historical commercial/industrial occupants of the subject property (the Dork Gas Engine Co., a machine shop, a plywood company, a pipe yard, and the Western Pacific Railroad freight yard and tracks), as well as the adjacent property to the east (Lakeside Non-Ferrous Metals Corporation) as recognized environmental conditions.

According to the *Soil and Groundwater Sampling* report, prepared by McLaren Hart on May 14, 1996, five borings were advanced on the subject property (B1, B2, B3, B5, and B6), and four borings were advanced on the adjacent property to the west (B4, B7, B8, and B9) in order to collect soil and groundwater samples for analysis of potential chemicals concern, consisting of volatile organic compounds (VOCs), metals, and petroleum hydrocarbons, related to the historical nature of the subject property and documented contamination of the adjacent property to the east. The borings were advanced approximately 3 to 6 feet into the groundwater bearing zone, which was initially encountered between five and eight feet below ground surface (bgs). Soil and groundwater samples collected were sent to the MBT Laboratories for analysis.

Soil samples were collected by McLaren Hart for borings 6 through 9. The analytes detected in the samples above the reporting limits were phenol, cholorbenzene, and total petroleum hydrocarbons as diesel (TPH-D). Phenol was detected in the samples at concentrations ranging from 1,200 to 7,100 micrograms per kilogram (µg/kg), below the Preliminary Action Goal (PRG) for phenol in residential soils of 39,000 milligrams per kilogram (mg/kg). Chlorobenzene was detected in the soil sample from B7 at a concentration of 16 µg/kg, below the PRG for cholorbenzene in residential soils. Furthermore, no cholorbenzene was detected in the groundwater sample from boring B7. TPH-D was detected in boring B6 on the subject property and B7 at concentrations of 1,200 and 1,000 µg/kg, respectively, and below the regulatory action levels of TPH-D in soil at 100,000 µg/kg. No pesticides or polychlorinated biphenyl (PCBs) were detected in the soil samples.

Groundwater samples were collected by McLaren Hart from all nine borings over a two day period (March 28 and 29, 1996). Analytes detected above laboratory reporting limits consisted of metals (barium, molybdenum, and nickel), phenol, TPH-D, and TPH-motor oil (TPH-MO).

Metals analyses were performed on the samples from borings B1 through B5, closest to the former machine shop and adjacent metals scrap yard. Barium was detected in all five samples at concentrations ranging from 34 to 100 µg/L, below the maximum contamination level (MCL) established from barium in drinking water. Molybdenum was detected in B3 on the subject property at a concentration of 27 µg/L, which is below the PRG for molybdenum in water of 180 µg/L. Nickel was detected in borings B2, B3, and B5 on the subject property at concentrations ranging from 24 to 240 µg/L. The sample from B5 (240 µg/L) was above the MCL established for nickel of 100 µg/L, but below the PRG for nickel in tap water (730 µg/L).

SVOC analyses was performed on groundwater samples B6 to B9, concentrating on the portion of the subject and adjacent properties formerly developed with the Western Pacific Rail Road tracks and freight storage. Phenol was detected in all samples ranging from concentrations of 38 to 720 µg/L, below the PRG for phenol in tap water of 22,000 µg/L.

TPH-D was detected in the groundwater sample from B2 on the subject property at a concentration of 100 µg/L, below the PRG for TPH-D of 1,000 µg/L. TPH-MO was detected in samples from borings B1, B3, B5, on the subject property, and B4, B8, and B9 on the adjacent property to the west at concentrations ranging from 87 to 570 µg/L, also below the PRG for TPH-MO set at 1,000 µg/L.

No PCBs, volatile aromatic compounds (VACs), or volatile halogenated compounds (VHCs) were detected in any of the samples.

Based on the relatively low concentrations of metals, SVOCs, total petroleum hydrocarbons below the MCLs or PRGs for residential soils and tap water, the subject property was not recommended for further investigation or remediation, and was granted case closure on August 19, 2006 by the Alameda County Health Care Services Agency (ACHCSA).

A copy of the closure letter is included in Appendix C.

3.2.3 Building Department

On February 17, 2006, the Oakland Building Department (OBD) was visited for information on the subject property in order to identify historical tenants and property use. Please refer to the following table for a listing of permits reviewed:

Building Permits Reviewed 400-430 Jackson Street

Year(s)	Applicant	Description of Permit / Building Use
1917	Dork Engine Co.	Construction of a machine shop
Unknown	Unknown	Demolition and removal of a two flat building
1937	John Tullick for S.W. Fine Foods	Construction of a new brick building
1948	C.H. Theme	Alterations
1962	RC Lucus	New Partitions
1965	John P. Kay	Relocation of offices (414 Jackson Street)
1966	Aladdin Heating Co.	Relocate existing loading canopy

Year(s)	Applicant	Description of Permit / Building Use
1974	Wayne Smith	Alteration of office building (430 Jackson Street)
1974	Wayne Smith	Installation of partitions (430 Jackson Street)
1974	Air Con Systems	Heating and ventilation
1975	Wayne Smith	New partitions
1980	Finzel Co.	Commercial plumbing
1980	Eric Anderson Inc.	Phase II office alterations
1983	Eric Anderson Inc.	Alteration to structure
1986	Eric Anderson Inc.	New suspended ceiling
1989	Unknown	New AC Duct Work
1989	Unknown	Computer room expansion and relocation
1989	Unknown	Women's bathroom alteration
1990	Unknown	Restroom remodeling
1991	Unknown	Handicap ramp construction and restroom alterations
1991	Unknown	Remodel interior office space
1991	Unknown	Remodel existing lunchroom
1998	Unknown	Demolition of non-load bearing interior walls
1998	Unknown	Construction of standard city sidewalk for new entrance
1999	Unknown	Install plumbing for tenant improvements

Building Permits Reviewed-425 Madison Street

Year(s)	Applicant	Description of Permit / Building Use
1966	John Kay	Installation of sheet rock partitions to offices
1968	John Kay	Installation of new sheet rock partitions to offices
1973	Wayne Smith	Ceiling alterations
1974	Unknown	Plumbing alterations
1975	Safeway Stores	Office alterations
1976	Wayne Smith	New partitions and acoustic ceiling installation
1977	Eric Anderson Inc.	New drafting and computer room installation
1979	Erin Anderson Inc.	Lobby alterations
1980	Foothill Electric Corp.	Electrical improvements
1981	Eric Anderson Inc.	Addition of four offices
1983	Bowden Electric	Electrical improvements
1984	Eric Anderson Inc.	Interior alterations

According to the permit review at the OBD, the subject property formerly consisted of a machine shop and a two-flat building in the early 1900s. The buildings were removed for the construction of a warehouse building in 1937. No new construction permits were available for the subject property building addressed as 425 Madison Street. The two subject property buildings appear to have been connected in the mid 1980s. The historical occupancy of the property was previously discussed in Section 3.0.

3.3 Sanborn Fire Insurance Maps

Sanborn Fire Insurance maps were developed in the late 1800s and early 1900s for use as an assessment tool for fire insurance rates in urbanized areas. A search was made of the University

of California Berkeley's collection of Sanborn Fire Insurance maps on February 13, 2006. Sanborn maps were available and reviewed for the years 1889, 1902-1903, 1911-1912, 1951, 1952, 1953, 1957, 1959, 1960, 1964, 1965, 1967, and 1969.

In the 1889 Sanborn Fire Insurance map, the northern portion of the subject property appears developed with the St. Joseph's Academy, encompassing the entire city block. The academy consists of class rooms, dormitories, and a dining room on the northeastern portion of the block, and a garden extending along the eastern side of the property. In addition, a windmill and water tank appear on the south-central part of the block along Fourth Street. The southeastern portion of the subject property appears developed with three residential buildings, associated outhouses, and stables.

The immediately surrounding properties appear developed with residential properties to the north, south, and west; and a cornfield to the southeast-east.

In the 1902-1903 Sanborn Fire Insurance map, the northern portion of the subject property appears as the St. Joseph's Academy R.C. Boarding School. The property appears redeveloped with a playground on the south side of the block. No significant changes were noted on the southern portion of the subject property.

The immediately surrounding properties appear developed as residential properties to the north, northeast, south, and west. The former cornfield to the south-southeast has been redeveloped with a stable and fenced enclosure.

In the 1911-1912 Sanborn Fire Insurance map, the northern portion of the subject property appears redeveloped as the People's Water Co. Pipe Yard (151-171 5th Street, 701 and 707 Madison Street, and 766 Jackson Street), the Dork Gas Engine Co. warehouse (180 4th Street and 750 Jackson Street), and machine shop (150 4th Street and 751 Madison Street). The Dork Gas Engine Co. is designated as a site with numerous chemicals, fuel, distillate, gas and oil. The Peoples Water Co. Pipe Yard consists of a single commercial structure subdivided into several storage spaces and offices. The former residences on the south side of the southern portion of the subject property appear redeveloped as the W.P.R.R. Yard, and railroad tracks traverse the property from east to west.

The immediately surrounding properties appear developed with residential properties to the north and west, and railroad tracks followed by residential properties to the south.

In the 1951 Sanborn Fire Insurance map, the northern portion of the subject property appears redeveloped with the S&W Fine Foods Inc. Grocery Warehouse (400-430 Jackson Street) on the western side, and a store and offices (401 and 425 Madison Street) on the eastern side of the block. The southern portion of the subject property appears reconfigured with the W.P.R.R. Yard railroad tracks and a junkyard (325 Madison Street and 151 4th Street).

The immediately surrounding properties to the north appear developed as residential properties. The immediately surrounding properties to the east appear developed as junkyards and offices

(412 and 430 Madison Street) interspersed with residential properties, a printing facility (130 4th Street), and a scrap metal yard (419-435 Oak Street), and the W.P.R.R. Owner's Merchant Shippers Freight Shed and railroad tracks. The immediately surrounding properties to the south appear as the Western Pacific Railroad Tracks followed by the John Morrell & Co. Meat Packing Plant, a storage yard, and a steel fabrication facility. The immediately surrounding properties to the west appear as the W.P.R.R. Yard, the Safeway Stores (201 4th Street), the Whole Poultry Slaughterhouse (401 Jackson Street), and residential properties.

In the 1952 Sanborn Fire Insurance map, the northern portion of the subject property appears redeveloped as the Bay Plywood Co. warehouse (400-430 Jackson Street) on the western side, and the R.C. Lucas Co. Inc. warehouse, wholesale store, and offices (401-425 Madison Street) on the eastern side. The southern portion of the subject property appears unchanged.

The immediately surrounding properties to the north appear unchanged with the exception of the replacement of several residential properties with vacant lots to the northwest and northeast. The immediately surrounding properties to the east, west and south appear unchanged.

In the 1953 Sanborn Fire Insurance map, the subject property remains unchanged. No significant changes were noted in the remaining surrounding properties with the exception of the immediately surrounding properties to the north, which appear as vacant blocks.

In the 1957 and 1959 Sanborn Fire Insurance maps, the northern portion of the subject property appears occupied by the R.C. Lucas Co. Inc. warehouse on the western side (400-430 Jackson Street), and Safeway Stores Inc. (401-425 Madison Street) on the eastern side. No significant changes were noted on the southern portion of the subject property.

The immediately surrounding properties to the north appear redeveloped with the Eastshore Freeway off and on-ramps. No significant changes were noted in the remaining surrounding properties.

In the 1960, 1964, and 1965 Sanborn Fire Insurance maps, the northern portion of the subject property appears occupied by the R.C. Lucas Co. Inc. warehouse and offices (400-430 Jackson Street) on the western side, and the Safeway Stores Inc. Engineering Department on the eastern side (401-425 Madison Street). No significant changes were noted on the southern portion of the subject property.

The immediately surrounding properties to the north appear redeveloped as the Nimitz Freeway. No significant changes were noted in the remaining surrounding properties to the north and west of the subject property. The surrounding properties to the east appear developed largely with junk and scrap metal storage facilities, and the W.P.R.R. Owner's Merchant Shipper's Freight Shed appears as the W.P.R.R. Motor Parts Shed. The former steel fabrication facility (205 Madison Street) to the south of the subject property appears as a truck rental service.

In the 1967 Sanborn Fire Insurance map, the northern portion of the subject property appears as the American Toy Co. Warehouse (400-430 Jackson Street), and Safeway Stores Inc.

Engineering Department (401-425 Madison Street). No significant changes were noted on the southern portion of the subject property. No significant changes were noted on the surrounding properties.

In the 1969 Sanborn Fire Insurance map, the northern warehouse portion of the subject property appears occupied with multiple tenants (400-430 Jackson Street). No significant changes were noted on the southern portion of the subject property. No significant changes were noted on the surrounding properties.

3.4 City Directories

A search of historic city directories was conducted for the subject property addresses at the Haines Branch Office in Union City, California on February 14, 2006. Directories were available and reviewed for the years 1971, 1975, 1980, 1985, 1990, 1995, 2000, and 2004. The following table summarizes the results of the city directory search.

City Directory Search Results

Year(s)	Occupant Listed
1971	**400-430 Jackson Street:** Gay Products/Smith, Merle Co. Inc. **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
1975	**400-430 Jackson Street:** Gay Products/Smith, Merle Co. Inc. **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
1980	**400-430 Jackson Street:** XXXX **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
1985	**400-430 Jackson Street:** XXXX **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
1990	**400-430 Jackson Street:** XXXX **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
1995	**400-430 Jackson Street:** XXXX **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
2000	**400-430 Jackson Street:** XXXX **401-425 Madison Street:** *No Listing*

Year(s)	Occupant Listed
	325 Madison Street: *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*
2004	**400-430 Jackson Street:** XXXX **401-425 Madison Street:** *No Listing* **325 Madison Street:** *No Listing* **150 3rd Street:** *No Listing* **151 4th Street:** *No Listing*

According to the city directory review, the subject property building (430 Jackson Street) was formerly occupied with mixed commercial tenants until the late 1970s. No listings were found for the additional subject property addresses. No environmental concerns were noted during the city directory review.

3.5 Client-Provided Information and Interviews

The client did not report to AEI any environmental liens encumbering the subject property or report any information to AEI regarding previous uses or ownership of the subject property that indicated recognized environmental conditions in connection with the subject property. The client did not provide any title records to AEI for review.

Mr. Steve Jirgl was interviewed for this investigation. The facilities manager for Cost Plus World Market, Mr. Jirgel, was not aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the subject property; any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the subject property; or any notices from a governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.

Information obtained during interviews with local government officials is incorporated into the appropriate segments of this section.

3.6 Previous Reports Reviewed

A prior report was provided to AEI by the client during this investigation. A summary of the reports follows:

Phase I Environmental Site Assessment 430 Jackson Street, Oakland, California, The San Joaquin Company Inc. (May, 1997)

According to the report, soil and groundwater beneath the subject property are locally affected by low concentrations of petroleum hydrocarbons, the volatile organic compound phenol, and the heavy metals: nickel, barium, and molybdenum. The analytes were detected at such low concentrations that they were described as "of no practical concern," based on the determination of the Alameda County Health Care Services Agency (ACHCSA). A contingency plan for the

management of potentially affected soil and groundwater was recommended by the report prior to the implementation of any future development plans.

Several Asbestos Containing Materials (ACMs) were found in the subject building (430 Jackson Street) located in approximately 200 square feet of floor covering. The materials were recommended for removal when convenient.

The subject property was not recommended for any additional environmental investigation.

4.0 REVIEW OF REGULATORY AGENCY RECORDS

The following information was obtained through a search of electronically compiled federal, state, county, and city databases provided by Track Info Services Environmental FirstSearch. The database search includes regulatory agency lists of known or potential hazardous waste sites, landfills, hazardous waste generators, and disposal facilities in addition to sites under investigation. The information provided in this report was obtained from publicly available sources. The locations of the sites listed in this report are plotted with a geographic information system utilizing geocoding of site addresses. The accuracy of these locations is generally +/- 300 feet. AEI's field representative has attempted to confirm the locations of listings on or adjacent to the subject property. Refer to the radius map (Appendix B: Regulatory Database Review Report) for the locations of the sites in relation to the subject property.

4.1 Records Summary

DATABASE REVIEWED	SUBJECT PROPERTY	ADJACENT PROPERTY
Identification as National Priorities List (NPL) "Superfund" site	No	No
Identification as RCRA CORRACTS site	No	No
Identification as State (CalSites SPL/SCL) site	No	**Yes**
Identification as CERCLIS and/or CERCLIS/NFRAP site	No	No
Reported as leaking underground storage tanks (LUST) site	No	**Yes**
Identification as solid waste landfill (SWLF)	No	No
Registered underground/aboveground storage tanks (UST/AST)	No	No
Identification as an Emergency Response Notification Systems (ERNS) site	No	No
Identification as hazardous waste handler and/or generator (RCRA-TSD, LG-GEN and/or SM-GEN)	No	No
Identification as SPILLS Site	No	No

The subject property was not identified during the regulatory database search. The adjacent property to the east, Lakeside Non-Ferrous Metals (412 Madison Street), was identified by the regulatory database as a State and LUST site, and is further discussed in the appropriate segments below.

4.2 Contaminant Migration

Migration of petroleum hydrocarbon or volatile organic compound (VOC) contamination is generally via groundwater. Therefore, only those contaminant release sites located hydrologically upgradient relative to the subject property are expected to represent a potential environmental concern to the subject property. Contaminated sites located hydrologically downgradient of the subject property are not expected to represent a potential threat to the groundwater quality beneath the subject property. Sites that are situated hydrologically cross-gradient relative to the subject property are not expected to represent a concern unless close proximity allows for the potential of lateral migration. As discussed in Section 2.3, groundwater in the vicinity of the subject property is assumed to flow to the southeast.

4.3 Record Details

National Priorities List (NPL) is EPA's national listing of contaminated sites targeted for cleanup because they pose a threat to human health and the environment. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) authorizes and requires the EPA to investigate, categorize, and enforce the cleanup of hazardous waste sites on the NPL. An NPL site on or near a particular property may threaten the environmental integrity of the property or affect its marketability.

No sites within a 1-mile radius of the subject property were identified during the NPL database search.

CORRACTS is an EPA-maintained database of Resource Conservation and Recovery Act (RCRA) facilities undergoing "corrective action". A "corrective action order" is issued when there has been a release of hazardous waste or constituents into the environment from a RCRA facility. Corrective actions may be required beyond the facility's boundary and can be required regardless of when the release occurred, even if it predates RCRA.

Four (4) sites within a 1-mile radius of the subject property were identified during the CORRACTS database search. All of these sites were plotted in excess of one-half mile from the subject property. Based on the relative distance from the subject property and/or the direction of groundwater flow, these sites are not expected to represent a significant environmental concern.

California Sites (CalSites) are provided by the California Environmental Protection Agency, Department of Toxic Substances Control and include state equivalent NPL (SPL) and CERCLIS (SCL) sites.

Ten (10) sites within a 1-mile radius of the subject property were identified during the CalSites database search. Four (4) of these sites were plotted within one-half mile from the subject property and are further discussed below.

- Lakeshore Non-Ferrous Metals Corp., located at 412 Madison Street, is located adjacent to the east of the subject property. According to the regulatory database, this site was utilized as a junk metal yard. One soil sample collected from the property contained soluble copper, zinc and lead at levels in excess of the CAM limits. As the surface of the site is predominately paved, and groundwater in the area is not utilized for drinking, the site was recommended for no further action by the DTSC in 2005. Based on the regulatory status, this site is not expected to represent a significant environmental concern.

- The Bedford property site located at 54 Embarcadero was plotted approximately 0.23 mile southeast of the subject property. According to the regulatory database, the site was occupied by Tilden Lumber and Mill Company, a lumber wholesale company, until 1929 when Southern Pacific Transportation Company (SP) bought the property. SP owned the property until the 1980s. It the 1980s, Ford Motor Company rented part of the site. Subsurface sampling indicated up to 44,000 parts per million (ppm) of total petroleum hydrocarbons. Soil and groundwater contamination has been documented and is being monitored. Based on the direction of groundwater flow and the relative distance, this site is not expected to represent a significant environmental concern.

- Asian Health Services, located at 814 Webster Street was plotted approximately 0.26 mile northwest of the subject property. According to the regulatory database, there is a "no action" status for the site and this information is for Cal Mortgage only. Based on this information, this site is not expected to represent a significant environmental concern.

- Capitol Supply Company, located at 351 Embarcadero, was plotted approximately 0.28 mile southwest of the subject property. According to the regulatory database, this site was identified as a potential listing based on the historic occupancy by the Port of Oakland, which is being monitored under RCRIS. "No problems" were reported in the regulatory database. Based on this information and the direction of groundwater flow, this site is not expected to represent a significant environmental concern.

The remaining sites are plotted in excess of one-half mile from the subject property. Based on the relative distance from the subject property, the inferred direction of groundwater flow, and/or regulatory status, these sites are not expected to be a significant environmental concern.

CERCLIS and CERCLIS/NFRAP are lists of sites that the EPA has investigated or is presently investigating for release or threatened release of hazardous substances, which may be subject to review in accordance with the terms and conditions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA, also known as Superfund). Sites listed on the "No Further Remedial Action Planned" (NFRAP) database are sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require federal Superfund or NPL consideration.

No sites within a ½-mile radius of the subject property were identified during the CERCLIS/NFRAP database search.

Leaking Underground Storage Tanks (LUST) List is a list produced by the Regional Water Quality Control Board (RWQCB) of known sites with current or former leaking underground storage tanks on the premises.

Forty-three (43) sites within a ½-mile radius of the subject property were identified during the LUST database search. Five (5) of these sites were plotted within one-eighth mile from the subject property and are further discussed below.

- The Lakeside Non-Ferrous Metals site (412 Madison Street) is located adjacent to the east of the subject property. According to the database, a gasoline leak was discovered at the site during tank closure in 1993. According to files at the ACHCSA, the site is a documented source of elevated levels of petroleum hydrocarbons which have affected the subject property. It is unlikely that the subject property owner would be responsible for any clean up costs associated with the release at this site. Based on this information, this site is not expected to represent a significant environmental concern.

- The Shell site (105 5th Street) was plotted approximately 0.10 mile southeast of the subject property. According to a *Fourth Quarter 2005 Monitoring Report* by Cambria Environmental Inc. reviewed at the ACEHSA, benzene and methyl tertiary butyl ethylene (MTBE) were detected at maximum concentrations of 14 parts per billion (ppb) and 2,600 ppb, respectively. The direction of groundwater flow at the site is to the southeast. Based on the relative distance and inferred direction of groundwater flow, this site is not expected to represent a significant environmental concern.

- The East Bay Packing Company site (208 Jackson Street) was plotted approximately 0.11 mile southwest of the subject property. According to the regulatory database, a gasoline release was discovered at this site in 1988 during tank closure activities. Contaminated soil was excavated and disposed. Regulatory "case closure" was issued in September 1996. Based on regulatory status and the direction of groundwater flow, this site is not expected to represent a significant environmental concern.

- The Miller Packing Company site (201 2nd Street and 206 2nd Street) was plotted twice by the regulatory database, approximately 0.11-0.12 mile southwest of the subject property. According to the regulatory database, a gasoline release was discovered at this site in 1990. Regulatory "case closure" was issued in July 2002. Based on regulatory status and the direction of groundwater flow, this site is not expected to represent a significant environmental concern.

The remaining sites are plotted in excess of one-eighth mile from the subject property. Based on the relative distance from the subject property, the inferred direction of groundwater flow, and/or regulatory status, these sites are not expected to be a significant environmental concern.

Solid Waste Landfills (SWLF) is a database generated by the State of California Solid Waste Information System (SWIS), which includes active and inactive landfills and transfer stations within the state maintained by the California Integrated Waste Management Board.

One (1) site within a ½-mile radius of the subject property was identified during the SWLF database search.

- The Port of Oakland site located at 530 Water Street was plotted approximately 0.49 mile southwest of the subject property. According to the regulatory database, this site was listed because of a proposed water treatment unit. No other information was provided in the regulatory database report. However, based on this information, this site is not expected to represent a significant environmental concern.

Underground/Aboveground Storage Tanks (UST/AST) List is a comprehensive listing of registered underground and aboveground storage tanks located within the State of California.

Twenty-three (23) sites within a ¼-mile radius of the subject property were identified during the UST/AST database search. Due to the lack of a documented release or factors discussed in the LUST segment of Section 4.3, the storage of hazardous materials within registered tanks is not a significant environmental concern.

Emergency Response Notification Systems (ERNS) List is EPA's database of emergency response actions.

No sites within a $^1/_8$-mile radius of the subject property were identified during the ERNS database search.

Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. Information from the RCRA database is divided into three categories: TSD, LG GEN and SM GEN. The TSD category is searched to a 1-mile radius and tracks facilities which treat, store and/or dispose of hazardous waste. LG GEN, or large generators, are facilities that generate more than 1000 kg of hazardous waste per month. SM GEN, or small generators, are facilities that generate between 100 and 1000 kg of hazardous waste per month. The LG-GEN and SM-GEN databases are searched up to a $^1/_8$-mile radius from the subject property.

Three (3) sites within a 1-mile radius of the subject property were identified during the RCRA-TSD database search.

One (1) site within a $^1/_8$-mile radius of the subject property was identified during the RCRA (LG- and SM-GEN) database search.

The storage, treatment, disposal and/or generation of hazardous materials at these sites is not a significant environmental concern based on the lack of a documented release or factors discussed in prior segments of Section 4.3.

SPILLs sites are provided by the RWQCB. This list includes sites that have recorded spills, leaks, investigations, and cleanups.

No sites within a $^1/_8$-mile radius of the subject property were identified during the SPILLS database search.

5.0 SITE INSPECTION AND RECONNAISSANCE

On February 17, 2006, a site reconnaissance of the subject property and adjacent properties was conducted by David Wolking of AEI in order to obtain information indicating the likelihood of recognized environmental conditions at the subject property and adjacent properties as specified in ASTM Standard Practice E1527-00 §8.4.2, 8.4.3 and 8.4.4.

5.1 On-Site Observations

Identified Yes	Identified No	Observation
☐	☒	Hazardous Substances and/or Petroleum Products in Connection with Property Use
☐	☒	Aboveground & Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs / USTs)
☐	☒	Hazardous Substance and Petroleum Product Containers and Unidentified Containers not in Connection with Property Use
☐	☒	Unidentified Substance Containers
☒	☐	Electrical or Mechanical Equipment Likely to Contain PCBs
☐	☒	Interior Stains or Corrosion
☐	☒	Strong, Pungent or Noxious Odors
☐	☒	Pool of Liquid
☒	☐	Drains and Sumps
☐	☒	Pits, Ponds and Lagoons
☒	☐	Stained Soil or Pavement
☐	☒	Stressed Vegetation
☐	☒	Solid Waste Disposal or Evidence of Fill Materials
☐	☒	Waste Water Discharges
☐	☒	Wells
☐	☒	Septic Systems
☐	☒	Other

The subject property is currently occupied by the corporate offices of Cost Plus World Market. On-site operations consist of commercial and office related activities. No hazardous materials or petroleum products are utilized during these activities.

Electrical or Mechanical Equipment with the Potential to Contain PCBs

Toxic polychlorinated biphenyls (PCBs) were commonly used historically in electrical equipment such as transformers, fluorescent lamp ballasts, and capacitors. According to United States EPA regulation 40 CFR, Part 761, there are three categories for classifying such equipment: <50 ppm of PCBs is considered "Non-PCB"; between 50 and 500 ppm is considered "PCB-Contaminated"; and >500 ppm is considered "PCB-Containing".

The management of potential PCB-containing transformers is the responsibility of the local utility or the transformer owner. Actual material samples need to be collected to determine if transformers are PCB-containing.

Several subterranean transformers located along the sidewalks of the subject property were observed during the site inspection. The transformers are owned and operated by PG&E. Based on the good condition of the equipment, the transformers are not expected to represent a significant environmental concern.

Drains and Sumps

Several storm drains were observed in the parking area of the subject property and along the streets surrounding the subject property. No hazardous substances or petroleum products were noted in the vicinity of the drains. Based on the use of the drains solely for storm water runoff, the presence of the drains is not expected to represent a significant environmental concern.

Stained Soil or Pavement

Minor surficial stains were observed in the parking area of the subject property. The stains are presumed to have originated from automobiles parked in the area. No drains, cracks, or conduits to the subsurface were observed in the vicinity of the stains. Based on the surficial nature of the stains, the presence of the stains is not expected to represent a significant environmental concern.

5.2 Non-ASTM Services

Asbestos-Containing Building Materials

For buildings constructed prior to 1980, the Code of Federal Regulations (29 CFR 1926.1101) states that all thermal system insulation (boiler insulation, pipe lagging, and related materials) and surface materials must be designated as "presumed asbestos-containing material" (PACM) unless proven otherwise through sampling in accordance with the standards of the Asbestos Hazard Emergency Response Act.

Due to the age of the subject property buildings, there is a potential that ACMs are present. The condition and friability of the identified suspect ACMs is noted in the following table:

Suspect Asbestos Containing Materials (ACMs)

Material	Location	Friable	Condition
Drywall Systems	Throughout Building Interiors	Yes	Good
Roofing Systems	Roof	Not Inspected	Not Inspected

All observed suspect ACMs were in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time.

Regardless of building construction date, the EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) requires that an asbestos survey adhering to AHERA sampling protocol be performed prior to demolition or renovation activities that may disturb ACMs. This requirement is typically enforced by the local air pollution control or air quality management district, and specifies that all suspect asbestos-containing materials (ACMs) be sampled to determine the presence or absence of asbestos prior to any renovation or demolition activities to prevent potential exposure to workers and/or building occupants. Similarly, OSHA regulations require that specific work practices be implemented when handling construction materials and debris that contain lead-containing materials (see below).

Lead-Based Paint

Lead-based paint is defined as any paint, varnish, stain, or other applied coating that has 1 mg/cm^2 (or 5,000 ug/g by dry weight) or more of lead. Section 1017 of the Housing and Urban Development Guidelines, Residential Lead-Based Paint Hazard Reduction Act of 1992, otherwise known as "Title X", defines a lead-based paint hazard is "any condition that causes exposure to lead that would result in adverse human health effects" resulting from lead-contaminated dust, bare, lead-contaminated soil, and/or lead-contaminated paint that is deteriorated or present on accessible, friction, or impact surfaces. Therefore, under Title X, intact lead-based paint on most walls and ceilings would not be considered a "hazard", although the paint should be maintained and its condition monitored to ensure that it does not deteriorate and become a hazard. Additionally, Section 1018 of this law directed HUD and EPA to require the disclosure of known information on lead-based paint and lead-based paint hazards before the sale or lease of most housing built before 1978. Most private housing, public housing, federally owned housing, and housing receiving Federal assistance is affected by this rule.

In buildings constructed after 1978, it is very unlikely that lead-based paint is present. Due to the age of the subject property buildings, there is a potential that lead-based paint is present. Both interior and exterior painted surfaces were observed to be in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time.

Local regulations may apply to lead-based paint in association with building renovation/demolition and worker/occupant protection. Actual material samples would need to be collected in order to determine if lead-based paint is present.

Radon

Radon is a naturally-occurring, odorless, invisible gas. Natural radon levels vary and are closely related to geologic formations. Radon may enter buildings through basement sumps or other openings.

The US EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three Radon Zones, Zone 1 being those areas with the average predicted indoor radon concentration in residential dwellings exceeding the EPA Action limit of 4.0 picoCuries per Liter (pCi/L). It is important to note that the EPA has found homes with elevated levels of radon in all three zones, and the EPA recommends site specific testing in order to determine radon levels at a specific location. However, the map does give a valuable indication of the propensity of radon gas accumulation in structures.

Radon sampling was not requested as part of this investigation. According to the USEPA, the radon zone level for the area is Zone 2, which has a predicted average indoor screening level between 2 pCi/L and 4 pCi/L, at or below the action level of 4.0 pCi/L set forth by the EPA.

Drinking Water Sources and Lead in Drinking Water

The East Bay Municipal Water supplies potable water to the subject property. The most recent water quality report (2005) states that lead levels in the areas water supply were 7 micrograms per liter (µg/L) and therefore are well within standards established by the EPA.

Mold/Indoor Air Quality Issues

Molds are simple, microscopic organisms, which can often be seen in the form of discoloration, frequently green, gray, white, brown or black. Molds grow by digesting organic material and gradually destroy whatever they grow on. Mold spores primarily cause health problems through the inhalation of mold spores or the toxins they emit when they are present in large numbers. This can occur primarily when there is active mold growth within places where people live or work.

Mold, if present, may or may not visually manifest itself. Neither the individual completing this inspection, nor AEI has any liability for the identification of mold-related concerns except as

defined in applicable industry standards. In short, this Phase I ESA should not be construed as a mold survey or inspection.

While a specific mold survey or study of indoor air quality (IAQ) in the building is beyond the scope of this assessment, AEI noted no indication of a significant IAQ problem during the site reconnaissance.

During the assessment, AEI inspected the accessed areas of the buildings for evidence of excessive or amplified mold growth, or for conditions favorable for mold growth (e.g. water damaged areas). No evidence of excessive or amplified mold growth was identified during the assessment.

5.3 Adjacent Property Reconnaissance Findings

Identified Yes	Identified No	Observation
☐	☒	Hazardous Substances and/or Petroleum Products in Connection with Property Use
☐	☒	Aboveground & Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs / USTs)
☐	☒	Hazardous Substance and Petroleum Product Containers and Unidentified Containers not in Connection with Property Use
☐	☒	Unidentified Substance Containers
☒	☐	Electrical or Mechanical Equipment Likely to Contain PCBs
☐	☒	Interior Stains or Corrosion
☐	☒	Strong, Pungent or Noxious Odors
☐	☒	Pool of Liquid
☒	☐	Drains and Sumps
☐	☒	Pits, Ponds and Lagoons
☐	☒	Stained Soil or Pavement
☐	☒	Stressed Vegetation
☒	☐	Solid Waste Disposal or Evidence of Fill Materials
☐	☒	Waste Water Discharges
☐	☒	Wells
☐	☒	Septic Systems
☐	☒	Other

Electrical or Mechanical Equipment with the Potential to Contain PCBs

Several subterranean transformers were observed on the adjacent sites during the site inspection. The transformers are owned and operated by PG&E. The transformers are not expected to represent a significant environmental concern.

Drains and Sumps

Several storm drains were observed on the adjacent properties. No hazardous substances or petroleum products were noted in the vicinity of the drains. Based on the use of the drains solely for storm water runoff, the presence of the drains is not expected to represent a significant environmental concern.

Solid Waste Disposal or Evidence of Fill Materials

The adjacent site to the east, Lakeside Recycling, functions as a recycling and scrap yard. Various types of industrial and mechanical materials consisting of aluminum cans, copper, radiators, and assorted metals were observed on the property during the site reconnaissance. This site is further discussed in Section 4.3.

6.0 FINDINGS AND CONCLUSIONS

Findings

Recognized environmental conditions (RECs) are defined by the ASTM Standard Practice E1527-00 as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, a past release, or a material threat of a release into structures on the property or into the ground, groundwater, or surface water of the property. AEI's investigation has revealed the following recognized environmental conditions associated with the subject property or nearby properties:

- No on-site recognized environmental conditions were identified during the course of this investigation.

Historical recognized environmental conditions (HRECs) are defined by the ASTM Standard Practice E1527-00 as an environmental condition which in the past would have been considered a recognized environmental condition, but which may or may not be considered a recognized environmental condition currently. AEI's investigation has revealed the following historical recognized environmental conditions associated with the subject property or nearby properties:

- According to files reviewed at the Oakland Fire Department (OFD), a soil and groundwater sampling investigation was conducted at the property in 1996 by McLaren Hart, following a Phase I Environmental Site Assessment which identified the historical commercial/industrial occupants of the subject property (the Dork Gas Engine Co., a machine shop, a plywood company, a pipe yard, and the Western Pacific Railroad freight yard and tracks), as well as the adjacent property to the east (Lakeside Non-Ferrous Metals Corporation) as recognized environmental conditions.

  Five borings on the subject property and four boring on the adjacent properties to the west were advanced into groundwater in order to collect soil and groundwater samples for analysis of metals, semi-volatile organic compounds (SVOCs), and total petroleum hydrocarbons (TPH) in March of 1996. The review of laboratory analytical results indicated concentrations of phenol, chlorobenzene, and diesel range petroleum hydrocarbons (TPH-D) in the soil; and concentrations of phenol, TPH-D, TPH-Motor Oil (TPH-MO), and metals (barium, molybdenum, and nickel) in water. The concentrations of all constituents detected were below their respective U.S. EPA Region IX Preliminary Remediation Goals for residential soil and tap water.

  Based on the results of the laboratory analyses, the subject property was recommended for no further remedial action by McLaren Hart in May of 1996. The site was granted case closure by the Alameda County Health Care Services Agency Environmental Protection Division (ACHCSA) on August 19, 1996.

  Based on the regulatory status, no further investigation appears to be warranted at this time. However, the client should be aware that SVOCs, and TPH in the groundwater and soil are

likely present in the subsurface of the subject property. It should be noted that policy guidelines change over time. Therefore if the subject property is planned for redevelopment in the future, further investigation may be warranted at that time.

Environmental issues include environmental concerns identified by AEI that warrant discussion but do not qualify as recognized environmental conditions, as defined by the ASTM Standard Practice E1528-00. AEI's investigation has revealed the following environmental issues associated with the subject property or nearby properties:

- Due to the age of the subject property buildings, there is a potential that asbestos-containing materials (ACMs) and/or lead-based paint are present. All suspect ACMs and painted surfaces were observed in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time.

Conclusions, Opinions, and Recommendations

AEI's investigation has revealed no other evidence of recognized environmental conditions associated with the subject property or nearby properties. AEI recommends no further investigations for the subject property at this time.

7.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONALS

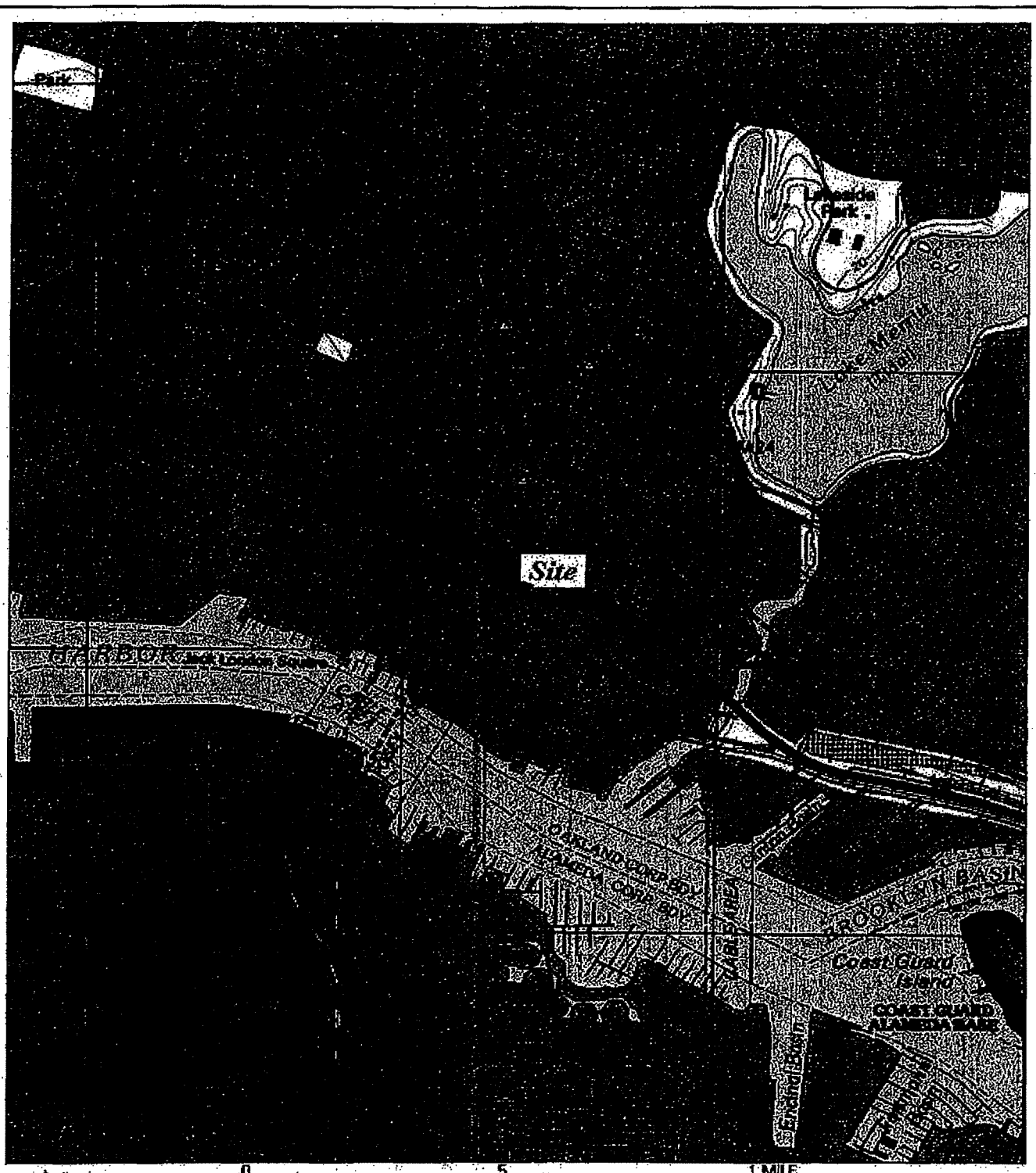
AEI Consultants has performed a Phase I Environmental Site Assessment for the property located at 430 Jackson Street in the City of Oakland, Alameda County, California, in conformance with the scope and limitations of ASTM Standard Practice E1527-00. Any exceptions to, or deletions from, this practice are described in Section 1.2 of this report.

Prepared By:

David Wolking
Project Manager

Reviewed By:

Holly Gannaway
Senior Author, REA



Map created with TOPO!® ©2003 National Geographic (www.nationalgeographic.com/topo)

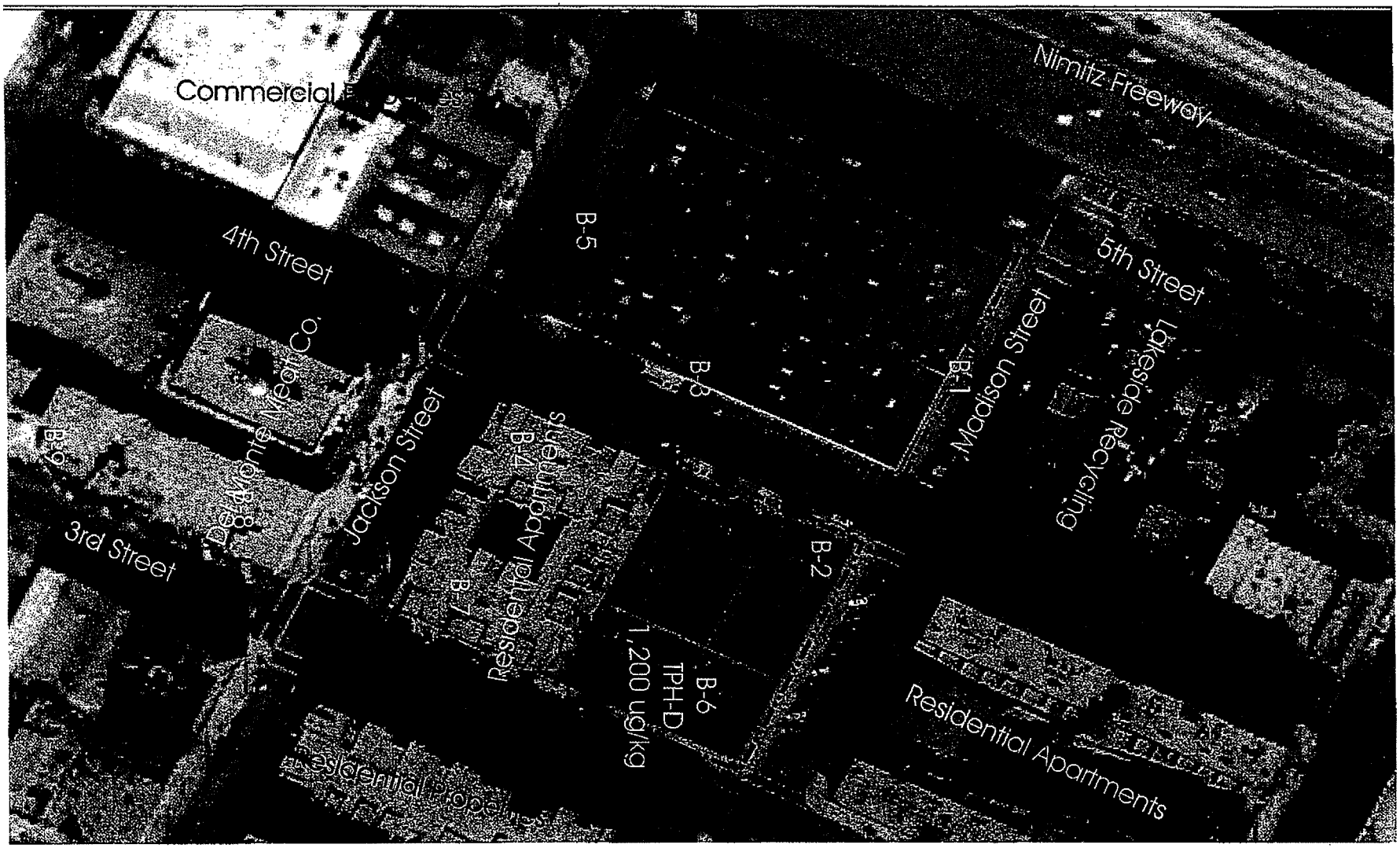
USGS TOPOGRAPHIC MAP
Oakland West, CA QUADRANGLE
Created 1997

AEI CONSULTANTS
2500 Camino Diablo, Suite 200, Walnut Creek, CA 94597

SITE LOCATION PLAN

430 Jackson Street
Oakland, CA 94612

FIGURE 1
Job No: 116184



LEGEND

N

Subject Property Line

Former Subsurface Boring

Aerial obtained from Google Earth, 2006.

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2500 Camino Diablo, Suite 200, Walnut Creek, CA 94597

Drawn by: David Wolking — Scale: Not to Scale

SITE PLAN

430 Jackson Street
Oakland, CA 94612

FIGURE 2
Job No: 116184

N

SOURCE: FirstSearch
YEAR: 1939

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AERIAL PHOTOGRAPH

430 Jackson Street
Oakland, CA 94612

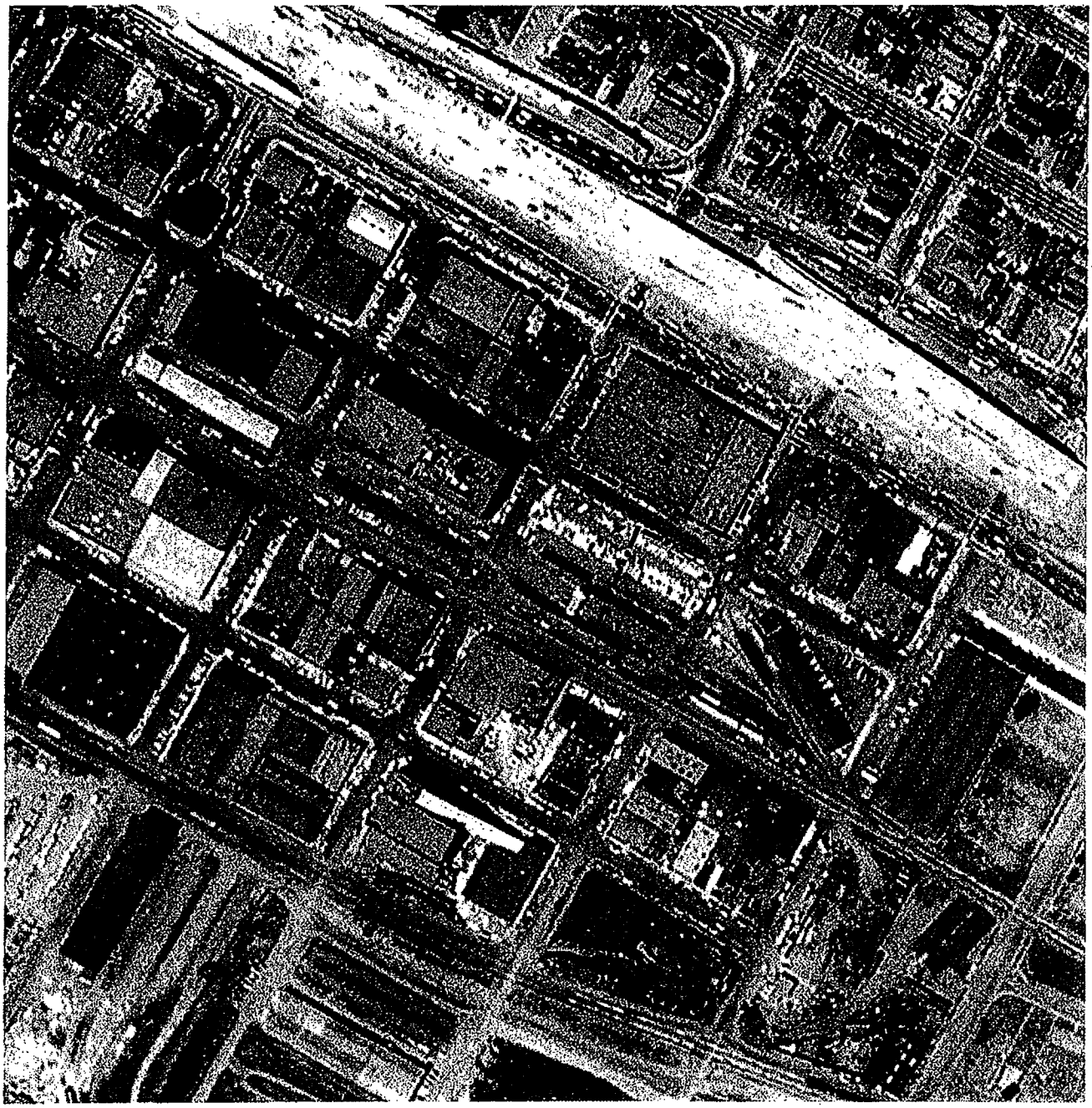
N

SOURCE: FirstSearch
YEAR: 1946

AEI CONSULTANTS
2500 Camino Diablo, Suite 200, Walnut Creek, CA 94597

AERIAL PHOTOGRAPH

430 Jackson Street
Oakland, CA 94612



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SOURCE: FirstSearch
YEAR: 1956

AEI CONSULTANTS
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AERIAL PHOTOGRAPH

430 Jackson Street
Oakland, CA 94612

N

SOURCE: FirstSearch
YEAR: 1968

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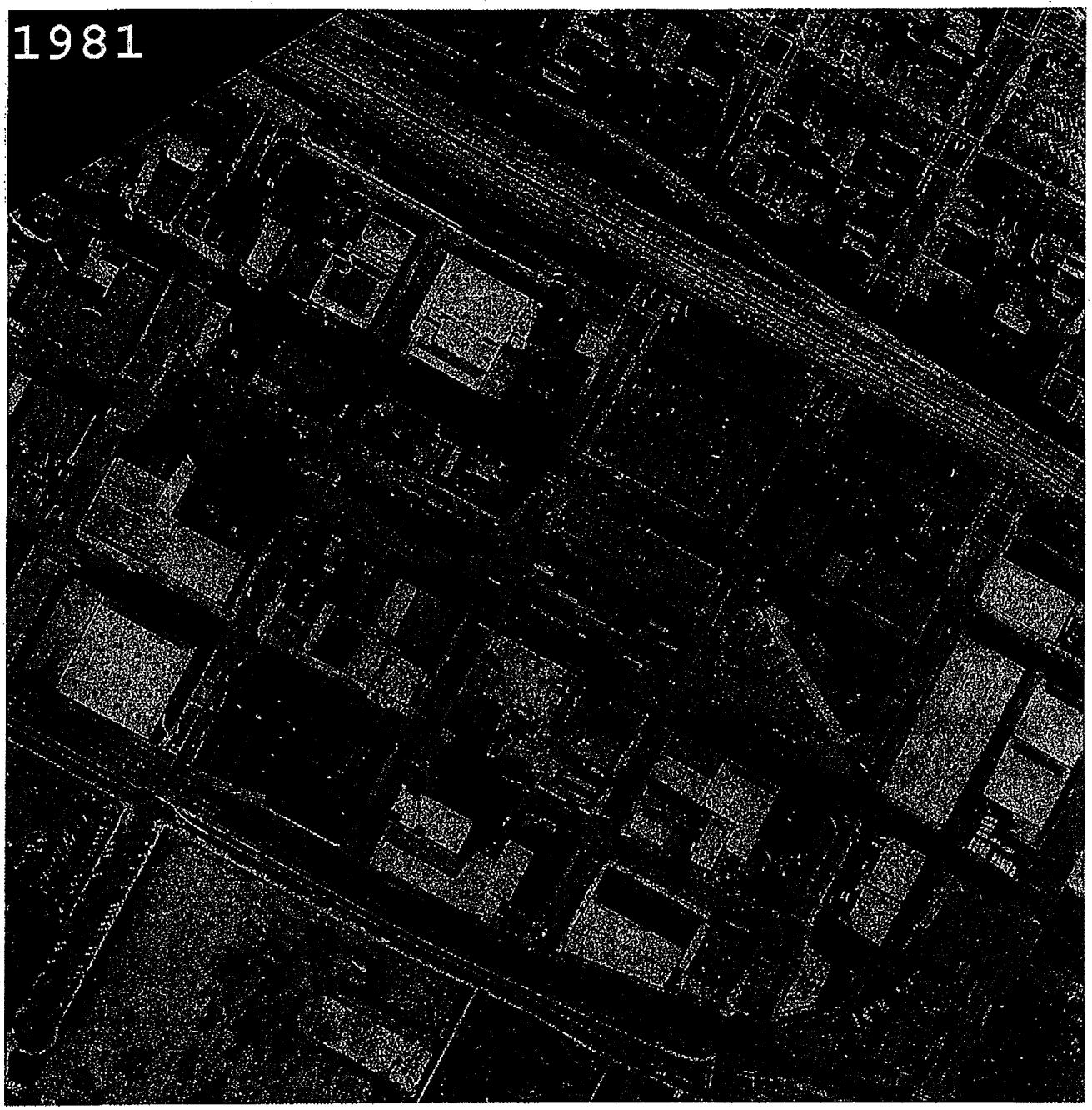
AERIAL PHOTOGRAPH

430 Jackson Street
Oakland, CA 94612



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SOURCE: FirstSearch
YEAR: 1981

AEI CONSULTANTS
2500 Camino Diablo, Suite 200, Walnut Creek, CA 94597

AERIAL PHOTOGRAPH

430 Jackson Street
Oakland, CA 94612

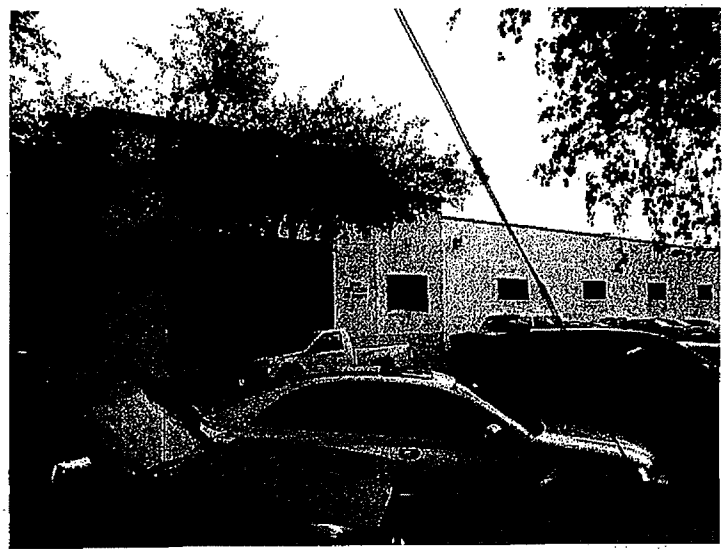
N

SOURCE: FirstSearch
YEAR: 1994

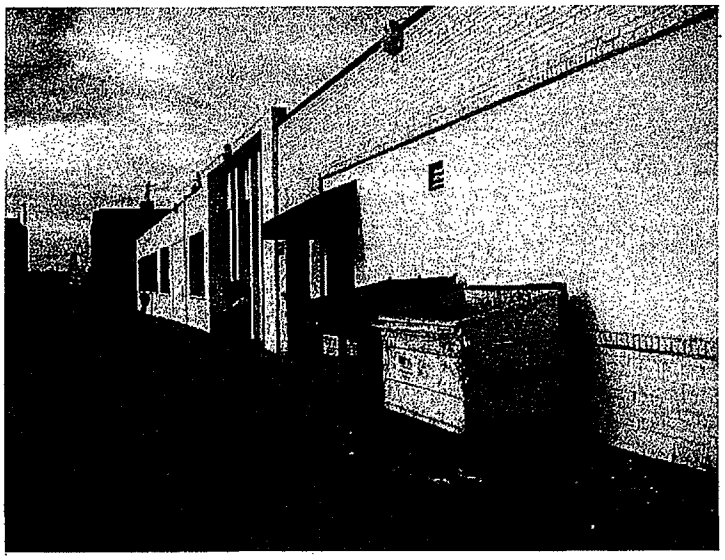
AEI CONSULTANTS
2500 Camino Diablo, Suite 200, Walnut Creek, CA 94597

AERIAL PHOTOGRAPH

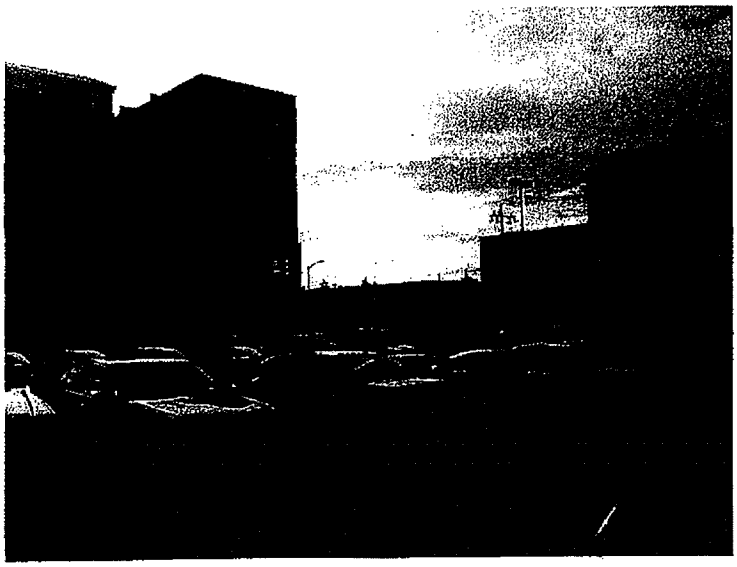
430 Jackson Street
Oakland, CA 94612



1. View of the west subject building from along 4th Street.



2. View of the receiving area of the east subject building from along Madison Street.



3. View of the subject property parking lot.

AEI CONSULTANTS

PROPERTY PHOTOGRAPHS

430 Jackson Street
Oakland, CA 94612

Job No: 116184

4. View of a the computer room.

5. View of the interior of the west subject building.

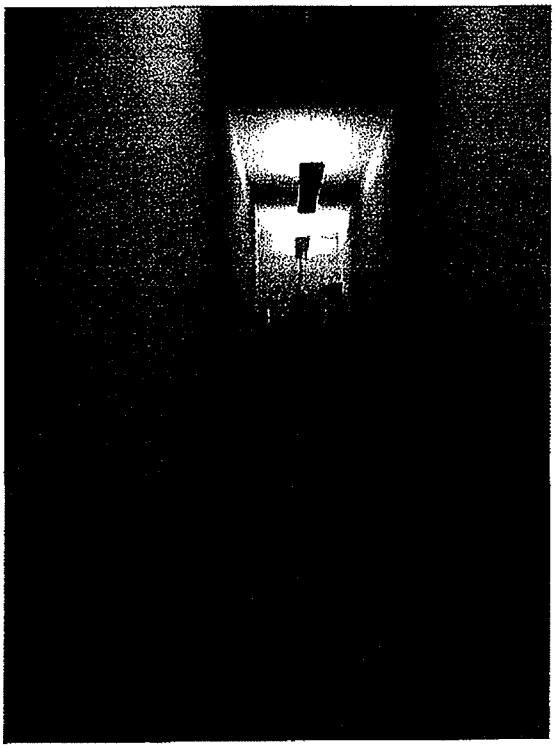
6. View of the receiving area in the northeast corner of the east subject building.

AEI CONSULTANTS

PROPERTY PHOTOGRAPHS

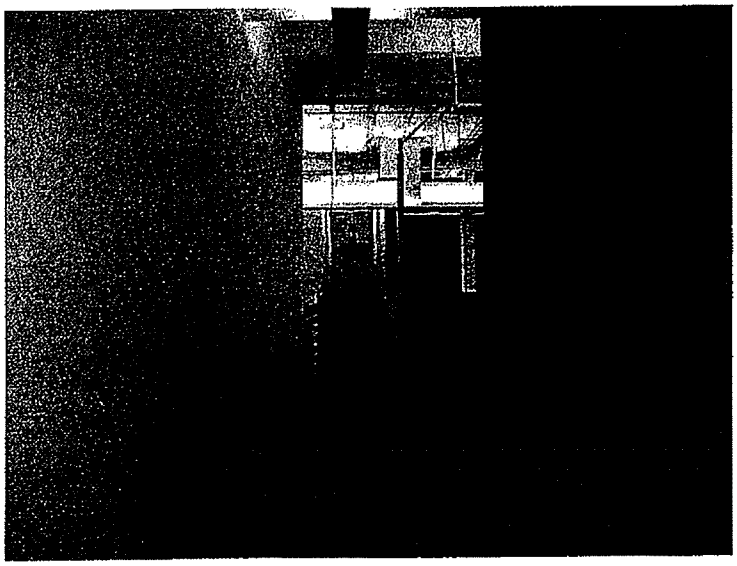
430 Jackson Street
Oakland, CA 94612

Job No: 116184



7. View of the interior of the west subject building.

8. View of the staff break room in the west subject building.



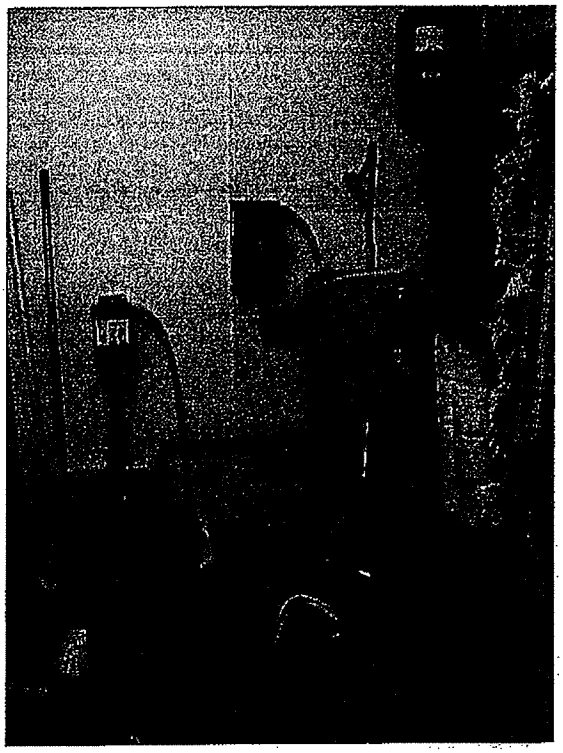
9. View of the hallway connecting the two subject property buildings.

AEI CONSULTANTS

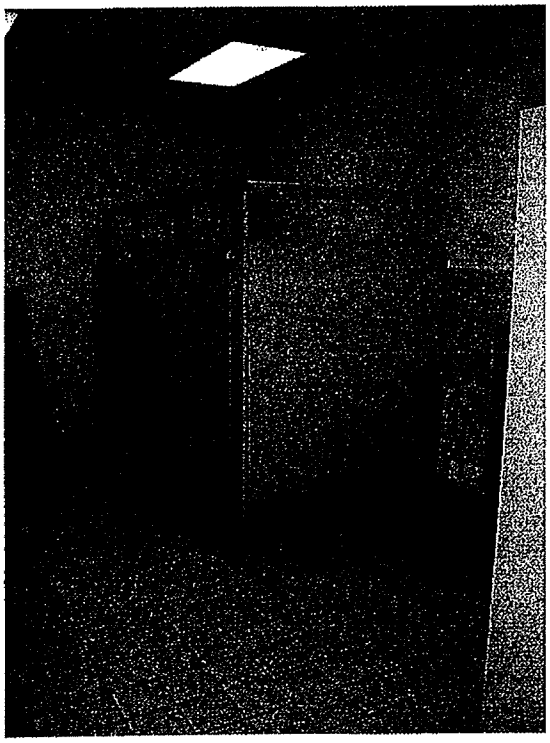
PROPERTY PHOTOGRAPHS

430 Jackson Street
Oakland, CA 94612

Job No: 116184



10. View of a maintenance closet.



12. View of one of the bathrooms.

AEI CONSULTANTS

PROPERTY PHOTOGRAPHS

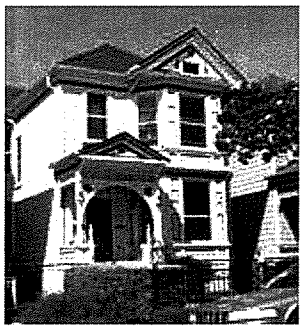
430 Jackson Street
Oakland, CA 94612

Job No: 116184

Letter B6 - Attachment G

ITY OF OAKLAND

housing element





2015-2023

Adopted December 9, 2014

Age Distribution

Although Oakland experienced a significant change in the racial and ethnic mix of its population between 2000 and 2010, there were only small changes in the age distribution. There was a 4 percent decrease in the percentage of children between the ages of 5 to 19 years, leading to a 3 year increase in the median age from 33 years in 2000 to 36 years in 2010. Additionally, Oakland experienced an increase in the percent of the population in their mid-50s to mid-60s. Even with the slight change in the proportion of some age groups, the age groups from 5 years to 54 years of age experienced decreases in population between 2000 and 2010.

If the population changes over the past decade continue during the next 10 to 20 years, the City may be home to a significantly large number of older adults and retirees who are looking for housing suited to their changing lifestyles and physical needs. Table 3-2 compares the age composition of Oakland's population in 1990, 2000 and 2010 with that of Alameda County and the State of California.

Table 3-2
Age Distribution (1990, 2000 and 2010)

Age	Oakland 1990	Oakland 2000	Oakland 2010	Alameda County 2000	Alameda County 2010	California 2000	California 2010
Under 5 years	8%	7%	7%	7%	6%	7%	7%
5 to 19 years	20%	21%	17%	21%	19%	23%	21%
20 to 34 years	26%	25%	24%	24%	22%	22%	22%
35 to 54 years	27%	30%	29%	31%	30%	29%	28%
55 to 64 years	9%	7%	12%	8%	11%	8%	11%
65 and over	10%	11%	11%	10%	11%	11%	11%
Median age	32	33	36	35	37	33	35

Source: U.S. Census Bureau, 1990, 2000 and 2010
Note: Percentages may not add to 100 due to rounding.

Household Size and Composition

Oakland has a high percentage of single adults and other non-family households (unrelated individuals living together). Nearly one-third of Oakland households consist of single persons, and about 30 percent consist of two people. More than a third (36 percent) of Oakland households have more than three people (mostly family households). The high percentage of smaller households in Oakland may be due, in part, to the relatively low proportion of housing units with more than two bedrooms compared to the surrounding suburban areas. According to the 2000 Census, nearly 70 percent of Oakland's housing stock has two or fewer bedrooms, compared to 54 percent countywide.

The 2010 Census reported an increase in the number of households in the City. Of those households, 54 percent were family households (households with related individuals). This percentage was substantially below countywide figures. Even though the number of households has grown, there has been a decline in the average household and family size. The average household size has declined from 2.6 in 2000 to 2.49 in 2010. Similarly, the average family size also decreased, from 3.38 to

3.27. These trends are directly related to the decline in proportion of population groups with larger household sizes and the increase in the proportion of population groups with smaller household sizes. These changes in household size might be a reflection of the nationwide trend away from traditional family structures. The number of family households have scaled down from 86,347 in 2000 to 83,718 in 2010. Similarly, there has been a 10% decline in the number of family households with children between 2000 and 2010. White and Black households, which declined as a percentage of all households, have smaller average household sizes (2.21 and 2.25 in 2010 respectively) compared to Hispanic and Asian-origin households (3.76 and 2.66 in 2010 respectively).

Of Oakland's family households with children, about 10% are single-parent households. The number of single-parent female-headed households declined from 14,932 in 2000 to 12,173 in 2010. In comparison, the number of single-parent male-headed households increased from 3,298 in 2000 to 3,627 in 2010. Although the number of single-parent households is small relative to the City's total population, it still represents about 4% of the City's population and will increase the need for housing accessible to childcare and other supportive services geared to support single parents.

Overcrowding increased between 1990 and 2000 (see Section G). Even though household and family size are trending downward, large households (3+ persons per household) are still significant (37% of total household population) and suggest that Oakland should plan for more housing to address the shortage of both affordable housing for large families (who need homes with three or more bedrooms) and the overall shortage of affordable housing that may cause smaller households to share homes.

Table 3-3, Table 3-4, and Table 3-5compare household size and composition by household type and provide information on household characteristics.

About two percent of the City's population did not live in households in 2010. The "group quarters" population increased from 7,175 in the 2000 Census to 8,138 in the 2010 Census—a 13% increase. This demographic is broken-down into two general categories: institutional and non-institutional populations. Interestingly, the institutional population decreased from 2,894 in 2000 to 2,463 in 2010. These residents include inmates of correctional facilities, nursing home residents, and persons in other health care facilities that have no usual home elsewhere. Significantly, the non-institutional population increased by 33% from 4,281 in 2000 to 5,675 in 2010. These residents include college students in dormitories and persons in other non-institutional group quarters. Of this non-institutional group quarters population, 4,310 persons (a majority--53% of the total group quarters population) were in "other non-institutional facilities," that reflects an increase of 15% over 2000. Other non-institutional facilities include: emergency transitional shelters or persons experiencing homelessness, group homes intended for adults, residential treatment centers for adults, religious group quarters, and job corps housing centers. Unfortunately, the Census does not further breakdown the populations per these facility types to understand the housing needs of these very distinct populations. Further analysis of special needs housing (including housing needs for persons with disabilities and the homeless population) is included in Section H.

Table 3-3
Number of Persons per Household (2010)

	Owner Households	Percent	Renter Households	Percent	Total Households
1 Person	16,540	26%	35,563	39%	52,103
2 Persons	21,046	33%	24,517	27%	45,563
3 Persons	10,235	16%	12,137	13%	22,372
4 Persons	8,045	13%	8,388	9%	16,433
5 Persons	3,531	6%	4,925	5%	8,456
6 Persons	1,641	3%	2,426	3%	4,067
7 + Persons	2,104	3%	2,693	3%	4,797
Total	63,142	41%	90,649	59%	153,791

Source: U.S. Census Bureau, 2010
Note: Percentages may not add to 100 due to rounding.

Table 3-4
Average Household Size by Race (2010)

Population Group (Race)	Average Household Size
Pacific Islander	4.56
Other (One Race)	4.30
Hispanic or Latino	3.76
Native American	3.03
Asian Origin	2.66
Two or More Races	2.60
Black	2.25
White (not Hispanic/Latino)	2.21

Source: U.S. Census Bureau, 2010

Letter B6 - Attachment G cont.

Table 3-5
Changes in Household Type (1990 – 2010)

Household by Type	1990	Percent	2000	Percent	2010	Percent
Total Households	144,521	100%	150,790	100%	153,791	100%
Average Household Size	2.52	--	2.60	--	2.49	--
Household Population						
Family Households (families)	83,823	58%	86,347	57%	83,718	54%
Married-Couple Family	49,906	35%	51,332	34%	50,797	33%
With Children	N/A	N/A	24,838	16%	22,818	15%
Female Householder, no spouse present	26,723	18%	26,707	18%	24,122	16%
With Children	18,815	13%	14,932	10%	12,173	8%
Male Householder, no spouse present	6,691	5%	8,040	5%	8,799	6%
With Children	2,571	2%	3,298	2%	3,627	2%
Average Family Size	3.28	--	3.38	--	3.27	--
Non-family Households	60,698	42%	64,443	43%	70,073	46%
Households with one or more non-relatives	21,456	15%	25,945	17%	38,940	25%
Households with no non-relatives	123,065	85%	124,845	83%	114,851	75%
Group Quarters (Non Household Population)						
Total Group Quarters	7,175	<2%	27,735	<2%	8,138	2%
Institutionalized persons	2,894	<1%	13,214	<1%	2,463	1%
Other persons in group quarters	4,281	1%	14,521	1%	5,675	1%

Source: U.S. Census Bureau, 1990, 2000 and 2010
Note: Percentages represent percentage of all households. Percentages may not add to 100 due to rounding.

Income

Between 1990 and 2000, Oakland's median household income increased from $27,095 to $40,055, an increase of nearly 48 percent. The median income for families increased from $31,755 to $44,384 (approximately 40 percent), while median income for non-family households increased from $20,713 to $34,075 (approximately 70 percent). Table 3-6 shows the distribution of income for families and for households from the American Community Survey 5 year Sample from 2007-2011. These estimates show continued significant increases in median income over the year 2000 for both households and families.

G. OVERCROWDING

Overcrowding is a measure of the capacity of the housing stock to adequately accommodate residents. Too many individuals living in a housing unit with inadequate space and number of rooms can result in unhealthy living arrangements and accelerated deterioration of the housing stock. In the United States, housing providers and government agencies typically consider a household as overcrowded if there is more than one person per room or two persons per bedroom. Extreme overcrowding is often defined as more than 1.5 persons per room. Overcrowding results when: 1) the cost of available housing with a sufficient number of bedrooms for larger families exceeds the family's ability to afford such housing; 2) unrelated individuals (such as students or low-wage single adult workers) share dwelling units due to high housing costs; 3) the cost of housing requires two families to double up; or 4) housing costs force extended family members to become part of the household.

Overcrowding increased significantly between 1990 and 2000. Nearly 12 percent of the City's households lived in overcrowded conditions in 1990, increasing to 16 percent in 2000. Countywide, about four percent of households lived in overcrowded conditions, increasing to 12 percent in 2000. Ten percent of Oakland households lived in severely overcrowded conditions in 2000 (more than 1.5 persons per room), compared to seven percent countywide. Table 3-40 summarizes overcrowding in 2000.

Renter households typically have a higher rate of overcrowding than homeowners. Nearly 16 percent of renters lived in overcrowded conditions in 1990, while more than nine percent lived in extremely overcrowded conditions. By 2000, 20 percent of renters lived in overcrowded conditions. Extremely low-, very low- and low-income renter households, and low-, moderate-, and above moderate (>120 AMI) - income owners all experienced high levels of overcrowding.

By comparison, six percent of homeowners lived in overcrowded conditions in 1990, about half of which were severely overcrowded. The rate of overcrowding increased to ten percent by 2000, according to the Census Bureau.

Overcrowding is closely associated with income. As reported earlier, younger households and non-White households have significantly lower incomes than older households and White, non-Hispanic households. The 2000 Census reported that overcrowding was highest among households age 34 or less, Hispanic households, and non-White households. Conversely, overcrowding was significantly lower among non-Hispanic White households and older households (those with householders 55 years of age or more).

The increases in overcrowding are very likely due to a combination of two factors - rapidly rising housing costs during the 1990s, and an increase in the number of lower-income large families (including a substantial number of immigrant families). Large families frequently live in smaller housing units due to the lack of affordable units with three or more bedrooms, in effect trading affordability for overcrowding. This can be seen in particular in Table 3-39, which shows that for large families, the percentage that pays less than 30 percent of income but has other housing problems is much higher than for any other household type, even at income levels above 80 percent of median. Apart from the problems this causes for the overcrowded families, it may also increase competition for housing units that otherwise might be more affordable to smaller households.

The increase in overcrowding suggests that Oakland will need to continue to increase the supply of affordable housing for all lower-income groups. The need for additional low-cost rental housing, particularly rental housing affordable to large families will continue to be an especially urgent need.

Table 3-40
Persons per Room in All Occupied Housing Units
(2010)

Persons Per Room	Owner		Renter		Total	
	Number	Percent	Number	Percent	Number	Percent
Less than 1.00	62,951	96%	81,813	92%	126,384	84%
1.01 to 1.50	2,055	3%	4,390	5%	8,925	6%
1.51 or more	638	1%	3,007	3%	15,478	10%
Total	**65,644**	**100%**	**88,305**	**100%**	**150,787**	**100%**
Percent Overcrowded by Tenure	2,693	4%	7,397	8%	24,403	16%

Source: American Community 5-Year Survey 2006-2010
Note: There are high Margins of Error (MOE) associated with the 2006-2010 Comprehensive Housing Affordability Strategy (CHAS) of the American Community Survey.
The Census defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens). Units with more than 1.5 persons per room are considered severely overcrowded.

H. SPECIAL HOUSING NEEDS

Seniors

There were 43,559 seniors and 28,796 households headed by seniors residing in the City of Oakland as of 2010. According to the Census, these figures represent an increase of 4.2 percent in the number of seniors living in Oakland and a 6.2 percent increase in the number of senior households, or an increase of 1,771 seniors and 1,669 senior households, respectively since the 2000 Census. In contrast, the citywide population declined by 2.2 percent during the same period.

The City defines seniors (individuals over the age of 60 years) as a special-needs group. Lower-income seniors may have special housing requirements due to their needs for accessibility, supportive services, affordable rents, and smaller unit sizes. Many seniors also require housing near public transportation and in proximity to local services and health care.

Nearly 45 percent of senior-headed households consist of a single elderly person living alone. In comparison, a smaller percentage of non-senior individuals live alone. Unfortunately, income data was not collected in the 2010 Census. According to the 2000 Census, a significant number of seniors—5,329 or 13 percent of seniors—had poverty-level incomes that at the time of the 2000 Census, was below that of the general population[35]. According to the American Community Service 5-year data from 2006-2010 (ACS 5-year data for 2010) Comprehensive Housing Affordability Strategy (CHAS) Data, 48 percent of seniors have very low-incomes and over 30 percent of these seniors paid half of their incomes or more for housing.

The number of owner-occupied housing units headed by seniors also increased, from 16,052 to 16,443 between 2000 and 2010, a 2 percent increase. The number of senior renters increased by a larger number, from 11,075 to 12,353 during the ten-year period, constituting, an 11.5 percent increase. While Oakland's general population declined between 2000 and 2010, the number of seniors and the number of senior households increased.

[35] 2000 Census, Table P 87, SF 3

OAKLAND HERITAGE ALLIANCE

Letter B-7

September 25, 2015 By electronic transmission

Oakland Landmarks Preservation Advisory Board
Oakland Planning Commission Members
Peterson Vollman, Planning Staff, Oakland Planning Department

Mr. Vollman,

Oakland Heritage Alliance has already submitted a letter, but would add these notes to our comments on the EIR:

1

We support the detailed comments made by SONIC on the cultural resources section of the EIR.

In addition, we would like a written response to our queries about the Demolition Ordinance, *before* the FEIR comes back. 2

We urge the staff to review and apply all relevant provisions of the ordinance (not just the excerpts cited in our previous letter) and to encourage the developers to make a more thorough effort at a preservation alternative, seeking in good faith to find a solution that does less damage to the district. 3

We believe that the full-block reduction in size of a national register district must be addressed more seriously, and that the city must not take lightly a proposal of this kind. Beyond this project, what kind of precedent does it set, and what kind of example does it provide? This endangered district requires the most careful treatment, and should the demolition go forward,more meaningful mitigations. 4

In the revised alternatives analysis as well as in the main project studied, we request improved renderings showing historic district context. Please seriously analyze an alternative that carries out both the developer's program and the preservation of an important historic district. 5

Sincerely

Alison Finlay

Alison Finlay, President

Naomi Schiff

Naomi Schiff, Preservation Committee

446 17th Street, Suite 301, Oakland, California 94612 • (510) 763-9218 • info@oaklandheritage.org
Web Site: www.oaklandheritage.org

From: Jim Ryugo <jryugo@gmail.com>
Sent: Saturday, September 12, 2015 8:49 PM
To: Vollmann, Peterson
Subject: 4th St & Madison Project

Letter C-1

Dear Mr. Vollmann,

My business office is located at 4th St & Jackson St, and I support the development at the Cost Plus site. However, visitor and employee parking is very challenging from 9 AM to 2 PM, Monday through Friday. There is little parking on Saturday and Sunday afternoons due to the Laney flea market, and the Jack London Farmer's Market. 1

Please make sure there is adequate parking for visitors and employees who will be coming to the new development. At first glance, it would appear the developer is not providing enough parking. Working couples typically own two cars but only 1 parking space appears to be provided. This will cause parking conflicts throughout the Jack London area as residents and visitors search for parking. Hydraulic parking lifts should be required to double stack cars on a single parking space especially for couples who own 2 vehicles. 2 3

Thank you.

Jim Ryugo
201 4th St

APPENDIX B

CEQA Guidelines 15183.3

State CEQA Guideline Section 15183.3. Streamlining for Infill Projects

(a) Purpose. The purpose of this section is to streamline the environmental review process for eligible infill projects by limiting the topics subject to review at the project level where the effects of infill development have been addressed in a planning level decision or by uniformly applicable development policies.

(b) Eligibility. To be eligible for the streamlining procedures prescribed in this section, an infill project must:

(1) Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter. For the purpose of this subdivision "adjoin" means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way;

(2) Satisfy the performance standards provided in Appendix M; and

(3) Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, except as provided in subdivisions (b)(3)(A) or (b)(3)(B) below.

(A) Only where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet, in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75.

(B) Where an infill project is proposed outside of the boundaries of a metropolitan planning organization, the infill project must meet the definition of a small walkable community project in subdivision (f)(5), below.

(c) Streamlined Review. CEQA does not apply to the effects of an eligible infill project under two circumstances. First, if an effect was addressed as a significant effect in a prior EIR for a planning level decision, then, with some exceptions, that effect need not be analyzed again for an individual infill project even when that effect was not reduced to a less than significant level in the prior EIR. Second, an effect need not be analyzed, even if it was not analyzed in a prior EIR or is more significant than previously analyzed, if the lead agency makes a finding that uniformly applicable development policies or standards, adopted by the lead agency or a city or county, apply to the infill project and would substantially mitigate that effect. Depending on the effects addressed in the prior EIR and the availability of uniformly applicable development policies or standards that apply to the eligible infill project, streamlining under this section will range from a complete exemption to an obligation to prepare a narrowed, project-specific environmental document. A prior EIR will be most helpful in dealing with later infill projects if it deals with the effects of infill development as specifically and comprehensively as possible. With a good and detailed analysis of such development, the effects of many infill projects could be found to have been addressed in the prior EIR, and no further environmental documents would be required.

(d) Procedure. Following preliminary review of an infill project pursuant to Section 15060, the lead agency must examine an eligible infill project in light of the prior EIR to determine whether

the infill project will cause any effects that require additional review under CEQA. Determinations pursuant to this section are questions of fact to be resolved by the lead agency. Such determinations must be supported with enough relevant information and reasonable inferences from this information to support a conclusion, even though other conclusions might also be reached. (See Section 15384.)(1) Evaluation of the Infill Project. A lead agency should prepare a written checklist or similar device to document the infill project's eligibility for streamlining and to assist in making the determinations required by this section. The sample written checklist provided in Appendix N may be used for this purpose. A written checklist prepared pursuant to this section should do all of the following:

(A) Document whether the infill project satisfies the applicable performance standards in Appendix M.

(B) Explain whether the effects of the infill project were analyzed in a prior EIR. The written checklist should cite the specific portions of the prior EIR, including page and section references, containing the analysis of the infill project's significant effects. The written checklist should also indicate whether the infill project incorporates all applicable mitigation measures from the prior EIR.

(C) Explain whether the infill project will cause new specific effects. For the purposes of this section, a new specific effect is an effect that was not addressed in the prior EIR and that is specific to the infill project or the infill project site. A new specific effect may result if, for example, the prior EIR stated that sufficient site-specific information was not available to analyze the significance of that effect. Substantial changes in circumstances following certification of a prior EIR may also result in a new specific effect.

(D) Explain whether substantial new information shows that the adverse environmental effects of the infill project are more significant than described in the prior EIR. For the purpose of this section, "more significant" means an effect will be substantially more severe than described in the prior EIR. More significant effects include those that result from changes in circumstances or changes in the development assumptions underlying the prior EIR's analysis. An effect is also more significant if substantial new information shows that: (1) mitigation measures that were previously rejected as infeasible are in fact feasible, and such measures are not included in the project; (2) feasible mitigation measures considerably different than those previously analyzed could substantially reduce a significant effect described in the prior EIR, but such measures are not included in the project; or (3) an applicable mitigation measure was adopted in connection with a planning level decision, but the lead agency determines that it is not feasible for the infill project to implement that measure.

(E) If the infill project will cause new specific effects or more significant effects, the written checklist should indicate whether uniformly applicable development policies or standards will substantially mitigate those effects. For the purpose of this section, "substantially mitigate" means that the policy or standard will substantially lessen the effect, but not necessarily below the level of significance. The written checklist should specifically identify the uniformly applicable development policy or standard and explain how it will substantially mitigate the effects of the infill project. The explanation in the written checklist may be used to support the finding required in subdivision (d)(2)(D) below.

(2) Environmental Document. After examining the effects of the infill project in light of the analysis in any prior EIR and uniformly applicable development policies or standards, the lead agency shall determine what type of environmental document shall be prepared for the infill project.

(A) No Further Review. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects. Where the lead agency determines that no additional environmental review of the effects of the infill project is required, the lead agency shall file a Notice of Determination as provided in Section 15094. Where the lead agency finds that uniformly applicable development policies substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (d)(2)(D).

(B) Negative Declaration, Mitigated Negative Declaration or Sustainable Communities Environmental Assessment. If the infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects shall be subject to CEQA. If a new specific effect is less than significant, the lead agency may prepare a negative declaration. If new specific effects or more significant effects can be mitigated to a less than significant level through project changes agreed to prior to circulation of the written checklist, the lead agency may prepare a mitigated negative declaration. In these circumstances, the lead agency shall follow the procedure set forth in Sections 15072 to 15075. Alternatively, if the infill project is a transit priority project, the lead agency may follow the procedures in Section 21155.2 of the Public Resources Code. In either instance, the written checklist should clearly state which effects are new or more significant, and are subject to CEQA, and which effects have been previously analyzed and are not subject to further environmental review. Where the lead agency finds that uniformly applicable development policies or standards substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (d)(2)(D).

(C) Infill EIR. If the infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to CEQA. With respect to those effects that are subject to CEQA, the lead agency shall prepare an infill EIR if the written checklist shows that the effects of the infill project would be potentially significant. In this circumstance, the lead agency shall prepare an infill EIR as provided in subdivision (e) and, except as otherwise provided in this section, shall follow the procedures in Article 7. Where the lead agency finds that uniformly applicable development policies or standards substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (d)(2)(D).

(D) Findings. Any findings or statement of overriding considerations required by Sections 15091 or 15093 shall be limited to those effects analyzed in an infill EIR. Findings for such effects should incorporate by reference any such findings made in connection with a planning level decision. Where uniformly applicable development policies or standards substantially mitigate the significant effects of an infill project, the lead agency shall also make a written finding, supported with substantial evidence, providing a brief explanation of the rationale for the finding.

(e) Infill EIR Contents. An infill EIR shall analyze only those significant effects that uniformly

applicable development policies or standards do not substantially mitigate, and that are either new specific effects or are more significant than a prior EIR analyzed. All other effects of the infill project should be described in the written checklist as provided in subdivision (d)(1), and that written checklist should be circulated for public review along with the infill EIR. The written checklist should clearly set forth those effects that are new specific effects, and are subject to CEQA, and those effects which have been previously analyzed and are not subject to further environmental review. The analysis of alternatives in an infill EIR need not address alternative locations, densities, or building intensities. An infill EIR need not analyze growth inducing impacts. Except as provided in this subdivision, an infill EIR shall contain all elements described in Article 9.

(f) Terminology. The following definitions apply to this section:

(1) "Infill project" includes the whole of an action consisting of residential, commercial, retail, transit station, school, or public office building uses, or any combination of such uses that meet the eligibility requirements set forth in subdivision (b). For retail and commercial projects, no more than one half of the project area may be used for parking. "Transit station" means a rail or light-rail station, ferry terminal, bus hub, bus transfer station, or bus stop, and includes all streetscape improvements constructed in the public right-of-way within one-quarter mile of such facility to improve multi-modal access to the facility, such as pedestrian and bicycle safety improvements and traffic-calming design changes that support pedestrian and bicycle access.

(2) "Planning level decision" means the enactment or amendment of a general plan or any general plan element, community plan, specific plan, or zoning code.
(3) "Prior EIR" means the environmental impact report certified for a planning level decision, as supplemented by any subsequent or supplemental environmental impact reports, negative declarations, or addenda to those documents.

(4) "Qualified urban use" is defined in Public Resources Code Section 21072.

(5) "Small walkable community project" means a project that is all of the following:

(A) In an incorporated city that is not within the boundary of metropolitan planning organization;

(B) Within an area of approximately one-quarter mile diameter of contiguous land that includes a residential area adjacent to a retail downtown area and that is designated by the city for infill development consisting of residential and commercial uses. A city may designate such an area within its general plan, zoning code, or by any legislative act creating such a designation, and may make such designation concurrently with project approval; and

(C) Either a residential project that has a density of at least eight units to the acre or a commercial project with a floor area ratio of at least 0.5, or both.

(6) The terms "sustainable communities strategy" and "alternative planning strategy" refer to a strategy for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning

organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve its greenhouse gas emission reduction targets.

(7) "Uniformly applicable development policies or standards" are policies or standards adopted or enacted by a city or county, or by a lead agency, that reduce one or more adverse environmental effects. Examples of uniformly applicable development policies or standards include, but are not limited to:

(A) Regulations governing construction activities, including noise regulations, dust control, provisions for discovery of archeological and paleontological resources, stormwater runoff treatment and containment, protection against the release of hazardous materials, recycling of construction and demolition waste, temporary street closure and traffic rerouting, and similar regulations.

(B) Requirements in locally adopted building, grading and stormwater codes.

(C) Design guidelines.

(D) Requirements for protecting residents from sources of air pollution including high volume roadways and stationary sources.

(E) Impact fee programs to provide public improvements, police, fire, parks and other open space, libraries and other public services and infrastructure, including transit, bicycle and pedestrian infrastructure and traffic calming devices.

(F) Traffic impact fees.

(G) Requirements for reducing greenhouse gas emissions, as set forth in adopted land use plans, policies, or regulations.

(H) Ordinances addressing protection of urban trees and historic resources.

(8) "Urban area" is defined in Public Resources Code Section 21094.5(e)(5).

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

APPENDIX C

Jack London District 4th & Madison Project CEQA Analysis, Pursuant to California Resources Code Sections 21083.3 and 21094.5, and CEQA Guidelines Sections 15183 and 15183.3

Jack London District 4th & Madison Project

CEQA Analysis

Pursuant to California Resources Code Sections 21083.3 and 21094.5, and CEQA Guidelines Sections 15183 and 15183.3

Project Address:	180 4th Street – 431 Madison Street
Project Number:	ER 15-005
Zoning:	C-45 (Commercial Shopping Zone)
General Plan:	Mixed-Use Waterfront/Estuary Plan Area
APNs:	001-0161-001; 001-0161-002; 001-0161-007-07
Lot Size:	2.07 acres
Plan Area:	Estuary Policy Plan
Applicant:	Carmel Partners, Inc. 1000 Sansome Street, Suite 180 San Francisco, CA 94111
Staff Contact:	Peterson Vollmann, Planner III, pvollmann@oaklandnet.com

I. PURPOSE AND SUMMARY OF THIS DOCUMENT

Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning) allow streamlined environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." Section 15183(f) specifies that "an effect of a project on the environment shall not be considered peculiar to the project or the parcel for purposes of this section if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect."

Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Streamlining for Infill Projects) allow streamlined CEQA review for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision or by uniformly applicable development policies. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

The purpose of this document is to evaluate CEQA compliance of the proposed project to determine whether, and to what extent, the proposed project may qualify for (i) a qualified exemption pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15181, and (ii) a qualified infill exemption pursuant to Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3, with respect to the following resource categories: Aesthetics, Shadow and Wind; Agriculture and Forest Resources; Biology; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Mineral Resources; Population and Housing; Public Services; Recreation; Utilities and Service Systems.

Applicable Previous CEQA Documents / Program EIRs

Pursuant to CEQA Guidelines Section 15183(b) Section 15183(b), in approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

(1) Are peculiar to the project or the parcel on which the project would be located;

(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent;

(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or

(4) Are previously identified significant effects which, as a result of new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Pursuant to CEQA Guidelines Section 15183.3(c), CEQA does not apply to the effects of an eligible infill project under two circumstances. First, if an effect was addressed as a significant effect in a prior EIR for a planning level decision, that effect need not be analyzed again for an individual infill project even when that effect was not reduced to a less-than-significant level in the prior EIR. Second, an effect need not be analyzed, even if it was not analyzed in a prior EIR or is more significant that previously analyzed, if the lead agency makes a finding that uniformly applicable development policies or standards, adopted by the lead agency, apply to the infill project and would substantially mitigate that effect.

Depending on the effects addressed in the prior EIR and the availability of uniformly applicable development policies or standards that apply to the eligible infill project, streamlining under CEQA Guidelines Sections 15183 and 15183.3 will range from a complete exemption to an obligation to prepare a narrowed, project-specific environmental review document.

The following describes three prior EIRs for planning level decisions that analyzed development of the project site in a manner consistent with the land uses and densities that characterize the proposed project, and which constitute the previous CEQA documents considered in this analysis. Each of the following documents can be obtained from the City of Oakland (City) Planning and Building Division at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California 94612.

Land Use and Transportation Element EIR

In 1998, the City certified the Oakland General Plan Land Use and Transportation Element Environmental Impact Report, State Clearinghouse No. 97062089 (the "LUTE EIR"). The LUTE EIR analyzes the environmental effects associated with implementation of, and development under, the Land Use and Transportation Element (LUTE) of the City of Oakland General Plan. The LUTE identifies policies for utilizing Oakland's land as change takes place and sets forth an action program to implement the land use policy through development controls and other strategies. The LUTE identifies five "Showcase Districts" targeted for continued growth; the proposed project is located within the "Mixed-Use Waterfront/Estuary Policy Plan Area." This area is "intended to encourage, support and enhance the transformation of the land adjacent to the shoreline into vibrant mixed-use waterfront." Since the LUTE is an element of, and amends, the City's General Plan, the LUTE EIR qualifies as a "prior EIR for a planning level decision" for purposes of CEQA Guidelines Section 15183.3, and as a "prior EIR" for purposes of CEQA Guidelines Section 15183. Development of the Mixed-Use Waterfront/Estuary Plan Area, including the project site, with a maximum floor area ratio (FAR) of 5.0 was included in the growth projections factored into the LUTE EIR analysis.

Environmental Effects Summary – LUTE EIR

The LUTE EIR (including its Initial Study Checklist) determined that development consistent with the LUTE would result in the following impacts reduced to a less-than-significant level with the implementation of mitigation measures and/or standard conditions of approval: aesthetics (views, architectural compatibility and shadow only); air quality (construction dust and emissions in Downtown, odors); cultural resources (except as noted below less-than-significant); hazards and hazardous materials; land use (use and density incompatibilities); noise (use and density incompatibilities, including from transit/transportation improvements); population and housing (induced growth, policy consistency/clean air plan); public services (except as noted below)[1]; and transportation/circulation (intersection operations in Downtown).

Less-than-significant impacts were identified for the following resources in the LUTE EIR and Initial Study: aesthetics (scenic resources, light and glare); air quality (clean air plan consistency, roadway emissions in Downtown, energy use emissions, local/regional climate change); biological resources; cultural resources (historic context/settings, architectural compatibility); energy; geology and seismicity; hydrology and water quality; land use (conflicts in mixed use projects and near transit); noise (roadway noise in Downtown and citywide, multifamily near transportation/transit improvements); population and housing (exceeding household projections, housing displacement from industrial encroachment); public services (water demand, wastewater flows, stormwater quality, parks services); and transportation/circulation (transit demand). No impacts were identified for agricultural or forestry resources, and mineral resources.

[1] The LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under Public Services.

Significant unavoidable impacts were identified for the following environmental resources in the LUTE EIR: air quality (regional emissions, roadway emissions in Downtown); noise (construction noise and vibration in Downtown); public services (fire safety); transportation/circulation (roadway segment operations); wind hazards; and policy consistency (clean air plan). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Estuary Plan EIR

In 1998, the City certified the Oakland Estuary Plan Environmental Impact Report, State Clearing House No. 9803116 (the "Estuary Plan EIR"). The Estuary Plan EIR analyzes the environmental effects associated with implementation of, and development under, the City of Oakland's *Estuary Policy Plan*. The *Estuary Policy Plan* is designed as part of the LUTE, as is thus a component of the General Plan. The purpose of the *Estuary Policy Plan* is to provide more specific guidance regarding the three distinct regions of the Oakland waterfront: Jack London Square area, Embarcadero Cove area, and the Fruitvale Waterfront.[2] The *Estuary Policy Plan* provides a set of objectives, policies and implementation measures to guide development of 5.5 miles of waterfront along the Oakland Estuary. As the Plan states: "The *Estuary Policy Plan* presents recommendations related to land use, development, urban design, shoreline access, public spaces, regional circulation, and local street improvements for the entire waterfront and individual districts within it."[3]

The project site is located at the northeastern side of an area designated by the *Estuary Policy Plan* as the Jack London District, a 225-acre area between Adeline Street to the west and Oak Street to the east. Within the larger Jack London District, the project site lies within the "Waterfront Mixed Use" (also referred to as the "Mixed Use") land use designation, an approximately 15- to 20-block area on the eastern side of the Central Jack London District area. Since the *Estuary Policy Plan* amends the General Plan, the Estuary Plan EIR qualifies as a "prior EIR for a planning level decision" for purposes of CEQA Guidelines Section 15183.3, and as a "prior EIR" for purposes of CEQA Guidelines Section 15138. Development of the Mixed Use designation, including the project site, with a maximum FAR of 5.0 and a maximum residential density of 125 units per acre was included in the growth projections factored into the Estuary Plan EIR analysis.[4]

The Estuary Plan EIR's environmental impact analysis is presented and analyzed within the context of the LUTE. The Estuary Plan EIR is "tiered" from the LUTE EIR. The CEQA concept of "tiering" refers to the coverage of general environmental matters in broad program-level EIRs, with subsequent narrower EIRs for individual projects or plans that implement the broad program. The narrower "tiered" EIR incorporates by reference the general discussions in the program EIR and concentrates on project-specific issues. CEQA and CEQA Guidelines encourage the use of tiered EIRs to reduce delays and excessive

[2] City of Oakland, 1996. *General Plan*, Land Use and Transportation Element, page 93.
[3] City of Oakland, 1999. *Oakland Estuary Policy Plan,* page 7.
[4] Estuary Plan EIR, Chapter III.A.

paperwork in the environmental review process. Tiered EIRs accomplish these goals by eliminating repetitive analysis of issues that were adequately addressed in the program EIR and by incorporating those analyses by reference. The Estuary Plan EIR provides more site-specific details regarding implementation of the *Estuary Policy Plan* and its development plans, policies, goals and objectives, and relies on the LUTE EIR to assess more general and comprehensive issues relating to physical development in the City of Oakland. Thus, the *Estuary Policy Plan* and the Estuary Plan EIR should be viewed in conjunction with the LUTE and the LUTE EIR.

Pursuant to CEQA Guidelines Section 15152, the Estuary Plan EIR is focused to discuss only those impacts of the *Estuary Policy Plan* not mitigated or avoided as a result of the previous LUTE EIR. The Estuary Plan EIR considers impacts specific to the *Estuary Policy Plan* that were not considered in the LUTE EIR, as well as identifies those impacts that would occur with implementation of the *Estuary Policy Plan* that were addressed in the LUTE EIR. In addition to assessing the impacts associated with *Estuary Policy Plan* implementation, the Estuary Plan EIR is intended to be used by the Planning Commission and City Council to evaluate the environmental impacts of subsequent actions that are consistent with the *Estuary Policy Plan* or are intended to implement the *Estuary Policy Plan*, such as the proposed project.

Applicable mitigation measures and standard conditions of approval (also described in Section III of this document) identified in the Estuary Plan EIR are considered in the analysis in this document and are largely the same as those identified in the other Program EIR documents described in this section.

Environmental Effects Summary – Estuary Plan EIR

The Estuary Plan EIR (including its Initial Study Checklist) determined that development consistent with the *Estuary Policy Plan* would result in the following impacts reduced to a less-than-significant level with the implementation of mitigation measures and/or standard conditions of approval (described in Section III): hazards and hazardous materials (hazardous substance exposure at identified hazardous waste sites); land use (use and density incompatibilities); and biology (impacts on aquatic environment associated with waterfront pier construction).[5]

Less-than-significant impacts were identified for the following resources in the Estuary Plan EIR: aesthetics; air quality (except as noted below as significant); biological resources (except as noted above with respect to aquatic resources); cultural and historic resources (except as noted below); energy; geology and seismicity; hydrology and water quality; land use (except as noted above with respect to use and density incompatibilities); energy; geology and seismicity; hazards and hazardous materials (except as noted above with respect to identified hazardous waste sites); noise; population and housing; public services; transportation/circulation (impacts related to transit demand); and consistency with adopted state, federal, and local plans and policies (except as noted below). No impacts were identified for agricultural or forestry resources, and mineral resources.

[5] The Estuary Plan EIR evaluated biological impacts under the heading "Vegetation and Wildlife."

Significant unavoidable impacts were identified for the following environmental resources in the Estuary Plan EIR: air quality (regional emissions); transportation/circulation (traffic delays); historic resources (demolition of Ninth Avenue Terminal building); and policy consistency (Clean Air Plan and Bay Plan inconsistencies). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Oakland Housing Element Update EIR and Addendum

Since 2000, the City has twice amended its General Plan to adopt updates to its Housing Element. In 2010, the City certified the City of Oakland Housing Element Environmental Impact Report, State Clearinghouse No. 2009092065 as part of the 2010 Housing Element update, and adopted an addendum to that EIR in 2014 when the City again updated the Housing Element (collectively, the "Housing Element EIR"). Since the Housing Element is an element of, and amends, the City's General Plan, the Housing Element EIR qualifies as a "prior EIR for a planning level decision" for purposes of CEQA Guidelines Section 15183.3, and as a "prior EIR" for purposes of CEQA Guidelines Section 15183. The Housing Element identifies the City's current and projected housing needs, and sets goals, policies, and programs to address those needs, as specified by the state's Regional Housing Needs Allocation (RHNA) process. The current Housing Element designates Block B of the project site as a "Housing Opportunity Site," and the entire proposed project would contribute to the total number of housing units required by the City to satisfy its RHNA target. Applicable mitigation measures and standard conditions of approval identified in the Housing Element EIR are considered in the analysis of the residential components of the proposed project in this document.

Environmental Effects Summary – Housing Element EIR

The Housing Element EIR determined that housing developed pursuant to the Housing Element, which would include the project's residential component, would result in impacts that would be reduced to a less-than-significant level with the implementation of mitigation measures and/or standard conditions of approval: aesthetics (visual character/quality and light/glare only); air quality (except as noted below); biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials (except as noted below, and no impacts regarding airport/airstrip hazards and emergency routes); hydrology and water quality (except as noted below); noise; public services and recreation (police and fire only); and utilities and service systems (except as noted below).

Less-than-significant impacts were identified for the following resources in the Housing Element EIR: hazards and hazardous materials (emergency plans and risk via transport/disposal); hydrology and water quality (flooding/flood flows, and inundation by seiche, tsunami or mudflow); land use (except no impact regarding community division or conservation plans); population and housing (except no impact regarding growth inducement); public services and recreation (except as noted above, and no impact regarding new recreation facilities); and utilities and service systems (landfill, solid waste, and energy capacity only, and no impact regarding energy standards). No impacts were identified for agricultural or forestry resources, and mineral resources.

Significant unavoidable impacts were identified for the following environmental resources in the Housing Element EIR: air quality (toxic air contaminant exposure) and traffic delays. Due to the potential

for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

The Housing Element EIR, Estuary Plan EIR, and LUTE EIR are collectively referred to in this document as the "Program EIRs."

Previous Mitigation Measures and Current Standard Conditions of Approval

The CEQA Checklist provided in Section III of this document evaluates the potential project-specific environmental effects of the proposed project with respect to the following resources categories: Aesthetics, Shadow and Wind; Agriculture and Forest Resources; Biology; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Mineral Resources; Population and Housing; Public Services; Recreation; Utilities and Service Systems. The CEQA Checklist provided in Section III also evaluates whether such impacts were adequately covered by the Program EIRs to permit CEQA streamlining in accordance with Public Resources Code Sections 21083.3 and 21094.5 and CEQA Guidelines Sections 15183 and 15183.3. Mitigation measures identified in the Program EIRs are implemented through the City's Standard Conditions of Approval (SCAs).

The SCAs were initially and formally adopted by the Oakland City Council on November 3, 2008 (Ordinance No. 12899 C.M.S.), pursuant to Public Resources Code section 21083.3 and CEQA Guidelines Section 15183 (and now Section 15183.3). The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection Ordinance, Oakland Stormwater Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, National Pollution Discharge Elimination System requirements, Housing Element and other General Plan Element-related mitigation measures, California Building Code, Uniform Fire Code, Energy and Climate Action Plan, Complete Streets Policy, and Oakland Green Building Ordinance, among others), which are uniformly applicable and have been found to substantially mitigate environmental effects. The SCAs are imposed and enforced by the City as conditions of approval for individual development projects when and as such projects are approved by the City.

SCA Application in This CEQA Analysis

Several SCAs would apply to the proposed project as conditions of approval of the project's required discretionary approvals. Since implementation of the SCAs would be mandatory and enforceable requirements of the proposed project, they are considered in the environmental analysis included herein. SCAs that would apply to the proposed project are listed in Attachment A to this document.

II. PROJECT DESCRIPTION

This section describes the proposed Jack London District 4th & Madison Project (project), which is evaluated in this document. The section begins with a description of the project site, the local and planning context, and a discussion of relevant project background. These are followed by a detailed description of the project, and an explanation of required project approvals and entitlements.

Project Site

Location and Site Characteristics

The project site comprises approximately 90,169 square feet, or 2.07 acres, in the Jack London District in the City of Oakland. Oakland is located in Alameda County, and is bordered by San Francisco Bay, the Oakland Estuary and the City of Alameda to the west; the cities of Berkeley and Emeryville to the north; unincorporated Contra Costa County and Alameda County to the east; and the City of San Leandro to the south.

The project site is located at 180 4th Street and 431 Madison Street and encompasses 1.5 city blocks. It is bounded by Jackson Street to the west, 5th Street to the north, Madison Street to the east, and 3rd Street to the south. The project site is within one-half mile of the Lake Merritt Bay Area Rapid Transit (BART) station, and is located adjacent to (within a 200-foot radius of) Interstate 880 (I-880). Vehicular access to the site is provided via I-880 and the above-mentioned streets. Figure II-1 shows the project site's location in the local context.

The project site is composed of the following three Alameda County Assessor's Parcels:

APN 001-0161-001

APN 001-0161-002

APN 001-0161-007-07

The northern, larger, 1.38-acre parcel (APNs 001-0161-001 and 001-0161-002) comprises the entire block between 4th and 5th Streets and Jackson and Madison Streets (Block A). Two connected buildings located on this parcel, at 430 Jackson Street and 425 Madison Street, currently function as the corporate office headquarters of Cost Plus World Market. One building is a 45,000 square-foot, single-story warehouse building and the other contains 15,000 square feet of office space. The buildings currently house approximately 100 employees working as back office and sales staff.

Independent of the project, the Cost Plus World Market corporate offices will be vacating this location. Cost Plus World Market was acquired by Bed Bath & Beyond in 2012 and as a result, this office location is being phased out within the next 1 to 3 years.

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Source: Urban Planning Partners, Inc., 2015

Figure II-1
Jack London District 4th & Madison CEQA Analysis
Project Location Map

The southern, smaller, 0.69-acre parcel comprises one-half block at 431 Madison Street, between 3rd and 4th Streets and along Madison Street (Block B). It is a paved parking area consisting of wheel blocks, a drainage channel, a picnic area, and pole-mounted spot lights. The parking lot is currently used exclusively by Cost Plus World Market employees.

Surrounding Land Uses

A range of residential, commercial, and industrial uses surround the project, including several 5- to 10-story multi-family residential developments and mixed commercial and industrial uses, as outlined below.

The project is bounded on the north by 5th Street, a local road parallel and adjacent to the I-880 elevated interstate highway. Lakeside Recycling, a non-ferrous scrap metal recycling facility occupying approximately ½-acre, lies to the east of Block A along Madison Street. The Sierra at Jack London Square, a 10-story multi-family residential community, lies to the east of Block B along Madison Street. The project is bounded on its southern side by 3rd Street. The Allegro is a 5-story multi-family residential community to the south of Blocks A and B along 3rd Street. The Allegro also lies to the west of the project site, with one of its three buildings immediately adjacent to and sharing a city block (between 3rd and 4th Streets and Jackson and Madison Streets) with Block B on its west side. Single-story commercial properties lie to the west of Block A and include a hair salon, hospitality supply, and meat warehouse, and a 7-story multi-family residential community beyond, located at 428 Alice Street.

Existing General Plan and Zoning Designation

The General Plan land use classification for the project site, as established by the City's *Estuary Policy Plan* adopted June 1999,[6] is Mixed Use District (MUD).[7] The intent of the MUD land use classification is to encourage the development of nontraditional higher density housing (work/live, lofts, artist studios) within a context of commercial and light industrial/manufacturing uses.[8] The MUD land use classification states that future development in this area should be primarily light industrial, warehousing, wholesale, retail, restaurant, office, residential, work/live, loft units, parks, and public open spaces, with manufacturing, assembly, and other uses that are compatible with adjacent uses. The maximum intensity of development allowed within the MUD land use district is capped at a FAR of 5.0 per parcel and 125 housing units per acre.

The zoning designation for the project site, as established by Chapter 17.56 of the City of Oakland Municipal Code, is Community Shopping Commercial Zone (C-45). The C-45 zone is intended to create, preserve, and enhance areas with a wide range of both retail and wholesale establishments serving both

[6] The *Estuary Policy Plan* is considered part of the General Plan and supersedes the General Plan for the Estuary shoreline, extending from Adeline Street to 66th Avenue, including all of the lands on water side of I-880 within Port and City of Oakland jurisdiction.

[7] City of Oakland Planning and Building Department, 2014. General Plan Designations Map, November 18.

[8] City of Oakland and Port of Oakland, 1999. *Estuary Policy Plan*, Section IV: Moving Forward, page 133, June.

long- and short-term needs in compact locations oriented toward pedestrian comparison shopping, and is typically appropriate to commercial clusters near intersections of major thoroughfares. The C-45 zone allows for a wide range of uses supportive to its stated intent, including a variety of commercial activities; residential activities, including single-family and multi-family dwellings; light industrial; and limited agricultural activities.

Proposed Project

The project would construct approximately 330 apartments in two buildings consisting of five levels of wood frame construction (potentially with an additional mezzanine) over two levels of concrete. Further details regarding the proposed components of the project are provided in Table II-1 and the site plan for the first level of the building is shown in Figure II-2. The project would be approximately seven stories and 85 feet tall at the roofline.

Proposed Uses

The primary component of the project is the development of approximately 330 multi-family residential units. The unit mix would consist of approximately 21 studio, 185 one-bedroom, and 120 two-bedroom apartments. Residential units in both the Block A and Block B buildings would be organized around a central courtyard area. The Block A courtyard area would be larger than that of Block B and would house a pool and spa. Approximately 15,000 square feet of open space is proposed within the two courtyard areas.

Approximately 14,000 square feet of resident amenities would be provided by the project. In the Block A building; the amenity space would comprise approximately 10,000 square feet and includes a 2,805-square-foot fitness center and sport court or other activity area. The other, approximately 4,000 square feet of amenity space, would be housed in the Block B building and includes a resident lounge/clubhouse and/or fitness center. The leasing office for the project is included within the estimated square footage of amenity space noted for the Block A building. Additionally, up to 8,000 square feet of retail is currently proposed in Buildings A and B, fronting on 4th Street.[9] The above-mentioned project components are summarized in Table II-1.

Circulation and Parking

The proposed project would provide approximately 335 parking spaces on the first and second levels of Block A and B buildings. Bicycle parking, and electric vehicle parking would be included per City requirements. Sidewalks will be installed and curb and gutter will be preserved or installed along all project street frontages. This will include the installation of curb, gutter and sidewalk at Block A along 4th

[9] The current project plans show only approximately 4,700 square feet of retail. The City has indicated that they would support additional retail square footage incorporated into the project, and as a result, the proposed project has been analyzed in this EIR as including up to 8,000 square feet of retail.

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Source: CP V JLS, LLC, 2015

Figure II-2
Jack London District 4th & Madison CEQA Analysis
Conceptual Building Plan – Level 1

Table II-1 Project Components

Uses	
Residential Units	+/- 330
Studio (Standard Studios and Jr 1 Bedrooms)	+/- 21 (10%)
One-Bedroom	+/- 185 (50%)
Two-Bedroom	+/- 120 (40%)
Ground Floor Uses	
Residential Amenity Spaces	Lobby, Lounge, Fitness and Business Centers
Retail	up to 8,000 sq.ft.
Parking	
Parking Spaces	+/- 365
Parking Ratio	1.2:1

Note: The current project plans (dated November 9, 2015) show approximately 4,700 square feet of retail. The City has indicated that they would like additional retail square footage incorporated into the project, and as a result, the proposed project has been analyzed in this EIR as including up to 8,000 square feet of retail.
Source: CP V JLS, LLC, 2015.

Street where parking currently exists. Accessible curb ramps will remain at each corner of Block A, and at the corners of Madison Street and 3rd Street and Madison Street and 4th Street on Block B.

Construction Schedule

Development of the entire project site, as proposed, is anticipated to last approximately 26 months. Construction would begin after the current occupant has vacated the property. The existing warehouse building at Block A would be demolished and the parking lot at Block B would be removed. The building proposed for Block B is anticipated to be completed by month 19 of the schedule, and all construction would be completed in month 26.

As mentioned above, the project includes two buildings ("Building A" on Block A and "Building B" on Block B) of Type IIIa construction, including five levels of wood frame construction (potentially with an additional mezzanine) over two levels of Type I concrete. It is anticipated that the proposed podium structures can be supported on a mat foundation or shallow spread footings. Pile installation would not be a component of the project's construction as proposed. It is possible that during site preparation, foundation, and utility excavation that the project could encounter contaminated soils and/or groundwater. In addition, dewatering may be required. All management of potentially contaminated soil and groundwater would be conducted in accordance with existing State and local regulations and City SCAs (these are further described in the Hazards and Hazardous Materials and Hydrology and Water Quality subsections of this document).

Discretionary Actions

It is anticipated that this EIR will provide environmental review of all discretionary approvals and actions required for the proposed project. A number of permits and approvals would be required before development of the project could be initiated. As Lead Agency for the proposed project, the City of Oakland would be responsible for the majority of these approvals. Other agencies will have some authority related to the project and its approvals. A list of permits and approvals that may be required by the City without limitations, is provided in Table II-2.

Table II-2 Required Discretionary Permits and Approvals

Lead Agency	Permit/Approval
City of Oakland	Conditional Use Permit
	Design Review
	Grading & Encroachment Permits
	Tentative Parcel Map for Condominiums

Source: Urban Planning Partners, Inc., 2015.

III. CEQA CHECKLIST

Overview

This CEQA Checklist provides a summary of the potential environmental impacts that may result from adoption and implementation of the project, as evaluated in the Program EIRs, with respect to the following resource categories: Aesthetics, Shadow and Wind; Agriculture and Forest Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Mineral Resources; Public Services; Recreation; Utilities and Service Systems. Potential environmental impacts of development of the proposed project were analyzed and covered by the Program EIRs, and the EIR identified mitigation measures and SCAs[10] to address these potential environmental impacts.

This CEQA Checklist hereby incorporates by reference the Program EIRs' discussion and analysis of all potential environmental impact topics; only those environmental topics that could have a potential project-level environmental impact are included.

This CEQA Checklist provides a determination of whether the proposed project would result in:

- Equal or Less Severity of Impact Previously Identified in the Program EIRs;
- Substantial Increase in Severity of Previously Identified Significant Impact in Program EIRs; or
- New Significant Impact.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the Program EIRs, the checkbox for "Equal or Less Severity of Impact Previously Identified in the Program EIRs" is checked. Where the checkbox for "Substantial Increase in Severity of Previously Identified Significant Impact in Program EIRs" or "New Significant Impact" is checked, there are significant impacts that are:

- Peculiar to project or project site (per CEQA Guidelines Section 15183.3);
- Peculiar to the project or the parcel on which the project would be located (per CEQA Guidelines Section 15183);
- Not identified or analyzed in the Program EIRs (per CEQA Guidelines Sections 15183 and 15183.3);
- Due to substantial changes in the project (per CEQA Guidelines Section 15162);

[10] These are Development Standards that are incorporated into projects as SCAs, regardless of a project's environmental determination, pursuant, in part, to CEQA Guidelines Section 15183. As applicable, the SCAs are adopted as requirements of an individual project when it is approved by the City, and are designed to, and will, substantially mitigate environmental effects. In reviewing project applications, the City determines which of the SCAs are applied, based on the zoning district, community plan, and the type(s) of permit(s)/approvals(s) required for the project. Depending on the specific characteristics of the project type and/or project site, the City will determine which SCA applies to each project.

- Due to substantial changes in circumstances under which the project will be undertaken (per CEQA Guidelines Section 15162); or
- Due to substantial new information not known at the time one or more of the Program EIRs was certified (per CEQA Guidelines Sections 15162, 15183 or 15183.3).

The proposed project is required to comply with applicable mitigation measures identified in the Program EIRs, and with City of Oakland SCAs. The City implements the mitigation measures applicable to individual projects under the Program EIRs through adoption and enforcement of functionally equivalent SCAs. The project sponsor has agreed to incorporate and/or implement the required SCAs as part of the proposed project. This CEQA Checklist includes references to the applicable SCAs. A list of the SCAs is included in Attachment A, and is incorporated by reference into the CEQA Checklist analysis. If the CEQA Checklist (including Attachment A) inaccurately identifies or fails to list a SCA, the applicability of that SCA to the proposed project is not affected. If the language describing a SCA included in the CEQA Checklist (including Attachment A) is inaccurately transcribed, the language of the adopted City of Oakland SCAs shall control.

Attachments

The following attachments are included at the end of this CEQA Checklist:

A. Standard Conditions of Approval and Mitigation Monitoring and Reporting Program;
B. Infill Performance Standards, per CEQA Guidelines Section 15183.3;

Agricultural and Forestry Resources

Setting

Within Oakland, very little of the native landscape remains. Even in the City's parks and open spaces, much of the native vegetation has been overtaken by exotic and introduced species. The proposed project would be located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. Neither the project site nor any adjacent land has been identified as an agricultural resource or forest land, and there are no agricultural or forest uses in the vicinity. [11, 12]

Criteria of Significance and Summary of Previous CEQA Document Determinations

1. Agricultural and Forestry Resources Would the project:	Equal or Less Severity of Impact Previously Identified in the Program EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs	New Significant Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;	☒	☐	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract;	☒	☐	☐
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production	☒	☐	☐
d. Result in the loss of forest land or conversion of forest land to non-forest use; or	☒	☐	☐
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.	☒	☐	☐

[11] City of Oakland, 1996. *General Plan*, Open Space, Conservation, & Recreation Element, June.

[12] California Department of Conservation, 2015. Farmland Mapping and Monitoring Program, California Important Farmland Finder.

The Program EIRs did not identify any environmental effects related to agricultural or forest resources.

Project Analysis

As discussed above, the project site is located in a built urban environment. Neither the project site nor any adjacent land supports an agricultural or forest resource. The project therefore would not convert, or result in other changes that could result in the conversion of, Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and would not cause or result in the loss of forest land or conversion of forest land to non-forest use. Likewise, there are no lands subject to agricultural or timberland zoning restrictions within, or in the vicinity of, the project site, and no such lands are subject to a Williamson Act contract. Thus, the project would not conflict with the Williamson Act or agricultural or timberland zoning requirements.

Conclusion

Based on the above analysis the proposed project would not have any project-level or cumulative impact on agriculture or forest resources. The project's impacts on agricultural and forest resources would thus be equal to or less the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

Aesthetics, Shadow, and Wind

Setting

The project site is located in a built-out urban area, immediately adjacent to Interstate 880 (I-880) and surrounded by several multi-family residential developments, as well as industrial and warehouse structures. I-880 lies immediately north of the project site across 5th Street. The Oakland Estuary is located approximately one-third mile southwest of the project, with two 5-story residential structures immediately south and west of the project site, and other multi-story residential developments and industrial and warehouse structures between the project site and the Estuary. The project would be approximately 85 feet (7 stories) tall at the roofline and located on a relatively flat, urban site in an area that is already developed with existing buildings immediately adjacent to the project that are of a similar 5- to 10-story height.

Although originally an industrial area with former warehouse and distribution activities, the neighborhood has seen a shift towards a number of residential uses, some office uses, food-related businesses, as well as a mixture of service and support uses over the past 25 years, with some warehouses and distribution activities maintained. Many former industrial and warehouse buildings in the neighborhood have been adapted for reuse as lofts, live-work units, offices, and miscellaneous wholesale distributors. Several new multi-family residential projects have been developed in the immediate vicinity of the project site in recent years, including the Allegro, the Sierra at Jack London Square, 428 Alice, and the New Market Lofts.

The main use of the project site is currently as office space. Two connected buildings located on Block A, and at addresses 430 Jackson Street and 425 Madison Street, function as one building that serves as the corporate office headquarters of Cost Plus World Market. One building is a 45,000 square-foot, single-story warehouse building and the other contains 15,000 square feet of office space. The buildings currently house approximately 100 employees working as back office and sales staff. (Independent of the project, the employment presence of Cost Plus World Market in this location will terminate. Cost Plus World Market was acquired by Bed Bath & Beyond and as a result, this office location will be phased out within the next 1 to 3 years.) Block B is a paved parking area consisting of wheel blocks, a drainage channel, a picnic area, and pole-mounted spot lights. The parking lot is currently used exclusively by Cost Plus World Market employees.

Criteria of Significance and Summary of Previous CEQA Document Determinations

2. Aesthetics, Shadow, and Wind Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Have a substantial adverse effect on a public scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings,	☒	☐	☐

2. Aesthetics, Shadow, and Wind Would the project:	Equal or Less Severity of Impact Previously Identified in the Program EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs	New Significant Impact
located within a state or locally designated scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area;			
b. Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code Sections 25980 through 25986); or cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors;	☒	☐	☐
c. Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space; or, cast shadow on an historical resource, as defined by CEQA Guidelines Section 15064.5(a), such that the shadow would materially impair the resource's historic significance;	☒	☐	☐
d. Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses; or	☒	☐	☐
e. Create winds that exceed 36 mph for more than one hour during daylight hours during the year. The wind analysis only needs to be done if the project's height is 100 feet or greater (measured to the roof) and one of the following conditions exist: (a) the project is located adjacent to a substantial water body (i.e., Oakland Estuary, Lake Merritt or San Francisco Bay); or (b) the project is located in Downtown.	☒	☐	☐

Visual quality (scenic vistas, scenic resources, visual character, and light and glare) was analyzed in each of the Program EIRs.[13] All three found that effects to visual quality would be less-than-significant. The Housing Element EIR cites applicable SCAs that would ensure less-than-significant visual quality effects. The LUTE EIR and Estuary Plan EIR identified mitigation measures that would reduce the potential effects to less-than-significant, which have be implemented as, and are functionally equivalent to, the SCAs. With respect to shadow impacts, the Housing Element EIR found less-than-significant shadow effects with incorporation of applicable SCAs, and the LUTE EIR identified mitigation measures to reduce potential shadow effects to less-than-significant, which have implemented as, and are functionally equivalent to the SCAs. The Estuary Plan EIR did not identify any significant effects with respect to shadow impacts. With respect to wind impacts, the Housing Element EIR cited applicable SCAs that would ensure that wind effects would be less-than-significant. The LUTE EIR only found significant wind effects would occur in the City Center area of downtown, but did not identify any significant wind effects in the area of the project site. The Estuary Plan EIR did not identify any significant wind-related effects.

Project Analysis

Visual Quality

A view is defined as the ability to see something from a particular place. Buildings and natural elements such as trees or geologic features such as hills or rock outcroppings guide lines of sight and control view directions available to pedestrians and motorists. A view corridor is defined as a line of sight from a specific viewpoint toward an object of significance. A public view corridor is a line of sight in an area in which views are available from publicly accessible places, such as city streets, parks, and other public spaces. In the City of Oakland's General Plan Open Space, Conservation, and Recreation Element (OSCAR), Policy OS-10.1 states that projects are to *"protect the character of existing scenic views in Oakland, paying particular attention to: (a) views of the Oakland Hills from the flatlands; (b) views of downtown and Lake Merritt; (c) views of the shoreline; and (d) panoramic views from Skyline Boulevard, Grizzly Peak Road, and other hillside locations."* For purposes of this analysis, this policy has been used to define public scenic vistas.

There are no scenic views from the project site or adjacent properties that would be affected by the project. Views in the project area are typical of a dense, built-out urban environment and are limited because of the urban context. Several tall buildings exist in the vicinity of the project site and generally block views of the Oakland Hills or other hillside locations, Lake Merritt, and the shoreline from and adjacent to the project site. The Sierra at Jack London Square, a 10-story multi-family residential community, lies to the east of Block B along Madison Street, and the Allegro, a 5-story multi-family residential community, lies to the south of Blocks A and B along 3rd Street. To the west, one of the three Allegro buildings shares a city block with the Block B portion of the project site. Single-story commercial properties lie to the west of Block A, with and a 7-story multi-family residential community adjacent to the west of those single-story buildings (i.e., 428 Alice Street). Additionally, taller buildings in the

[13] See LUTE EIR at p. III.F-1 et seq.; Estuary Plan EIR at p. III.F-1 et seq.; Housing Element EIR, Appendix A, at p. 19 et seq.

adjacent Waterfront Warehouse District are visible from locations where low-rise buildings and/or parking lots permit partially unobstructed sight lines, or down street rights-of-way. Views within and outside of the Waterfront Warehouse District of potential public scenic vistas thus are generally limited by these existing buildings and the flat topography of surrounding areas, as well as the I-880 freeway just north of the project site. Given that the project would construct two buildings of heights similar to buildings immediately adjacent to and surrounding the project site, and that existing views are generally limited, the project would not have an adverse effect on any public scenic vista as defined above. Thus, with respect to Criterion 2.a, the project would not cause a significant project-level impact, or contribute to a significant cumulative impact, on a public scenic vista.

No designated scenic highway is in the immediate vicinity of the project site.[14] The nearest designated scenic highway is Macarthur Freeway, a portion of Interstate 580 (I-580) that is over 1.5 miles north of the project site.[15] The City of Oakland Scenic Highways Element and the California Department of Transportation identify the MacArthur Freeway as a scenic highway for the portion between San Leandro City limits and SR-24. As there are no scenic highways in the proximity of the project site, there are no views from such vantage points. Thus, based on the above analysis, the project would not adversely affect any scenic resources or vistas within a designated scenic highway or contribute to a significant cumulative impact to such resources.

Block A comprises the entire block between 4th and 5th Streets and Jackson and Madison Streets and is covered by a single-story warehouse building (this building is actually comprised of two connected buildings which together comprise 60,000 square feet of space currently used as office space by Cost Plus World Market). The building is situated within the boundaries of the Oakland Waterfront Warehouse District, which is listed in the National Register of Historic Places (National Register). Block B is a paved parking area consisting of wheel blocks, a drainage channel, a picnic area, and pole-mounted spot lights. The parking lot is currently used exclusively by Cost Plus World Market employees. Block B is located outside of, but adjacent to, the Waterfront Warehouse District.

The project includes the demolition of the existing building on Block A. Demolition of this building would alter the visual character of the site and its relation to the surrounding area. The existing warehouse building is a 1-story, rectangular-plan building that covers a full city block.[16] The warehouse on Jackson Street side is a reinforced concrete and wood post and beam structure with concrete and stucco exterior walls, metal sash windows, a straight parapet with fluted pilasters and round medallions. The corner at Jackson and 5th Streets is rounded and originally housed the offices for S & W Fine Foods.

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[14] California Department of Transportation, 2015. California Scenic Highway System. http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed March 12.

[15] California Department of Transportation, 2015. California Scenic Highway System. "Route 580 – Scenic Highway." http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed March 12.

[16] Information for the following paragraphs were compiled from Oakland Cultural Heritage Survey, *400-430 Jackson Street Evaluation Tally Sheet,* March 21, 1983, re-evaluated January 10, 1995; Jack London District Association, 2007. *Oakland Waterfront Warehouse District, A Self-Guided Walking Tour*; Wilda L. White, *National Register of Historic Places Registration Form, Oakland Waterfront Warehouse District,* August 9, 1999; and updated after February 2015 site visit.

The brick warehouse on Madison Street side is brick masonry with metal sash windows. The building's former use as a shipping, receiving, and branch warehouse for S & W Fine Foods, and other companies later, adds to the continuity of other similar uses in the area. However, the building itself lacks a distinct architectural design. It is located in a built-out urban area that now contains several new multi-story residential developments similar to the proposed project, including the Allegro, the 428 Alice Street project, the 288 3rd Street project, and the Sierra at Jack London. As a result, given that the type and size of project proposed is similar to other development in the surrounding area, and given that the building does not constitute a significant visual resource, its removal would not substantially degrade the visual character of the site or surroundings (the building's contribution to the historic character of the Oakland Waterfront Warehouse District is discussed below). The demolition of the building would therefore not be considered a significant visual quality impact.

Oakland's *Estuary Policy Plan* requires that new development "should be compatible with adjacent uses, and incorporate physical features that reinforce the district's unique scale, historic flavor and activities."[17] The plan also notes that uses, mass, setbacks, elevations, character-defining architectural features and appurtenances, building materials, and landscape are important characteristics of the Oakland Waterfront Warehouse District and the new structures should be sympathetic to the integrity and original design features of the Waterfront Warehouse District, as per the National Register's evaluation of integrity. As with all development in the planning area, the project would be required to comply with the City's Design Review process, which would factor these recommendations for new development in the *Estuary Policy Plan* area. Accordingly, the demolition of the existing Block A structure will be replaced with structures designed in accordance with City standards promoting compatibility with surrounding land uses, further reducing project impacts on the existing visual character or quality of the site and its surroundings.

In addition, the SCAs listed below would be adopted as requirements of the project to further ensure that the project will not cause significant impacts to aesthetic resources.

SCA 12: Required Landscape Plan for New Construction and Certain Additions to Residential Facilities

Prior to issuance of a building permit

Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following:

[17] City of Oakland, 1999. *Estuary Policy Plan,* Section III: District Recommendations, page 63.

a. Landscape Plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species.

b. Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions.

c. Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire-resistant The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant.

d. All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season.

Implementation of SCA 12, a requirement of the project, will further ensure that the project will not have a significant project-level impact, or contribute to a cumulative impact, on the existing visual character or quality of the site and its surroundings by ensuring the installation and permanent maintenance of project landscaping planted in accordance with a City-approved, project-specific landscape plan prepared consistent with applicable City regulatory requirements. Thus, based on the above analysis, and with implementation of SCA 12, the project will not cause any significant impact impacts to the visual character and quality of the site and its surroundings.

Light and Glare

The project site is located in a built-out urban area, among a variety of existing sources of light and glare from associated industrial, warehouse, residential, commercial, and live-work loft uses. The site is also situated in a context of local roadways and is adjacent to the I-880 freeway where street lighting projects light and glare during evening and nighttime hours. As a result, nighttime views in the area are limited by existing conditions in the vicinity of the project site, as is typical in a dense urban setting.

The project would result in a more intensive use than the existing 1-story warehouse building currently used as office space and the paved parking lot, as it would create two multi-story buildings in their place with more sources of light. The amount of light and glare emitted from the site would therefore be increased. However, this incremental increase would not substantially increase the overall ambient light levels in the project area, as light and glare produced from the proposed project would be typical of residential and live-work loft structures immediately adjacent to the project, and throughout the Jack London District and greater downtown area. Moreover, the project would be required to prepare a lighting plan in compliance with the following SCA, which would ensure that impacts by the project related to light or glare are less-than-significant.

SCA 39: Lighting Plan

Prior to the issuance of an electrical or building permit

The proposed new lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.

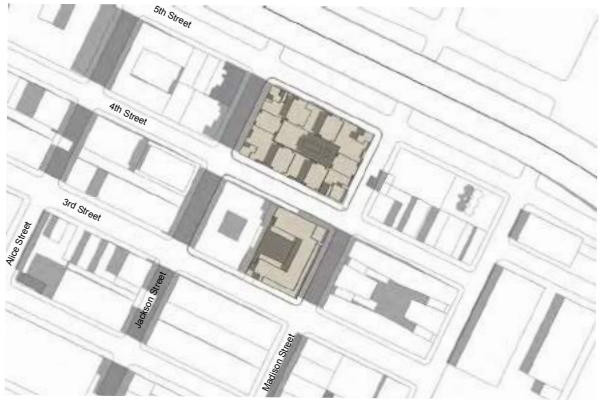
Implementation of SCA 39 would further reduce the project's minimal increase in light and glare as compared to baseline conditions by ensuring that the project installs shielded lighting fixtures that will ensure that properties adjacent to the project site are not exposed to unnecessary light and glare. A final lighting plan showing the precise location, size and type of fixtures to be installed will be prepared at later stages of final design for the project. Based on the above analysis, and with implementation of SCA 39, the project will not cause any significant impacts related to light and glare.

Shadow and Wind

The existing warehouse building on Block A of the project site, which comprises an entire city block between 4th and 5th Streets and Jackson and Madison Streets, and is a single story tall, casts minimal shadow from the project site. Block B is a paved parking lot with no existing buildings or other vertical structures, aside from one or two pole-mounted spot lights, and thus casts minimal to no shadows. No trees or other landscape exist on the project site. A couple of street trees exist around the perimeter of Block B in the public right-of-way, and several other street trees are situated adjacent to Block A on 4th and Jackson Streets. There are also no major public open spaces directly adjacent to the project site. Estuary Park is located along the estuary shore more than ¼ mile to the southeast, and other public plazas located in Jack London Square are located about ¼ mile southwest of the project site.

The project would construct two buildings (Buildings A and B) at 85 feet in height. The most comparably scaled buildings in the vicinity of the project site include: the Allegro Building, at about 57 feet in height; the Sierra at Jack London Square, a 10-story building at least 100 feet in height; the Fourth Street Lofts Building, at about 60 feet in height; and the 428 Alice Street project, 85 feet.

As shown in Figures III-1 and III-2, the project, including its landscaping, would cast a relatively small amount of new shadow on adjacent sidewalks and buildings during the morning and midday most of the year, with more significant shadows cast on buildings to the true north and northwest in the morning and mid-day during the winter months. Although not a significant effect, the project would cast shadow on 4th and 5th Streets (true north and west), and on properties west of Jackson Street and between 4th and 5th Streets, in the early morning during the winter months (see Figures III-1 and III-2). Minimal to no shadow would be cast by the project during other times of day and months of the year. However, the project would not cast shadows on any public open space or any quasi-public park, lawn, garden, or other open space. Based on the above analysis, with respect to Criterion 2.c, the project would not cause any significant impacts related to shadow effects on park and open space resources.



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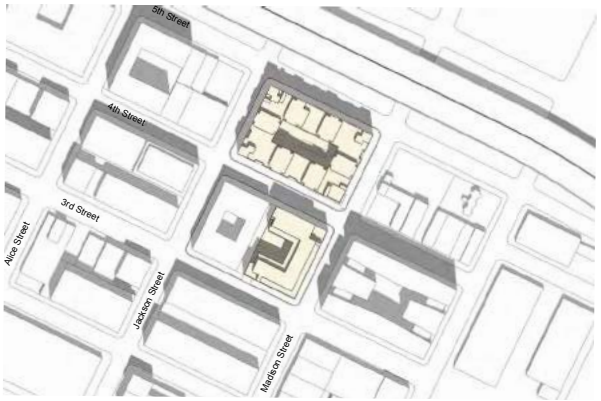

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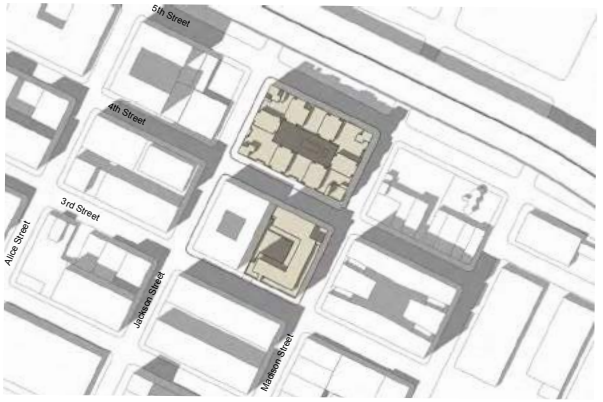

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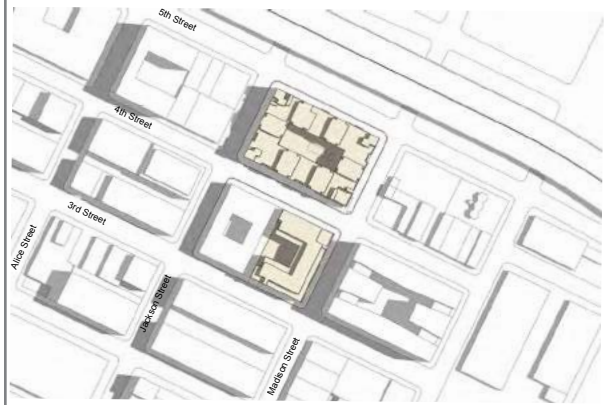

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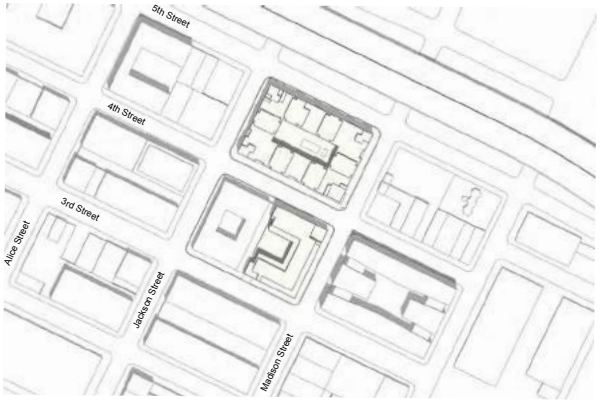

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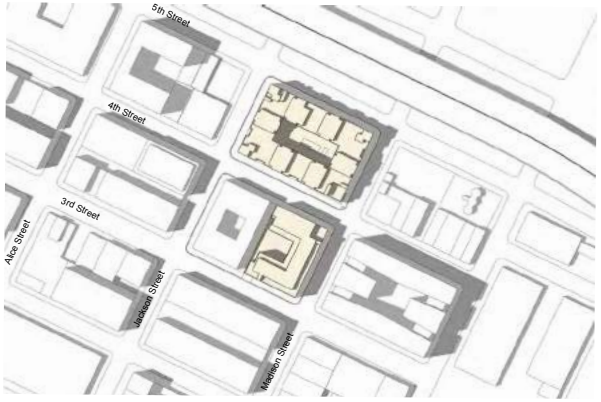

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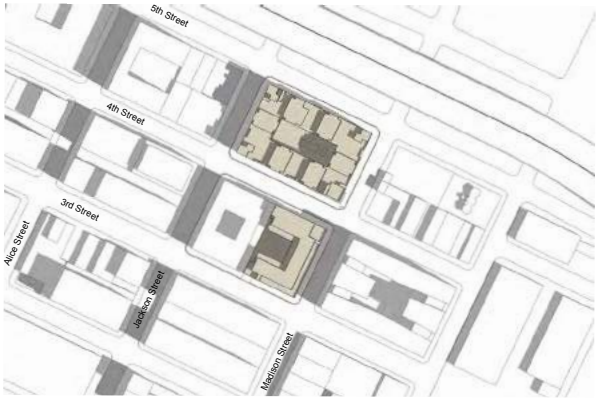
Source: KTGY, Inc.

Figure III-1
Jack London District 4th & Madison CEQA Analysis
Solar Study



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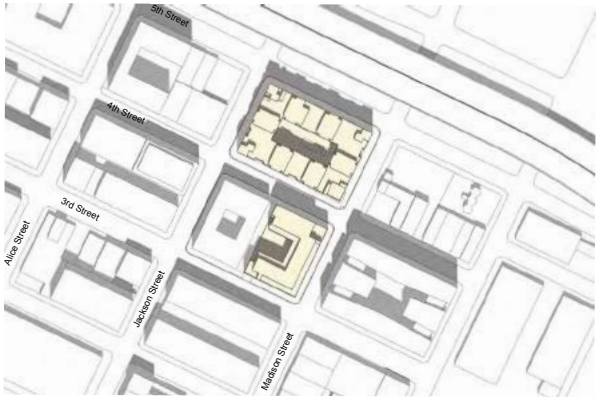

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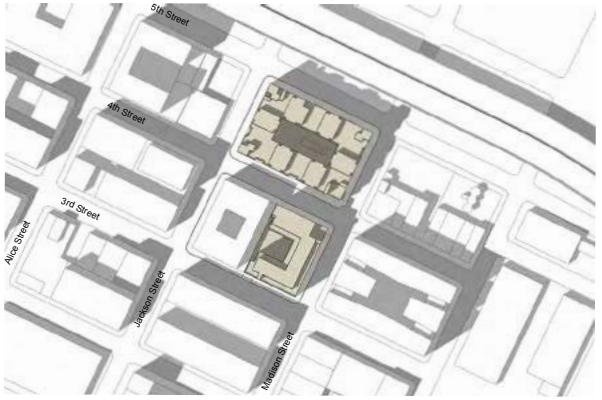

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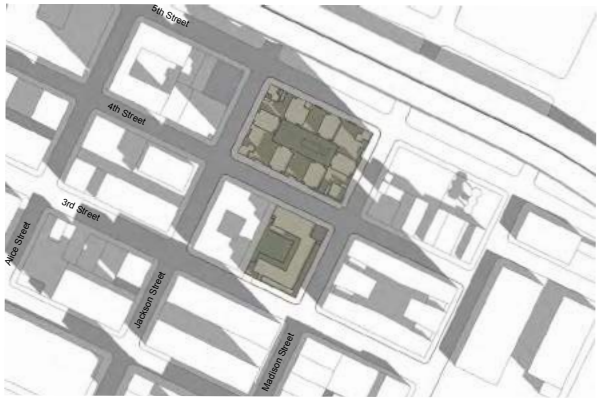

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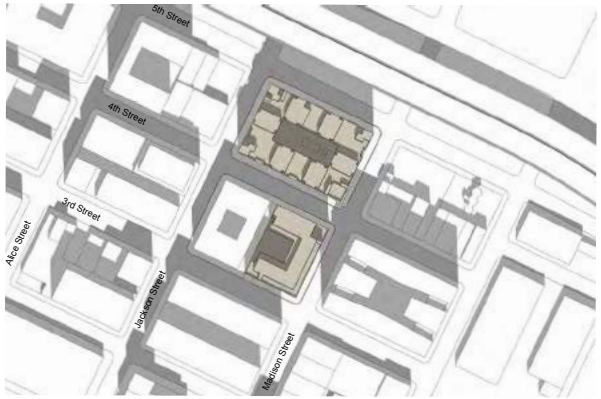

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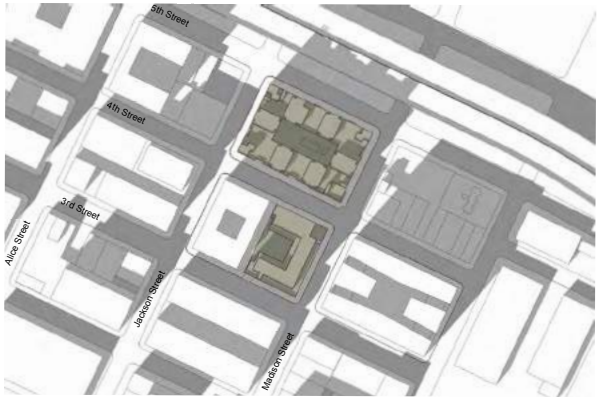

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Source: KTGY, Inc.

Figure III-2
Jack London District 4th & Madison CEQA Analysis
Solar Study

Given that the project would be similar in height to many of the existing buildings immediately adjacent to the project site, and that the project would cast most shadow on 4th and 5th Streets to the north and northwest of Buildings A and B (see Figures III-1 and III-2), the project is not anticipated to cast shadow that would substantially impair the function of existing solar collectors or buildings using passive solar heat. Based on the above analysis, with respect to Criterion 2.b, the project would not cause a significant impact or contribute to a cumulatively significant impact.

The location of the proposed project is at the far northeast corner of the Oakland Waterfront Warehouse District. Given that the proposed project is anticipated to cast most shadow to the north and northwest, and minimal or no shadow in other directions at other times of day and year, the project is not anticipated to cast substantial shadow onto the area that comprises the Oakland Waterfront Warehouse District and designated Areas of Primary Importance (API). As a result, the project is not anticipated to cast shadow on the Waterfront Warehouse District such that the shadow would materially impair the significance of the historic resource(s), or its eligibility for listing in the National Register of Historic Places, California Register of Historical Resources, or identification as an API. Based on the above analysis, the project would not cause any significant impacts related to shadow effects on historic resources.

The project would not require a variance to the policies and regulations in the General Plan, Planning Code or Uniform Building Code, that would cause a fundamental conflict with any existing policies and regulations addressing the provision of adequate light. Thus, the project will not cause a significant impact or contribute to a cumulatively significant impact.

As proposed, the project is less than 100 feet in height and is not located adjacent to a substantial water body or located in Downtown; a wind analysis is therefore not required.

Implementation of the proposed project in combination with other reasonably foreseeable development in the project vicinity proposed under the City's long-range planning documents would not result in significant adverse changes to the visual environment, including visual character and views, light and glare, shadow and wind. New multifamily residential and commercial infill development may occur in the project site vicinity. New development would, in general, occur as infill redevelopment projects that replace existing development with more intense development as the project site vicinity is largely built out. All future development that could occur in the project site vicinity would be required to adhere to established restrictions, guidelines, policies, and criteria that address building appearance, height, bulk, and configuration, and the type of land use. Therefore, it is reasonable to assume that future development would not necessarily constitute an adverse effect on the visual character of the area, or generate substantial amounts of new light and glare, shadow and wind. Thus, there would be no significant cumulative aesthetic, shadow, or wind impacts, nor would the effect of the proposed project, in combination with other foreseeable projects, be cumulatively considerable.

Conclusion

Based on the above analysis, and with implementation of the SCAs identified above, the proposed project would not have any project-level or cumulative impact related to visual resources, shadow or wind. The project's impacts related to visual resources, shadow and wind would be equal to or less than the level of

impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

Biology

Setting

Within Oakland, very little of the native landscape remains. Even in the City's parks and open spaces, much of the native vegetation has been overtaken by exotic and introduced species. Most natural areas in the project vicinity have been completely developed more than a century ago and the only remaining open space consists of urban parks, where vegetation is landscaped and dominated by turf grasses and non-native trees. The project site is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses and does not currently support natural or native plant communities. Wildlife found in the vicinity of the proposed project site may include the occasional striped skunk, Virginia opossum, raccoon, as well as more commonly, American goldfinch and house finch. The project site likely provides habitat for only a few highly adaptable, generally non-native species, such as European starling, house sparrow, and Norway rat. No wetlands or streams are located on or in the immediate vicinity of the project site.

The project site lies within a heavily urbanized area of Oakland, adjacent to major railroad and freeway corridors, which provide major impediments to wildlife movement. In light of its highly disturbed nature, no special status animal or plant species are expected to occur at the project site. The project site is not located within any designated critical habitat units, nor is it located within a sensitive natural community.[18] The proposed project would be replacing an existing office and warehouse in the Block A portion of the site, and a parking lot in the Block B portion of the site. The existing Cost Plus World Market office/warehouse structure is built out to the property lines on Block A, and is a fully paved parking lot to the edge of the property lines on Block B. The project site contains no trees or other plants, has no habitat value, and is not within or near a riparian corridor.

Criteria of Significance and Summary of Previous CEQA Document Determinations

3. Biological Resources Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or	☒	☐	☐

[18] United States Fish and Wildlife Service, Critical Habitat Map. http://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77. Accessed 2015

3. **Biological Resources** Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
U.S. Fish and Wildlife Service; Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or state protected wetlands, through direct removal, filling, hydrological interruption, or other means; Substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;			
b. Fundamentally conflict with the City of Oakland Tree Protection Ordinance (Oakland Municipal Code [OMC] Chapter 12.36) by removal of protected trees under certain circumstances; or Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.	☒	☐	☐

All of the Program EIRs determined that project effects to biological resources would be less than significant and no mitigation was required.[19]

[19] LUTE EIR, Section III.H, p. III.H-1 et seq.; Estuary Plan EIR, Section III.H, p. III.H-1 et seq.; Housing Element EIR, Appendix A, p. 45 et seq.

Project Analysis

The project site does not provide a habitat for any plant or animal species and is not located within a designated habitat area, including Resource Conservation Areas designated by the City.[20] Given the existing, long-standing (the past 80 years) urban setting and that the site has been disturbed by development, the site is unlikely to be a part of an established native resident or migratory wildlife corridor. Accordingly, the project would not have a substantial direct or indirect effect on any species identified as candidate, sensitive, or special status species in a local or regional plans, policies, or regulations by CDWF or USFWS. The project site is not located within or near a riparian corridor, wildlife movement corridor, wetland area, or other sensitive natural community and thus the project would not have a substantial adverse effect on such resources. For the same reasons, the project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species. There are no habitat conservation plans or natural community conservation plans applicable to the project site or the surrounding properties, and the project would not conflict with any local policies or ordinances protecting biological resources, including the City's Tree Protection Ordinance and Creek Protection Ordinance, as there are no tree or creek resources within the project site.[21]

The project vicinity is already heavily urbanized and habitat values have been reduced over time through a variety of historical and current land uses. In the unlikely event any future projects might adversely affect a special status plant or animal species or its habitat, however, such future projects would be required to comply with local, state, and federal wildlife laws and policies and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts on biological resources. Therefore, given the heavily urbanized context, the effect of the project on biological resources, in combination with other foreseeable similar projects, would be less than significant, and the incremental contribution of the proposed project to such effect would not be cumulatively considerable.

Conclusion

Based on the above analysis, the proposed project would not cause any significant biological impacts, nor would the effect of the proposed project on biological resources, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to biological resources would be equal to or less the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

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[20] City of Oakland, 2014. General Plan Designations Map, November 18.

[21] City of Oakland, 1996. *General Plan.* Open Space, Conservation, & Recreation Element, June.

Cultural Resources

Setting

The project site is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. The proposed project would be replacing an existing office and warehouse in the Block A portion of the site, and a parking lot in the Block B portion of the site. The existing Cost Plus World Market office/warehouse structure is built out to the property lines on Block A, and is a fully paved parking lot to the edge of the property lines on Block B.

Carey & Company conducted a records search to identify the baseline conditions for cultural resources in the project area. Their analysis included a records search (File # 15-0038) of the project area at the Northwest Information Center (NWIC) of the California Historical Resources Information System, Sonoma State University, Rohnert Park. The NWIC is the official state repository of cultural resource records and reports for Alameda County.

Two historic resources have been recorded or otherwise identified in the project area: one is the Warehouse Waterfront Historic District and the other a building within the District. Both are described in more detail in the Historic Resources section of this analysis. The project area's low archaeological sensitivity is indicated by the absence of recorded archaeological sites.

Criteria of Significance and Summary of Previous CEQA Document Determinations

4. Cultural Resources Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 15064.5;	☒	☐	☐
b. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries.	☒	☐	☐

The Housing Element EIR found that the effects to cultural resources (i.e., archaeological and paleontological resources, and human remains) would be less than significant with implementation of

SCAs.[22] The LUTE EIR and Estuary Plan EIR determined that the effects to cultural resources would be less than significant with implementation of mitigation measures, which have been implemented as, and are functionally equivalent to, the SCAs.[23]

Project Analysis

As the project area has been subject to continuous urban development over the past century, any archaeological or paleontological remains would be buried by fill. Carey & Company conducted a records search to identify the baseline conditions for cultural resources in the project area. Their analysis included a records search (File # 15-0038) of the project area at the Northwest Information Center (NWIC) of the California Historical Resources Information System, Sonoma State University, Rohnert Park. The NWIC is the official state repository of cultural resource records and reports for Alameda County. Two historic resources have been recorded or otherwise identified in the project area: one is the Warehouse Waterfront Historic District and the other a building within the District. Both are described in more detail in the Historic Resources section of this analysis. The project area's low archaeological sensitivity is indicated by the absence of recorded archaeological sites.

No prehistoric sites have been recorded within the project area, which has been subject to significant alteration for over a 100 years, which has likely resulted in the destruction of any surface evidence of prehistoric activities. Moreover, the project site is located in alluvial flats, which tend to be considered of low potential for discovery of cultural resources that would qualify as scientifically significant. However, inadvertent damage to significant buried archaeological or paleontological deposits during construction would be significant impact. The following SCAs are required to ensure that, in the event any such archaeological or paleontological resources or human remains are encountered during project excavation or construction activities on site, such resources would be addressed and that related impacts will reduced to a less than significant level:

SCA 51: Archaeological Resources

Ongoing throughout demolition, grading, and/or construction

a) Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All

[22] Housing Element EIR, Appendix A, pp. 72 – 75.
[23] LUTE EIR, Section III.G, p. III.G-1 et seq.; Estuary Plan EIR, Section III.G, p. III.G-1 et seq.

significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.

b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.

c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure or measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.

SCA E: Archaeologically Resources – Sensitive Areas

Prior to issuance of a demolition, grading, or building permit

The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision D (Construction ALERT Sheet). However, if in either case a high potential presence of historic-period archaeological resources on the project site is indicated, or a potential resource is discovered, the project applicant shall also implement all of the following provisions:

- Provision A (Intensive Pre-Construction Study),
- Provision B (Construction-Period Monitoring),
- Provision C (Avoidance and/or Find Recovery), and
- Provision D (to establish a Construction ALERT Sheet if the Intensive Pre-Construction Study was originally implemented per Provision A, or to update and provide more specificity to the initial Construction ALERT Sheet if a Construction Alert Sheet was originally implemented per Provision D).

Provision A through Provision D are detailed as follows:

Provision A: ***Intensive Pre-Construction Study*** **–** The project applicant, upon approval from the City Planning and Zoning Division, may choose to complete a site-specific, intensive archaeological resources study prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of

history-period archaeological resources on the project site. If that approach is selected, the study shall be conducted by a qualified archaeologist approved by the City Planning and Zoning Division. If prepared, at a minimum, the study shall include:

- An intensive cultural resources study of the project site, including subsurface presence/absence studies, of the project site. Field studies conducted by the approved archaeologist(s) may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources;
- A report disseminating the results of this research.
- Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.

If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, below), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, below), and prepare an ALERT Sheet that details what could potentially be found at the project site (see Provision D, Construction ALERT Sheet, below).

Provision B: ***Construction-Period Monitoring*** **-** Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT Sheet, require per Provision D, Construction ALERT Sheet, below) and the procedures to follow if any are encountered, field recording and sampling in accordance with the Secretary of Interior's *Standards and Guidelines for Archaeological Documentation*, notifying the appropriate officials if human remains or cultural resources are discovered, or preparing a report to document negative findings after construction is completed. If a significant archaeological resource is discovered during the monitoring activities, adherence to Provision C, Avoidance and/or Find Recovery, discussed below), would be required to reduce the impact to less than significant. The project applicant shall hire a qualified archaeologist to monitor all ground-disturbing activities on the project site throughout construction.

Provision C: ***Avoidance and/or Find Recovery*** **-** If a significant archaeological resource is present that could be adversely impacted by the proposed project, the project applicant of the specific project site shall either:

- Stop work and redesign the proposed project to avoid any adverse impacts on significant archaeological resource(s); or,
- If avoidance is determined infeasible by the City, design and implement an Archaeological Research Design and Treatment Plan (ARDTP). The project applicant shall hire a qualified archaeologist who shall prepare a draft ARDTP that shall be submitted to the City Planning and Zoning Division for review and approval. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to

possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical. The project applicant shall implement the ARDTP. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant.

Provision D: ***Construction ALERT Sheet*** **-** The project applicant, upon approval from the City Planning and Zoning Division, may choose to prepare a construction ALERT sheet prior to soil-disturbing activities occurring on the project site, instead of conducting site-specific, intensive archaeological resources pursuant to Provision A, above. The project applicant shall submit for review and approval by the City prior to subsurface construction activity an "ALERT" sheet prepared by a qualified archaeologist with visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor; any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving); and/or utilities firm involved in soil-disturbing activities within the project site.

The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, that in the event of discovery of the following cultural materials, all work must be stopped in the area and the City's Environmental Review Officer contacted to evaluate the find: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones.

Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel.

If the project applicant chooses to implement Provision D, Construction ALERT Sheet, and a potential resource is discovered on the project site during ground disturbing activities during construction, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, above), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, above), and prepare an updated ALERT Sheet that addresses the potential resource(s) and other possible resources based on the discovered find found on the project site.

SCA 52: Human Remains

Ongoing throughout demolition, grading, and/or construction

In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

Implementation of SCAs 51, E, and 52 will ensure that project does not destroy or cause a substantial adverse change in the significance of archaeological, paleontological, or unique geologic features by establishing procedures for training construction personnel with respect to identifying potential cultural resources discovered during construction activities, requiring the cessation of all work in the vicinity of a discovered cultural resource, and by ensuring qualified expert assessment of any such find. If any find is determined to be significant, these SCA's ensure implementation of necessary and feasible avoidance measures, as well as scientific data recovery, excavation, and curation of such resources when avoidance is infeasible. With respect to the discovery of human remains during project construction, implementation of SCA 52 also ensures that the County Coroner will be promptly notified, following an immediate halt of all construction activities, and that NAHC is informed of the discovery of any Native American remains. Thus, with implementation of SCA's 51, E, and 52, the project's impact on cultural resources will be less than significant.

Although there is the potential for future development project in the vicinity to disturb land that may contain known or unknown cultural resources, future projects with potentially significant impacts to cultural resources would be required to comply with federal, state, and local regulations and ordinances protecting cultural resources through implementation of the same SCAs during construction. Therefore, the potential construction impacts of the project in combination with other projects in the area would not contribute to a cumulatively significant impact on cultural resources.

Conclusion

Based on the above analysis, the proposed project would not cause any significant cultural resource impacts, nor would the effect of the proposed project on cultural resources, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to cultural resources would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information that shows that the project's related adverse effects are more significant than described in the Program EIRs.

Geology, Soils, and Geohazards

Setting

The project site is located within the San Francisco Bay Block of the Coast Ranges geologic province of California. The Bay Block is a fault-bound crustal rock mass bounded by the San Andreas Fault to the west and the Hayward Fault to the east. The nearest active fault to the project site is the Hayward fault, approximately 3.7 miles to the east. Other nearby faults include the Calaveras Fault, approximately 14.2 miles to the east, and the San Andreas Fault, approximately 14.3 miles to the west. The project site is not located within a State of California Alquist-Priolo Earthquake Fault Zone,[24] nor within a mapped liquefaction hazard zone.[25] Moreover, the project site is not located within an area subject to landslides.

Based on subsurface testing performed for the Preliminary Geotechnical Assessment, soils at the project site consist of heterogeneous alluvium (clay, silt, and sand) to a depth of at least 50 feet, the limits of exploration for the assessment.[26] The assessment did not identify any clayey soils within the upper 15 feet of exploration.[27] The project site does not contain wells, pits, swamps, mounds, tank vaults, or unmarked sewer lines; is not located above a landfill; and is located in an area served by municipal wastewater systems.

Criteria of Significance and Summary of Previous CEQA Document Determinations

5. Geology, Soils, and Geohazards Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Expose people or structures to substantial risk of loss, injury, or death involving: • Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or Seismic Hazards Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; • Strong seismic ground shaking; • Seismic-related ground failure, including liquefaction, lateral spreading, subsidence,	☒	☐	☐

[24] California Geographic Survey (CGS), 2003. State of California Special Studies Zones, Oakland West Quadrangles.
[25] California Geographic Survey (CGS), 2003. State of California Special Studies Zones, Oakland West Quadrangles.
[26] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.
[27] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.

5. Geology, Soils, and Geohazards Would the project:	Equal or Less Severity of Impact Previously Identified in the Program EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs	New Significant Impact
collapse; or • Landslides;			
b. Be located on expansive soil, as defined in section 1802.3.2 of the California Building Code (2007, as it may be revised), creating substantial risks to life or property; result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways.	☒	☐	☐
c. Be located above a well, pit, swamp, mound, tank, vault, unmarked sewer line, or landfill for which there is no approved closure or post-closure plan, or unknown fill soils, creating substantial risks to life or property; or have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems were sewers are not available.	☒	☐	☐

Each of the Program EIRs determined that effects related to geology, soils, and geohazards would be less than significant with implementation of SCAs or mitigation measures that have been implemented as, and are the functional equivalent to, SCAs.[28]

Project Analysis

As discussed above, the project site is not located within a State of California Alquist-Priolo Earthquake Fault Zone,[29] and therefore the project is unlikely to expose people or structures to substantial risk or loss, injury, or death involving ground rupture during an earthquake. As such, any potential project impact related to ground rupture risk would be less than significant and no mitigation is required.

The project site is likely to experience strong seismic-related ground shaking during the life of the project. The U.S. Geological Survey's (USGS) Working Group on California Earthquake Probabilities estimated

[28] LUTE EIR, Section III.K, p. III.K-1 et seq.; Estuary Plan EIR, Section III.K, p. III.K-1 et seq.; Housing Element EIR, Appendix A, p. 77 et seq.

[29] California Geographic Survey (CGS), 2003. State of California Special Studies Zones, Oakland West Quadrangles.

that there is a 63 percent probability that one or more moment magnitude (M_w)[30] 6.7 or greater earthquakes will occur in the San Francisco Bay Area between 2007 and 2036. For those individual faults nearest the project site, the probability of a M_w 6.7 magnitude or greater earthquake was estimated to be 31 percent along the Hayward Fault, 7 percent along the Calaveras Fault, and 21 percent along the San Andreas Fault.[31] This potentially significant project impact would, however, be reduced to a less than significant level through implementation of SCA 4, which requires compliance with all applicable federal, state, regional, and local laws and codes, including but not limited to those imposed by the City's Building Services Division and as set forth in the Oakland Municipal Code Title 15, Buildings and Construction (the "Oakland Building Code").

Through implementation of SCA 4, project design would be subject to the Oakland Building Code, which incorporates the California Building Code (CBC) and includes numerous requirements to address site-specific seismic impacts. The CBC requires that a site-specific geotechnical investigation report be prepared by a licensed professional for proposed developments of one or more buildings greater than 4,000 square feet to evaluate geologic and seismic hazards. Chapter 16 of the CBC provides guidelines for calculation of seismic design parameters based on the ground movement created by the maximum credible earthquake at the site. These parameters are designed to ensure that structures are able to resist minor earthquakes undamaged, resist moderate earthquakes without significant structural damage, and resist severe earthquakes without collapse. The City's Building Official is responsible for reviewing the project's building permit application, structural drawings and calculations, and geotechnical report and ensuring that the proposed project complies with the seismic safety standards and other applicable requirements of the Oakland Building Code. Project compliance with the Building Code would ensure that the risk of loss, injury, or death involving strong seismic ground shaking and seismic-related ground failure would be low. With implementation ofCBC requirements, this impact would be less than significant, and no additional mitigation measures are necessary.

The project site is not located within a mapped liquefaction hazard zone.[32] The Preliminary Geotechnical Assessment for the project evaluated the site-specific potential for liquefaction and found the potential for settlement as a result of liquefaction to be less than three inches overall with approximately 1.5 inches of differential settlement over 50 feet.[33] The potential for lateral spreading, subsidence, or collapse was determined to be low to negligible.[34] As such, any related project impacts would be less than significant and no mitigation is required.

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[30] Moment magnitude (M_W) is now commonly used to characterize seismic events as opposed to Richter Magnitude. Moment magnitude is determined from the physical size (area) of the rupture of the fault plane, the amount of horizontal and/or vertical displacement along the fault plane, and the resistance to rupture of the rock type along the fault.

[31] United States Geological Survey (USGS), 2008. *Forecasting California's Earthquakes – What Can We Expect in the Next 30 Years*, USGS Fact Sheet 2008-3027.

[32] California Geographic Survey (CGS), 2003. State of California Special Studies Zones, Oakland West Quadrangles.

[33] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.

[34] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.

The project site is not located in an area associated with landslide risk, and therefore the project would not expose people or structures to substantial risk or loss, injury, or death involving landslides. Moreover, the Preliminary Geotechnical Assessment for the project evaluated the site-specific potential for landslide risk, which was determined to be low to negligible. As such, any related project impacts would be less than significant and no mitigation is required.

If not properly managed, excavation and grading activities could result in loss of topsoil (erosion and sedimentation) and the impacts to receiving water quality could be significant. However, because project development involves more than 500 cubic yards of excavation and fill, earthmoving activities at the project site must be conducted under a grading permit in accordance with City of Oakland Municipal Code section 15.04.660. Among other requirements, erosion control best management practices would be required under SCA 33, an Erosion and Sediment Control Plan would be required under SCA 54, and a Stormwater Pollution Prevention Plan would be required under SCA 74:

SCA 33: Erosion and Sedimentation Control

Ongoing throughout demolition, grading, and/or construction activities

The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. Plans demonstrating the Best Management Practices shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.

SCA 54: Erosion and Sedimentation Control Plan

Prior to any grading activities:

a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to section 15.04.660 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment.

Ongoing throughout grading and construction activities:

b) The project applicant shall implement the approved erosion and sedimentation control plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

SCA 74: Stormwater Pollution Prevention Plan (SWPPP)

Prior to and ongoing throughout demolition, grading, and/or construction activities

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

Adherence to the requirements of SCAs 33, 54, and 74 would reduce any potential project impacts related to soil erosion or loss of topsoil to a less-than-significant level by implementing all necessary measures required to prevent erosion and sedimentation and to manage stormwater runoff to prevent substantial soil erosion or loss of topsoil. No further mitigation is required to reduce this impact to a less than significant level.

Based on subsurface testing performed for the Preliminary Geotechnical Assessment, soils at the project site consist of heterogeneous alluvium (clay, silt, and sand) to a depth of at least 50 feet, the limits of exploration for the assessment.[35] The assessment did not identify any clayey soils within the upper 15 feet of exploration, and therefore the risk of expansive soils was determined to be moderately low to nominal.[36] A preliminary settlement analysis predicted less than one inch of load-induced settlement, and generally less than ¼-inch, as a result of the project site improvements.[37] The Preliminary Geotechnical Assessment concluded that the proposed project was feasible from a geotechnical standpoint, though it recommended that a design-level geotechnical study be conducted prior to construction in accordance

[35] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.
[36] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.
[37] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.

with City and CBC requirements once more detailed construction plans were available.[38] Specifically, a design-level geotechnical study would be required under SCA 57:

SCA 57: Soils Report

Required as part of the submittal of a Tentative Tract or Tentative Parcel Map.

A preliminary soils report for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. The soils reports shall be based, at least in part, on information obtained from on-site testing. Specifically the minimum contents of the report should include:

A. Logs of borings and/or profiles of test pits and trenches:
   a) The minimum number of borings acceptable, when not used in combination with test pits or trenches, shall be two (2), when in the opinion of the Soils Engineer such borings shall be sufficient to establish a soils profile suitable for the design of all the footings, foundations, and retaining structures.
   b) The depth of each boring shall be sufficient to provide adequate design criteria for all proposed structures.
   c) All boring logs shall be included in the soils report.

B. Test pits and trenches:
   a) Test pits and trenches shall be of sufficient length and depth to establish a suitable soils profile for the design of all proposed structures.
   b) Soils profiles of all test pits and trenches shall be included in the soils report.

C. A plat shall be included which shows the relationship of all the borings, test pits, and trenches to the exterior boundary of the site. The plat shall also show the location of all proposed site improvements. All proposed improvements shall be labeled.

D. Copies of all data generated by the field and/or laboratory testing to determine allowable soil bearing pressures, sheer strength, active and passive pressures, maximum allowable slopes where applicable and any other information which may be required for the proper design of foundations, retaining walls, and other structures to be erected subsequent to or concurrent with work done under the grading permit.

E. Soils Report. A written report shall be submitted which shall include, but is not limited to, the following:
   a) Site description;
   b) Local and site geology;
   c) Review of previous field and laboratory investigations for the site;
   d) Review of information on or in the vicinity of the site on file at the Information Counter, City of Oakland, Office of Planning and Building;

[38] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.

e) Site stability shall be addressed with particular attention to existing conditions and proposed corrective attention to existing conditions, and proposed corrective actions at locations where land stability problems exist;
f) Conclusions and recommendations for foundations and retaining structures, resistance to lateral loading, slopes and specifications for fills, and pavement design as required;
g) Conclusions and recommendations for temporary and permanent erosion control and drainage. If not provided in a separate report the conclusions and recommendations shall be appended to the required soils report;
h) All other items which a Soils Engineer deems necessary;
i) The signature and registration number of the Civil Engineer preparing the report.

F. The Director of Planning and Building may reject a report that she/he believes is not sufficient. The Director of Planning and Building may refuse to accept a soils report if the certification date of the responsible soils engineer on said document is more than three years old. In this instance, the Director may require that the old soils report be recertified, that an addendum to the soils report be submitted, or that a new soils report be provided.

Based on the above analysis, including the Preliminary Geotechnical Assessment, project impacts related to expansive soils will be less than significant. Implementation of SCA 57 would include preparation and City approval of a certified design-level geotechnical report to ensure all foundations and retaining structures, resistance to lateral loading, slopes and specifications for fills, and pavement designed are engineered to address existing conditions, and related recommendations are implemented during project construction in accordance with California Building Code standards.

The project site does not contain wells, pits, swamps, mounds, tank vaults, or unmarked sewer lines; is not located above a landfill; and does not propose the use of septic tanks or alternative wastewater disposal systems. As a result, no project geologic or soils impacts related to those features would occur and no mitigation is required.

Impacts associated with geology and soils generally are site-specific (determined by a particular site's soil characteristics, topography, and proposed land uses) rather than cumulative in nature. Risks associated with seismic events and soil conditions, such as rupture, ground-shaking, liquefaction, and landslides, would be site-specific and are not anticipated to increase on a cumulative level. The project site is located in a seismically active area, but the project would not result in significant impacts related to geology, soils, and seismicity with implementation of the applicable SCAs, as discussed above. Erosion and sediment deposition can be cumulative in nature, depending on the type and amount of development proposed in a given geographic area. The cumulative setting for soil erosion consists of existing, planned, proposed, and reasonably foreseeable land use conditions in the planning area. However, the project must comply with applicable codes, standards, and permitting requirements (e.g., preparation of an Erosion and Sedimentation Control Plan) to mitigate erosion impacts, which would also reduce the overall cumulative impact to a less-than-significant level.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to geology, soils, or geohazards, nor would such effects of the proposed project, in combination with other

foreseeable projects, be cumulatively considerable. The project's impacts related to geology, soils, and geohazards would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information that shows that the project's related adverse effects are more significant than described in the Program EIRs.

Hazards and Hazardous Materials

Setting

The project site is located in an urban area that has a history of industrial land uses. To evaluate whether any of the historic land uses could have affected subsurface soil and groundwater quality, two Phase I Environmental Site Assessments (ESAs) and one Phase II ESA were prepared for the project site. Phase I Environmental Site Assessments (ESAs) were prepared for the project site in February 2006[39] and December 2014,[40] and a Phase II ESA was prepared in December 2015. The Phase I ESAs included review of historical land use information; review of environmental records from local, state, and federal sources; reconnaissance of the site; and interviewing a site representative. The Phase II ESA included sampling and analysis of soil and groundwater samples collected at the project site. A summary of the findings of each ESA document is provided below:

a. 2006 Phase I ESA

The following is a description of the historic uses of the project site based on information presented in the 2006 Phase I ESA. Block A of the project site (the area bound by 5th, 4th, Madison, and Jackson streets) was developed as a boarding school and academy in the late 19th and early 20th century, and was redeveloped for commercial and industrial uses in the early to mid-1900s, which included a pipe yard, the Dork Gas Engine Co. and machine shop, warehouses, and offices. The Dork Gas Engine Co. was in operation for a period between the early 1900s and late 1930s, and was identified as a site with numerous chemicals, fuel, distillate, gas, and oil. There are two buildings which currently occupy Block A of the project site. The larger western building (430 Jackson Street address) was constructed in 1937, and the smaller eastern building (425 Madison Street address) was constructed between 1939 and 1946. The buildings were used as warehouses and offices from the 1950s through late 1960s, and the buildings appear to have been connected in the mid-1980s. In 2006, the buildings were occupied by corporate offices of Cost Plus World Market and no hazardous materials were observed to be stored or used at the project site. Block B of the project site (the western half of the block bound by 3rd, 4th, Madison, and Jackson streets) consisted of residential properties until redevelopment in the early 1900s with the Western Pacific Railroad and freight storage yard, which existed until the late 1990s. By 2006, Block B of the project site was redeveloped as the existing parking lot.[41]

The 2006 Phase I ESA included the following findings and recommendations:

- Due to the age of the buildings on the project site, there is a potential that hazardous building materials including asbestos containing materials (ACMs) and lead-based paint (LBP) are present.

[39] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.
[40] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street Property, Oakland, California,* December.
[41] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

- Concentrations of petroleum hydrocarbons, semi-volatile organic compounds (SVOCs), and metals were detected in soil and groundwater on the project site during a 1996 investigation, but that all concentrations were below the corresponding screening levels at that time for residential land uses.
- Based on the soil and groundwater sampling results, no further action was recommended in 1996 and the site was granted case closure by the Alameda County Health Care Services Agency, Environmental Protection Division (ACHCSA) in August 1996.
- Based on the regulatory status of the project site, no further investigation appeared to be warranted at the time. However, petroleum hydrocarbons and SVOCs are likely present in soil groundwater beneath the project site, and policy guidelines change over time; therefore, if the subject property is planned for redevelopment in the future, further investigation may be warranted at that time.[42]

b. 2014 Phase I ESA

The following is a description of the historic uses of the project site based on information presented in the 2014 Phase I ESA. Block A of the project site (the area bound by 5th, 4th, Madison, and Jackson streets) was developed as a boarding school and academy in the late 19th and early 20th century, and was redeveloped for commercial and industrial uses in the early to mid-1900s, which included a pipe yard, the Dork Gas Engine Co. and machine shop, warehouses, and offices. The Dork Gas Engine Co. was in operation for a period between the early 1900s and late 1930s, and was identified as a site with numerous chemicals, fuel, distillate, gas, and oil. There are two buildings which currently occupy Block A of the project site. The larger western building (430 Jackson Street address) was constructed between 1937 and 1939, and the smaller eastern building (425 Madison Street address) was constructed between 1939 and 1946. The buildings were used as warehouses and offices from the 1950s through late 1960s, and the buildings appear to have been connected in the mid-1980s. In 2014, the buildings were occupied by corporate offices of Cost Plus World Market and no hazardous materials were observed to be stored or used at the project site. Block B of the project site (the western half of the block bound by 3rd, 4th, Madison, and Jackson streets) consisted of residential properties until redevelopment in the early 1900s with the Western Pacific Railroad and freight storage yard, which existed until the late 1990s. By 2005, Block B of the project site was redeveloped with a parking lot, similar to the current configuration.[43]

The 2014 Phase I ESA included the following findings and recommendations:

- The project site has been previously used for various industrial/commercial purposes. A previous investigation identified concentrations of SVOCs, total petroleum hydrocarbons (TPHs), and metals, in the soil and groundwater at the project site. The site was granted closure by the ACHCSA on August 19, 1996.

[42] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.
[43] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.

- Based on the past industrial use of the project site and the noted soil impacts from the previous investigation, it is conceivable that more pervasive soil impacts may exist across the project site. These soil impacts, if present, could affect soil management options and costs.
- There are potential sources of groundwater contamination up-gradient of the project site. If the underlying groundwater is impacted, this could affect the podium design and require additional groundwater management during construction.
- There are comingled gasoline plumes in the vicinity of the project site. These plumes may have migrated beneath the project site and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern.
- A risk management plan (RMP) should be developed prior to demolition and construction to address potential unknown environmental issues.
- Groundwater sampling should be considered to address potential developmental constraints and construction dewatering issues.
- Given the age of the commercial building existing on the northern portion of the project site, it is possible that ACMs or LBP were used in its construction. If the structure is to be demolished, an environmental professional should be retained to determine if asbestos-containing materials and/or lead-based paint are present.[44]

c. 2015 Phase II ESA

In December 2015, a Phase II ESA was prepared for the project site.[45] Phase II ESA sampling activities were performed at the project site to evaluate soil and groundwater conditions. The Phase II ESA included the collection and analysis of soil samples from four borings and groundwater samples from two of the four borings. Three of the borings were located in the Block B portion of the project site, and a groundwater sample was collected from a boring near the center of Block B. One boring was located adjacent to the southwest side of the building on the Block A portion of the project site, and a groundwater sample was collected from this boring. Sampling was not performed within the building footprint on the Block A portion of the project site because the building is currently occupied and used as office space and could not be accessed. Soil samples were analyzed for petroleum hydrocarbons, volatile organic compounds (VOCs), SVOCs, PCBs, and metals. Groundwater samples were analyzed for oil and grease, VOCs, and dissolved metals in accordance with EBMUD's Wastewater Discharge Requirements (WDRs). A concentration of PCBs which slightly exceeds the applicable residential screening level was detected in a composite soil sample collected from the southwest corner of Block A of the project site. Groundwater samples exhibited low detectable concentrations of oil and grease, VOCs (benzene and toluene), total petroleum hydrocarbons (TPH) as gasoline, and dissolved metals. The Phase II ESA concluded that based on the proposed use of the project site as a podium structure with parking in the lower level, the detected level of PCBs is not expected to pose an environmental concern, and the groundwater analytical results should be provided to EBMUD to determine appropriate discharge

[44] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.
[45] ENGEO, 2015. *Phase II Environmental Site Assessment, 430 Jackson Street, Oakland, California*, November, Revised December.

requirements during construction dewatering activities. The Phase II ESA recommended no further investigation at this time, and recommended that a Site Management Plan (SMP) should be prepared to address potential unknown environmental issues (as described in more detail below).

Regulatory Background

The following section provides the federal, State, and local regulatory framework for hazardous materials and waste, building materials (e.g., lead, asbestos), and worker health and safety. The use, storage, and disposal of hazardous materials, including management of contaminated soils and groundwater, is regulated by numerous local, State, and federal laws and regulations. The U.S. Environmental Protection Agency (U.S. EPA) is the federal agency that administers hazardous materials and hazardous waste regulations. State agencies include the California EPA (Cal/EPA), which include the California Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (State Water Board), the California Air Resources Board (CARB) and other agencies. The San Francisco Bay Regional Water Quality Control Board (RWQCB), the Bay Area Air Quality Management District (BAAQMD), Alameda County Department of Environmental Health (ACDEH) and Oakland Fire Services Agency (OFSA) have jurisdiction on a regional or local level. A description of each agency jurisdiction and involvement in the management of hazardous materials and wastes is provided below.

Federal Agencies

Occupational Safety and Health Administration (OSHA)

Worker health and safety is regulated at the federal level by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA). The Federal Occupational Safety and Health Act of 1970 authorizes states (including California) to establish their own safety and health programs with OSHA approval; implementation of worker health and safety in California is regulated by the California Department of Industrial Relations (DIR). The DIR includes the Division of Occupational Safety and Health (DOSH), which acts to protect workers from safety hazards through its California OSHA (Cal/OSHA) program and provides consultation services to employers. California standards for workers dealing with hazardous materials are contained in Title 8 of the California Code of Regulations, and include practices for all industries (General Industrial Safety Orders), as well as specific practices for construction and other industries.

Environmental Protection Agency (EPA)

The U.S. EPA is the federal agency responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials and hazardous waste. The federal regulations are primarily codified in Title 40 of the Code of Federal Regulations (40 CFR). The legislation includes the Resource Conservation and Recovery Act of 1976 (RCRA), the Superfund Amendments and Reauthorization Acts of 1986 (SARA), and the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). The U.S. EPA provides oversight for site investigation and remediation projects, and has developed land disposal restrictions and treatment standards for the disposal of certain hazardous wastes.

State Agencies

Three State agencies, described below, regulate hazardous materials and waste applicable to the proposed Project.

Department of Toxic Substances Control

In California, DTSC is authorized by U.S. EPA to enforce and implement federal hazardous materials laws and regulations. California regulations pertaining to hazardous materials are equal to or exceed the federal regulation requirements. Most State hazardous materials regulations are contained in Title 22 of the California Code of Regulations (CCR). DTSC generally acts as the lead agency for soil and groundwater cleanup projects that affect public health, and establishes cleanup levels for subsurface contamination that are equal to, or more restrictive than, federal levels. DTSC has also developed land disposal restrictions and treatment standards for hazardous waste disposal in California.

State Water Resources Control Board

The State Water Board enforces regulations on how to implement underground storage tank (UST) programs. It also allocates monies to eligible parties who request reimbursement of funds to clean up soil and groundwater pollution from UST leaks. The State Water Board also enforces the Porter-Cologne Water Quality Act through its nine regional boards, including the San Francisco Bay Regional Water Quality Control Board, described below.

California Air Resources Board

This agency is responsible for coordinating and oversight of State and local air pollution control programs in California, including implementation of the California Clean Air Act of 1988. CARB has developed State air quality standards, and is responsible for monitoring air quality in conjunction with the local air districts.

Regional Agencies

The following regional and local agencies have regulatory authority over the proposed Project's management of hazardous materials and waste on the site.

San Francisco Bay Regional Water Quality Control Board

The Project site is located within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board. The RWQCB provides for protection of State waters in accordance with the Porter-Cologne Water Quality Act of 1969. The RWQCB can act as lead agency to provide oversight for sites where the quality of groundwater or surface waters is threatened, and has authority to require investigations and remedial actions.

Bay Area Air Quality Management District

The BAAQMD has primary responsibility for control of air pollution from sources other than motor vehicles and consumer products (which is the responsibility of U.S. EPA and CARB). BAAQMD is

responsible for preparing attainment plans for non-attainment criteria pollutants, control of stationary sources, and the issuing of permits for activities including asbestos demolition/renovation activities (District Regulation 11, Rule 2).

Alameda County Department of Environmental Health and Oakland Fire Services Agency

ACDEH and OFSA are the primary agencies responsible for local enforcement of State and federal laws pertaining to hazardous materials management and oversight of hazardous materials investigations and remediation in Alameda County.

In Oakland, OFSA has been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) Program (California Health and Safety Code Chapter 6.11). The CUPA programs include coordination of the local hazardous waste generator programs, underground and aboveground storage tank management, and investigations of leaking underground storage tank sites. OFSA also implements the City of Oakland Hazardous Materials Assessment and Reporting Program, pursuant to City Ordinance No. 12323, which requires notification of hazardous materials storage, use and handling, and an assessment as to whether this storage, use and handling would cause a public health hazard to nearby sensitive receptors including schools, hospitals or other sensitive receptors.

The Oakland Office of Emergency Services (part of OFSA) provides emergency response to fire emergencies and hazardous materials incidents within the City of Oakland, and conducts vegetation management inspections for wildfire reduction. Oakland has entered into agreements with adjoining jurisdictions for cooperative response to fires.[46]

Urban Land Redevelopment (ULR) Program

The ULR Program is a collaborative effort by the City of Oakland and the principal agencies charged with enforcing environmental regulations (DTSC, Water Board and ACDEH) to facilitate the cleanup and redevelopment of contaminated properties in Oakland. The program is coordinated by the City and is specific to Oakland sites. The ULR Program clarifies environmental investigation requirements and established Oakland-specific, risk-based corrective action (RBCA) standards for qualifying sites. RBCA standards are criteria that, when met, adequately address risk posed by contamination to human health. The RBCA standards were first submitted in 1999.

City of Oakland

Relevant policies and conditions from the City's General Plan, Municipal Code, and Standard Conditions of Approval are described below:

[46] City of Oakland, General Plan Safety Element, Fire Hazards (Chapter 4), November 2004.

City of Oakland General Plan

Safety Element: The November 2004 Safety Element of the Oakland General Plan contains the following policies and actions regarding hazards and hazardous materials and emergency response that may apply to the Project. Relevant policies from other General Plan elements are also described.

- **Policy HM-1:** Minimize the potential risks to human and environmental health and safety associated with past and present use, handling, storage, and disposal of hazardous materials.
- **Policy HM-2:** Reduce the public's exposure to toxic air contaminants through appropriate land use and transportation strategies.
- **Policy HM-3:** Seek to prevent industrial and transportation accidents involving hazardous materials and enhance the City's capabilities to respond to such incidents.
- **Policy PS-1:** Maintain and enhance the City's capacity to prepare for, mitigate, respond to, and recover from disasters and emergencies.

OSCAR Element: The following policy statements from the Open Space, Conservation, and Recreation (OSCAR) Element of the General Plan regarding hazards and hazardous materials may apply to the proposed Project:

- **Policy CO-1.2:** Soil contamination and hazards. Minimize hazards associated with soil contamination through the appropriate storage and disposal of toxic substances, monitoring of dredging activities, and clean-up of contaminated sites. In this regard, require soil testing for development of any site (or dedication of any parkland or community garden) where contamination is suspected due to prior activities on the site.
- **Policy REC-4.2:** Encourage maintenance practices which conserve energy and water, promote recycling and minimize harmful side effects on the environment. Ensure that any application of chemical pesticides and herbicides is managed to avoid pollution of ground and surface waters.

City of Oakland Municipal Code

The City of Oakland Municipal code includes regulations for the handling of hazardous materials in the City. Title 8, Chapter 8.12 of the Oakland Municipal Code adopts the California Health and Safety Code laws (Health and Safety Code section 25500 et seq.) related to hazardous materials. City Ordinance No. 12323 regarding hazardous materials storage, use, and handling reporting requires notification of hazardous materials storage, use, and handling, and an assessment as to whether this storage, use, and handling would cause a public health hazard to nearby sensitive receptors including schools, hospitals, or other sensitive receptors.

City of Oakland Hazardous Materials Release Response Plan Program

The City of Oakland Fire Department Fire Prevention Bureau Hazardous Materials Release Response Plan Program requires any business that handles more than a threshold quantity of a hazardous material to develop and submit to the Fire Department a Hazardous Materials Business Plan. The threshold is 30 gallons, 500 pounds, or 220 cubic feet of gas. For Extremely Hazardous Substances as listed in 40 CFR,

Part 355, Appendix A, the reporting quantity is the California threshold or the Federal Threshold Planning Quantity (TPQ) depending on whichever is lower. The Hazardous Materials Business Plan must include and address facility information, inventory of hazardous materials, facility map, emergency response plans and procedures, training, release reporting, underground storage tanks, and hazardous waste treatment/tiered permitting.

Criteria of Significance and Summary of Previous CEQA Document Determinations

6. Hazards and Hazardous Materials Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. 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; Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors; Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;	☒	☐	☐
b. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;	☒	☐	☐
c. Result in less than two emergency access routes for streets exceeding 600 feet in length unless otherwise determined to be acceptable by the Fire Chief, or his/her designee, in specific instances due to climatic, geographic, topographic, or other conditions; or Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	☒	☐	☐
d. Be located within an airport land use plan or,	☒	☐	☐

6. Hazards and Hazardous Materials Would the project:	Equal or Less Severity of Impact Previously Identified in the Program EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs	New Significant Impact
where such a plan has not been adopted, within two miles of a public airport, or be located within the vicinity of a private air strip, and would result in a significant safety hazard for people residing or working in the project area; or			
e. Expose people or structures to a significant risk of loss, injury or death involving wildland fires.	☒	☐	☐

Each of the Program EIRs determined that effects related to geology, soils, and geohazards would be less than significant with implementation of SCAs or mitigation measures that have been implemented as, and are the functional equivalent to, SCAs.[47]

Project Analysis

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

Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors

The project proposes the demolition of the existing structures and parking lot on the project site, and construction of two residential apartment buildings with lower level parking garages and commercial spaces. This type of land use typically does not involve transport, use, or disposal of significant quantities of hazardous materials. Generally, small quantities of hazardous materials, such as paints and cleaning chemicals, would be used for routine maintenance, and therefore a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors would not occur. Therefore the potential impact related to operational use of hazardous materials is less than significant.

During project construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. An accidental spill during transport, use, or disposal of

[47] LUTE EIR, Section III.M, p. III.M-1 et seq.; Estuary Plan EIR, Section III.M, p. III.M-1 et seq.; Housing Element EIR, Appendix A, p. 95 et seq.

these hazardous materials during construction activities could adversely affect the public or the environment, which is a potentially significant impact.

Transportation of Hazardous Materials. In 1990 and 1994, the federal Hazardous Material Transportation Act was amended to improve the protection of life, property, and the environment from the inherent risks of transporting hazardous material in all major modes of commerce. The U.S. Department of Transportation (USDOT) developed hazardous materials regulations, which govern the classification, packaging, communication, transportation, and handling of hazardous materials, as well as employee training and incident reporting. The transportation of hazardous materials is subject to both Resource Conservation and Recovery Act (RCRA) and USDOT regulations.

The California Highway Patrol, the California Department of Transportation (Caltrans), and DTSC are responsible for enforcing federal and State regulations pertaining to the transportation of hazardous materials. If a discharge or spill of hazardous materials occurs during transportation, the transporter is required to take appropriate immediate action to protect human health and the environment (e.g., notify local authorities and contain the spill), and is responsible for the discharge cleanup.

Use and Disposal of Hazardous Materials. The project would be required to comply with all applicable Occupational Safety and Health Administration (OSHA) regulations regarding worker safety related to the use and disposal of hazardous materials. Under OSHA jurisdiction, the Hazardous Waste Operations and Emergency Response regulations require training and medical supervision for workers at hazardous waste sites (Code of Federal Regulations, Title 29 (Labor), section 1910.120 (Hazardous Waste Operations and Emergency Response)). State worker health and safety regulations related to construction activities are enforced by the California Division of Occupational Safety and Health (Cal/OSHA). Regulations include requirements for protective clothing, training, and limits on exposure to hazardous materials. Compliance with these existing regulations would ensure that workers are protected from exposure to hazardous materials that may be used on-site.

Because the total project area is greater than 1 acre, management of hazardous materials at the site during construction activities would be subject to the requirements of SCA 46 (discussed in Hydrology and Water Quality) and the Stormwater Construction General Permit (CGP), which requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to reduce the risk of spills or leaks from reaching the environment (which would also reduce the risk of exposure of workers and the public), including procedures to address minor spills of hazardous materials. Measures to control spills, leakage, and dumping, and to prevent illicit connections during construction must be addressed through structural as well as non-structural Best Management Practices (BMPs). For example, construction site operators must store chemicals in watertight containers (with appropriate secondary containment to prevent any spillage or leakage) or in a storage shed (completely enclosed). In addition, as required by the CGP, equipment and materials for cleanup of spills must be available on site and spills and leaks must be cleaned up immediately and disposed of properly. BMPs also include treatment requirements, operating procedures, and practice to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Additionally, the project would be required to comply with the City's SCAs which include the following:

SCA 34: Hazards Best Management Practices.

Prior to commencement of demolition, grading, or construction: The project applicant and construction contractor shall ensure that Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following:

- Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction;
- Avoid overtopping construction equipment fuel gas tanks;
- During routine maintenance of construction equipment, properly contain and remove grease and oils;
- Properly dispose of discarded containers of fuels and other chemicals;
- Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all underground storage tanks (USTs), elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building.
- If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any USTs, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in SCAs, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.

SCA 67: Best Management Practices for Soil and Groundwater Hazards

Ongoing throughout demolition, grading, and construction activities: The project applicant shall implement all of the following BMPs regarding potential soil and groundwater hazards.

- Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland.

- Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources).
- Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.

SCA 34 requires that the contractor "Properly dispose of discarded containers of fuels and other chemicals" (as listed above). SCA 67 requires the proper management of contaminated soil stockpiles and dewatering effluent. Implementation of these SCAs would ensure that impacts related to improper disposal of hazardous materials on the public and environment would not occur. Moreover, compliance with the regulations described above, including RCRA and USDOT regulations, the CGP, Code of Federal Regulations Title 29 (Labor), section 1910.120, and implementation of the City's SCA 34 (which requires that BMPs designed to minimize impacts related to mishandling hazardous materials, as described above) would ensure that the proposed project would not result in spills or leaks that could create a significant hazard to the public or the environment associated with the transport, use, disposal, or emission of hazardous materials during and after construction by ensuring that these materials are properly handled, and if spills or leaks occur, they are properly and promptly cleaned up and the materials disposed of at an appropriate waste-handling facility. With implementation of the SCA's described above and project compliance with applicable state and federal laws, the project would have a less than significant impact related to the transportation, storage, use and 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

There are two main ways that the public and/or the environment could be affected by the release of hazardous materials into the environment, including 1) exposing workers and/or the public to potentially contaminated soil and groundwater during construction and/or operation of the project; or 2) exposing workers and/or the public to hazardous building materials (e.g., lead paint, asbestos) during demolition of existing structures.

Potentially Contaminated Soil and Groundwater. To evaluate whether past uses of a property may have resulted in soil and groundwater contamination through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, which could affect

construction workers, the public, or the environment as the result of redevelopment of the property, the City requires Environmental Site Assessments (ESAs) to be performed as described in the following SCA.

SCA 61: Phase I and/or Phase II Reports.

Prior to the issuance of demolition, grading, or building permit: Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report, for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.

In addition, SCA 68 requires the applicant to provide documentation in the Phase I/II documents that vapor intrusion would not be a significant hazard for the proposed development (and requires the analyses be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval).

SCA 68: Radon or Vapor Intrusion from Soil or Groundwater Sources

Ongoing: The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.

As described in detail above, two Phase I ESAs were prepared for the project site in February 2006[48] and December 2014,[49] and a Phase II ESA were prepared for the project site. The 2014 Phase I ESA concluded that there are comingled gasoline plumes in the vicinity of the project site and that these plumes may have migrated beneath the project site and could pose issues with respect to vapor intrusion; however, given the proposed design of the future residential development, soil vapor concentrations, if present, would not be considered an environmental concern.[50] The 2015 Phase II ESA indicated that groundwater samples from the project site exhibited low detectable concentrations of VOCs (benzene and toluene) and TPH-g, and recommended no further studies at this time.[51]

The SCAs 61 and 68 require that any actions recommended in the Phase I/II ESAs be implemented (after review and approval of Fire Prevention Bureau, Hazardous Materials Unit). To implement SCAs 61 and 68, the following recommendations from the Phase II ESA would be required:

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[48] AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.
[49] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street Property, Oakland, California,* December.
[50] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December.
[51] ENGEO, 2015. *Phase II Environmental Site Assessment, 430 Jackson Street, Oakland, California*, November, Revised December.

A site management plan (SMP) must be developed prior to demolition and construction to address potential unknown environmental issues. The SMP must include protocols for the characterization and handling of excavated soil and should include the following:

- **Observation during site demolition and soil disturbing activities**. Observation of construction activities must be performed by a qualified environmental consultant during demolition activities including removal of concrete slabs, asphalt pavement, foundation features, subsurface utilities, or any other subsurface feature; and during soil disturbing activities including grading/scraping, excavation/trenching, and drilling. The environmental consultant must identify signs of potential impacts from hazardous materials in soil and/or groundwater such as staining/discoloration, odors, and presence of rubble/debris. The environmental consultant must also use a photoionization detector (PID) meter to screen soil for organic vapors to evaluate potential impacts. The environmental consultant must have the authority to stop work in an area where potential impacts from hazardous materials in soil or groundwater are identified until the nature and extent of the potential impacts are further evaluated.
- **Appropriate sample collection procedures.** If potentially impacted soil or groundwater is encountered at the project site, sampling of the potentially impacted soil or groundwater must be performed by a qualified environmental consultant to evaluate the nature and extent of the potential impacts and determine whether notification of appropriate regulatory agency(ies) and remediation may be necessary. The appropriate sample containers, sampling techniques, sample preservation, and laboratory analysis to be performed should be specified.
- **Protocols for confirmation sampling.** If impacted soil is encountered and removed, or if a spill occurs and impacted soil is removed, confirmation sampling must be performed by a qualified environmental consultant to evaluate whether the extent of impacted soil removal was sufficient and whether the remaining soil is of acceptable quality (e.g., the soil meets appropriate regulatory agency guidelines and standards for residential land use) to remain on-site.
- **Segregation of impacted soil from non-impacted soil.** If impacted soil is excavated, it must be placed in a segregated stockpile, or placed directly into trucks or roll off bins for off-site disposal to ensure that it is not mixed with clean soil.
- **Appropriate stockpile best management practices.** Stockpile management methods consistent with applicable regulatory standards must be specified to ensure that stockpiles are constructed in a manner that would prevent potential contamination of underlying soil, spilling of soil from stockpile areas, infiltration of rainwater into stockpiles, and dust, vapor, or odor emissions from stockpiles.
- **Dust control/air monitoring procedures.** Dust control procedures must include limiting vehicle and equipment speeds; regular application of water on routes of vehicle/equipment travel; sweeping of pavement surfaces if soil is tracked onto pavement surfaces by vehicles/equipment; and application of water to active soil disturbing activities such as excavation, grading, stockpiling, and truck loading, to ensure that potential emissions of fugitive dust are minimized to the maximum extent practicable. The application of water must be controlled to ensure that water does no runoff and cause ponding or enter storm drains. Air monitoring must include visual monitoring for dust. If visual dust is observed to be generated at the project site, additional dust control measures should be implemented. If visual dust is observed to cross the site boundary, work should be suspended until the dust emissions can be controlled. If impacted soil

or groundwater is encountered at the project site that could pose a health risk for construction workers or the surrounding public due to exposure to dust or vapors from impacted soil or vapors from the impacted groundwater, appropriate air monitoring procedures should be developed in accordance with applicable regulatory standards and implemented to ensure that emissions of dust and/or vapors are adequately controlled to prevent exposure of construction workers and the surrounding public to potential health risks.

- **Protocols for offsite waste disposal and protocols for soil re-use.** Excess soil or impacted soil to be removed from the project site must be sampled and characterized to ensure that it is disposed of at an appropriate off-site location. Soil impacted with hazardous materials must be disposed of at an appropriately permitted landfill and not be re-used as fill material on-site or at an off-site location. Soil that is sampled due to suspected contamination must only be re-used on-site if sampling results indicate that the soil meets the appropriate regulatory agency guidelines for residential land use. If soil that was suspected of contamination is proposed for on-site re-use based on waste characterization sampling results, additional sampling of the soil may need to be performed to demonstrate that the soil is suitable for re-use as a higher frequency of sampling should be specified for re-use of soil than for waste disposal characterization, as determined by a qualified environmental consultant. The appropriate sample containers, sampling techniques, sample preservation, and laboratory analysis should be specified for evaluation of soil proposed for off-site disposal or on-site re-use.
- **Construction dewatering and treatment/management procedures, if necessary.** If groundwater is encountered and requires dewatering, sampling and characterization of the groundwater must be performed to evaluate groundwater disposal options. If groundwater is impacted with hazardous materials, it may require treatment prior to discharging to sanitary sewer in accordance with EBMUD permit requirements.
- **Guidelines for import of fill material (if necessary).** If fill material would be imported to the site for construction activities, the source of the fill material must be evaluated and the fill material should be sampled and characterized prior to importing to ensure that it is not impacted with hazardous materials. DTSC guidelines for evaluation and sampling of fill material should be followed.
- **Notifications and response procedures.** Procedures for notification of construction workers, construction management personnel, and the appropriate regulatory agency(ies) must be specified for situations where impacted soil or groundwater is encountered, or other features of environmental concern are discovered such as underground storage tanks, buried drums or other hazardous materials containers, pipelines containing hazardous materials, or buried asbestos containing materials such as asbestos-cement pipelines or pipelines wrapped in asbestos insulation. Response procedures for such situations must include emergency response and evacuation procedures, further assessment/evaluation of the potentially hazardous conditions by appropriately trained personnel through use of field equipment and sampling, and retaining appropriately trained personnel to abate the hazards.
- **Contingency plan.** The contingency plan must describe how construction activities would be modified (e.g., temporary stopping of work, focusing on construction activities in a different area of the site, or designing and implementing engineering controls) if features of potential environmental concern or impacted soil and/or groundwater are identified which would require

further evaluation and possibly remediation, and therefore cause significant impacts to proposed construction activities and the project schedule.

- **Health and Safety Plan.** The Health and Safety Plan (HSP) must describe potential site hazards, training requirements, personal protective equipment, and safe work practices for site personnel in accordance with Cal/OSHA regulations and standards. All contractors working at the project site must either adopt and abide by this HSP or develop their own safety plans which, at a minimum, meet the requirements of this HSP. With implementation of the SCA's described above and project compliance with applicable state and federal laws, the project would have a less than significant impact related to upset and accidents conditions involving the release of hazardous materials into the environment.

Preparation and implementation of a comprehensive SMP (as required by City SCAs and described above) would ensure that the proposed project would not 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, including potential releases resulting from encountering previously unidentified soil and groundwater contamination.

Hazardous Building Materials (e.g., lead paint, asbestos). The Phase I ESAs indicated that due to the age of the buildings on the project site, there is a potential that hazardous building materials including asbestos containing materials (ACMs) and lead-based paint (LBP) are present.[52,] The release of hazardous building materials during building demolition activities could pose an exposure risk to construction workers and the public, and could also result in adverse effects to the environment, which is a potentially significant impact. The project would be required to comply with the City's SCAs addressing hazardous building materials, which include the following (after each SCA, a summary of how the SCA would be implemented is provided):

> **SCA 62: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment.** *Prior to issuance of any demolition, grading, or building permit:* The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of ACM, LBP, and any other building materials or stored materials classified as hazardous waste by State or federal law for review and approval.

An expert in identifying ACM and LBP would be retained to conduct the comprehensive assessment.

> **SCA 40: Asbestos Removal in Structures.** *Prior to issuance of a demolition permit:* If ACMs are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations,

[52] ENGEO, 2014. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* December; AEI Consultants, 2006. *Phase I Environmental Site Assessment, 430 Jackson Street, Oakland, California,* February.

including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code, Division 3; California Health & Safety Code §§ 25915-25919.7; and Bay Area Air Quality Management District (BAAQMD), Regulation 11, Rule 2, as may be amended.

Exposure to asbestos, a State-recognized carcinogen, can result in health ailments such as lung cancer, mesothelioma (cancer of the linings of the lungs and abdomen), and asbestosis (scarring of lung tissues that results in constricted breathing). ACMs such as thermal system insulation, surfacing materials, and asphalt and vinyl flooring may be present in buildings constructed prior to 1981 (California Code of Regulations, Title 8 (Industrial Relations), , section 5208 (Asbestos)). Workers conducting asbestos abatement must be trained in accordance with State and federal OSHA requirements (Code of Federal Regulations, Title 29 (Labor), section 1926.1101(Asbestos)). BAAQMD oversees the removal of regulated ACMs. All friable (crushable by hand) ACMs or non-friable ACMs subject to damage must be abated prior to demolition in accordance with applicable requirements. Friable ACMs must be disposed of as an asbestos waste at an approved facility. Non-friable ACMs may be disposed of as non-hazardous waste at landfills that will accept such wastes.

Requirements for safely removing asbestos prior to renovation or demolition are included in BAAQMD Regulation 11, Rule 2. The purpose of this Rule is to control emissions of asbestos to the atmosphere during demolition, renovation, milling, and manufacturing and to establish appropriate waste disposal procedures. Under the requirements, demolition sites must be monitored until there is no visible emissions to the outside air from any from any operation involving the demolition, renovation, or removal (BAAQMD Regulation 11, Rule 2, subsection 302). This is accomplished by wetting asbestos-containing materials prior to handling or removal (subsection 303.1), exhaust collection method (subsection 303.2), and containing work areas with physical barriers (subsection 303.6), among other methods.

SCA 64: Lead-Based Paint Remediation. *Prior to issuance of any demolition, grading, or building permit:* If LBP is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, California Code of Regulations, Title 8, section 1532.1 and DHS regulation California Code of Regulations, Title 17, sections 35001-36100, as may be amended.

Exposure to lead, a State-recognized carcinogen, can result in health ailments such as stomach and lung cancer and impair nervous, renal, cardiovascular, and reproductive systems. While the applications of LBP to residential structures was banned in 1978, this restriction didn't apply to commercial and industrial buildings; therefore, any commercial or industrial building, regardless of construction date, could have surfaces coated with LBP. Loose and peeling LBP must be disposed of as a State and/or federal hazardous waste if the concentration of lead equals or exceeds applicable waste thresholds. State and federal OSHA regulations require a supervisor who is certified to identify existing and predictable lead hazards to oversee air monitoring and other protective measures during demolition activities where LBP may be present (Code of Federal Regulations, Title 29 (Labor), section 1926.62 et seq.). Special protective measures and notification to Cal/OSHA are required for highly hazardous construction tasks related to lead, such as manual demolition, abrasive blasting, welding, cutting, or torch burning of structures where LBP is present.

> **SCA 65: Other Materials Classified as Hazardous Waste.** *Prior to issuance of any demolition, grading, or building permit*: If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.

Experts in identification and assessment of ACM and LBP also provide assessment services for other hazardous materials and wastes, including universal wastes. Universal wastes include a wide variety of hazardous wastes commonly produced from households and businesses. For example, universal wastes include electrical transformers, fluorescent lighting, electrical switches, heating/cooling equipment, and thermostats, which could contain hazardous materials such as PCBs, diethylhexyl phthalate, mercury, and other metals. The disposal of these materials is regulated under the California Universal Waste Rule. To manage universal waste in accordance with the streamlined requirements for the State of California, generators must relinquish the waste to a universal waste transporter, another universal waste handler, or a universal waste destination facility.

> **SCA 66: Health and Safety Plan per Assessment.** *Prior to issuance of any demolition, grading, or building permit:* If the required LBP/coatings, asbestos, or polychlorinated biphenyl (PCB) assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal. The applicant shall implement the approved plan.

The control and monitoring methods and standards that are required by State and federal law and described above would be required to be documented in a Health and Safety Plan, as specified by SCA 66. These methods, when properly implemented, have been demonstrated to be effective in protecting worker health and safety and the safety of the public.

Compliance with applicable regulations (described above) and the City's SCAs would ensure that the proposed project would not create a significant hazard to the public or the environment associated with the potential release of hazardous building materials during demolition activities. With implementation of the SCA's described above and project compliance with applicable State and federal laws, the project would have a less than significant impact related to exposure to hazardous building materials.

Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;

The Cortese List is a compilation of several different lists of hazardous material release sites that meet criteria specified in section 65962.5 of the California Government Code. While there are documented trace levels of hazardous materials on the project site, there are currently no hazardous materials release sites on the project site that meet the criteria for inclusion on the Cortese List. Therefore, the project would have no impact related to development on a hazardous materials release site included on the Cortese List.

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

The only existing or proposed school located within ¼-mile of the project site is Laney College, a local community college located at 900 Fallon Street (approximately eight blocks from the project site) Given the distance between the project site and Laney College, and the type and quantities of hazardous materials potentially occurring at the project site, no hazardous materials emissions with the potential to affect this school would be anticipated during demolition, construction, or operation of the project.

Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport, or be located within the vicinity of a private air strip, and would result in a significant safety hazard for people residing or working in the project area;

Oakland International Airport is the closest airport to the project, and is located approximately four miles to the southeast. The project site is not located within a public airport land use plan or within two miles of a public use airport.[53] The project site is also not located within the vicinity of a private airstrip.[54] Thus, the proposed project would not result in an aviation-related safety hazard.

Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

The proposed project would not affect the City street grid system and would therefore not impede an emergency access route or interfere with an emergency response or evacuation plan. Temporary, construction-related closures of streets would require traffic control plans to ensure emergency vehicle access, as required by SCAs described in Section IV.C, Traffic and Transportation, of this Draft EIR. Compliance with the SCAs would ensure that the proposed project would not create a significant hazard associated with emergency access, response, or evacuation.

Expose people or structures to a significant risk of loss, injury or death involving wildland fires.

The project site is surrounded by urbanized uses and is located several miles away from areas where wildland fires could occur (e.g., the Oakland Hills). The proposed project would be required to conform to the California Fire Code and Uniform Building Code, Oakland Building Code, and requirements of the Oakland Fire Department to reduce the potential for structural fires. Therefore, the proposed project would not expose people or structures to significant risks associated with wildland fires.

As a result of the findings discussed above, the project would not result in significant impacts related to hazards and hazardous materials.

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[53] Alameda County Community Development Agency, 2010. *Oakland International Airport, Airport Land Use Compatibility Plan*, December. http://www.acgov.org/cda/planning/generalplans/documents/OAK_ALUCP_122010_FULL.pdf.

[54] Skyvector, 2015. *San Francisco Sectional Chart*, www.skyvector.com, accessed January 13.

Cumulative Impacts

Development activities in the vicinity of the project site could increase the potential to expose people to hazardous materials, such as contaminated soil and groundwater, lead, and asbestos and hazardous construction materials. However, the disposal, storage, and use of hazardous materials has been increasingly regulated by federal, State, regional and local laws and regulations. Accordingly, there is an historical regulatory trend to strengthen legal standards regarding the transport, use, and handling of hazardous materials, thereby minimizing the risk to public health and safety. Cumulative development projects will all be subject to these more rigorous regulatory controls for site remediation and development. Moreover, there is no evidence that the other construction activities would be occurring in the immediate surrounding area, making it unlikely that any potential exposure from the project's construction activities would combine with other surrounding activities. Additionally, compliance with the strict regulatory requirements associated with handling of hazardous materials would ensure that the project would not make a cumulative considerable contribution to any potential cumulative impact related to hazards and hazardous materials. Thus, implementation of the proposed project together with other past, present, and future development would cause a significant cumulative impact.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to hazards or hazardous materials, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to hazards or hazardous materials would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

Hydrology and Water Quality

Setting

The project site lies within the overall regional drainage of San Francisco Bay. The nearest surface water bodies to the project site are the Oakland Inner Harbor, located approximately ¼-mile to the south, and the Lake Merritt Channel, located approximately ⅓-mile to the east. The climate of Oakland is characterized as Mediterranean with cool, wet winters, and dry, hot summers. Temperatures are generally moderate with a comparatively small range of temperatures between the winter low and summer high. The regions rainy season extends from October to April, with relatively dry conditions for the remainder of the year. Average annual rainfall in the vicinity of the project site is approximately 16 inches.

The project site lies in a highly urbanized area of west Oakland that is served by the City's storm drainage system. The project site is essentially flat and largely covered by impervious surfaces consisting of buildings, paved areas, and a parking lot. Stormwater runoff from the project site and vicinity originates as overland sheet flow across impervious surfaces and is collected by a curb and gutter system and delivered through drop inlets to the City's subterranean storm drains and culverts, eventually discharging into the Oakland Estuary. The Alameda County Flood Control and Water Conservation District is responsible for the construction, operation and maintenance of major trunk lines and flood control facilities in Oakland. The Oakland Public Works Agency is responsible for the maintenance of the local storm drainage system within Oakland's public areas and roads.

Flooding is inundation of normally dry land as a result of rise in the level of surface waters or rapid accumulation of stormwater runoff. Flooding can also occur due to tsunamis, seiches, or failure of dams. Tsunamis are waves caused by an underwater earthquake, landslide, or volcanic eruption. A seiche is a rhythmic motion of water in a partially or completely landlocked water body caused by landslides, earthquake-induced ground accelerations, or ground offset. Oakland is not particularly prone to flooding due to tsunamis or seiches, nor does it have large rivers or open coastline that can result in devastating storm-induced flooding. Flooding from tsunamis could potentially affect low-lying areas along San Francisco Bay and the Oakland Estuary, but the mouth of the Golden Gate would dissipate the wave energy and the island of Alameda would shelter inland areas such as the project site. The likelihood of large-scale devastation in Oakland resulting from seiches appears to be minuscule. Furthermore, the project site is not located within a dam inundation area as designated by the Association of Bay Area Governments (ABAG).[55]

[55] LUTE EIR, Section III.I, p. III.I-1 et seq.; Estuary Plan EIR, Section III.I, p. III.I-1 et seq.; Housing Element EIR, Appendix A, 119 et. seq.

Regional flooding hazards, as evaluated by the Federal Emergency Management Agency (FEMA), are presented in community Flood Insurance Rate Maps (FIRMs) as part of the floodplain mapping program. FEMA FIRMs designate areas where urban flooding could occur during 100-year and 500-year flood events (i.e. storms with a likelihood of occurring every 100 to 500 years). The project site is not located within a designated 100-year or 500-year flood hazard zone.

The City of Oakland overlays the Santa Clara Valley Groundwater Basin and the East Bay Plain Groundwater Subbasin. There are no creeks or streams that cross the project site.

Criteria of Significance and Summary of Previous CEQA Document Determinations

7. Hydrology and Water Quality Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Violate any water quality standards or waste discharge requirements; Result in substantial erosion or siltation on or off-site that would affect the quality of receiving waters; Create or contribute substantial runoff which would be an additional source of polluted runoff; Otherwise substantially degrade water quality; Fundamentally conflict with the City of Oakland Creek Protection Ordinance (Oakland Municipal Code Chapter 13.16) intended to protect hydrologic resources.	☒	☐	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or proposed uses for which permits have been granted);	☒	☐	☐
c. Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems; Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course, or increasing the rate or amount of flow, of a creek, river, or stream in a manner that would result in substantial erosion,	☒	☐	☐

7. **Hydrology and Water Quality** Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
siltation, or flooding, both on or off site			
d. Result in substantial flooding on or off site; 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, that would impede or redirect flood flows; Place within a 100-year flood hazard area structures which would impede or redirect flood flows; or Expose people or structures to a substantial risk of loss, injury, or death involving flooding.	☒	☐	☐
e. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course, or increasing the rate or amount of flow, of a creek, river or stream in a manner that would result in substantial erosion, siltation, or flooding, both on- or off-site.	☒	☐	☐

The Program EIRs all found less-than-significant impacts related to hydrology or water quality through adherence to existing regulatory requirements, many of which are incorporated into the City's SCAs.[56] The Program EIRs also all found less-than-significant effects regarding use of, and impacts on, groundwater resources, and recognized that subsequent development could involve dewatering. Compliance with existing City requirements and practices incorporated into the City's SCAs were cited to ensure such activities do not substantially deplete, or interfere with recharge of, groundwater resources. Finally the Program EIRs found less-than-significant impacts related to flooding and risks from flooding with adherence to existing regulatory requirements that are incorporated in the City's SCAs.

[56] LUTE EIR, Section III.I, p. III.I-1 et seq.; Estuary Plan EIR, Section III.I, p. III.I-1 et seq.; Housing Element EIR, Appendix A 119 et. seq.

Project Analysis

Earthwork activities that would occur as part of construction activities on the project site include demolition of the existing structures and pavement, and possible partial excavation of site soils. During construction, existing impervious surfaces and established ground cover that serve to stabilize site soils would be removed from the project site, potentially resulting in increased erosion from the project site and increased sediment load in receiving waterbodies, such as the Oakland Estuary and San Francisco Bay. Construction activities can also result in the accidental release of hazardous waste products such as adhesives, solvents, paints, and drilling and petroleum lubricants that, if not managed appropriately, can adhere to soil particles, become mobilized by rain or runoff, and degrade water quality. Hazardous waste products used during construction could also infiltrate into groundwater and degrade the quality of potential groundwater resources.

If not properly managed, excavation and grading activities could result in erosion and sedimentation, and the impacts to receiving waters would be potentially significant. To reduce potential significant water quality impacts associated with construction-related activities for the project, the project would be required to comply with the following SCAs regarding grading, drainage, erosion, and sedimentation control, in addition to National Pollution Discharge Elimination System (NPDES) General Construction Permit requirements:

SCA 54: Erosion and Sedimentation Control Plan

Prior to any grading activities:

a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials onto lands of adjacent property owners, public streets, or into creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding of berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected, and that the project applicant shall clear the system of any debris or sediment.

Ongoing throughout grading and construction activities:

b) The project applicant shall implement the approved erosion and sedimentation control plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.

SCA 74: Stormwater Pollution Prevention Plan (SWPPP)

Prior to and ongoing throughout demolition, grading, and/or construction activities

The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs); and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.

Implementation of SCAs 54, and 74 would reduce the project's potential water quality impacts due to construction-related erosion and sedimentation by prohibiting grading activities during the wet weather season and by ensuring implementation of all appropriate best management practices as part of a City approved erosion and sedimentation control plan and SWRCB-approved SWPPP, which would prevent excessive erosion and stormwater runoff of solid materials as a result of earthmoving activities. SCAs 54 and 74 would mitigate potential surface water quality impacts due to construction-related erosion and sedimentation to a less-than-significant level by ensuring that construction-related stormwater pollution control at the project site meets all state and federal regulatory standards.

The majority of the project site is currently covered in impervious surfaces. Pre- and post-project impervious surface areas on the project site are anticipated to be similar to current conditions. Accordingly, the project is not expected to result in a decrease in groundwater recharge. Water supplies for the proposed project would be provided by the East Bay Municipal Utilities District (EBMUD). The proposed project would not deplete local groundwater supplies. There are no groundwater supply wells at the project site. Thus, no impacts to groundwater levels or recharge would result.

Excavation and construction of structures with subsurface foundations or open trenches, such as building foundations or pipelines, can often intercept shallow groundwater and require dewatering (removal of

groundwater by pumping) to lower groundwater levels and drying the area for construction. Based on field exploration for the Preliminary Geotechnical Assessment, groundwater at the project site is located at 5.7 to 10 feet below the ground surface (bgs).[57] Depending on the nature of construction activities and given the shallow subsurface groundwater levels, groundwater could flow into excavations that extend below the groundwater table. Based on project design, which includes partially sub-grade parking, the Preliminary Geotechnical Assessment concluded that temporary dewatering for construction may be required, as well as waterproofing of foundation elements. Depths of excavation would vary with individual project components and localized site conditions. The SWPPP for construction required by SCA 74 would include measures to prevent contamination of groundwater that could occur from chemicals associated with construction (e.g., fuels, solvents, etc.)

If dewatering is required, such activities are typically conducted by either pumping water directly from open excavations or by installing dewatering wells adjacent to the open excavation. In either case (but more so with open excavation dewatering), dewatering effluent may contain turbid water (i.e., water that contains sediment). This turbid water, if discharged directly to receiving waters without treatment could cause degradation of the receiving water quality. For a project of this type (i.e., one that does not include extensive subsurface elements), the duration of dewatering would likely be less than a few months. Any groundwater dewatering would be limited in duration and would be subject to permits from East Bay Municipal Utility District (EBMUD) or the Regional Water Quality Control Board (RWQCB), depending on whether the discharge is made to the sanitary sewer system or the storm sewer system.

Under existing state law, it is illegal to allow unpermitted non-stormwater discharges to receiving water. As stated in the Construction General Permit:[58]

> Non-stormwater discharges directly connected to receiving waters or the storm drain system have the potential to negatively impact water quality. The discharger must implement measures to control all non-stormwater discharges during construction, and from dewatering activities associated with construction.

In addition, the Construction General permit states:[59]

> Discharging any pollutant-laden water that will cause or contribute to an exceedance of the applicable Regional Water Board's Basin Plan from a dewatering site or sediment basin into any receiving water or storm drain is prohibited.

The Construction General Permit allows the discharge of dewatering effluent if the water is properly filtered or treated, using appropriate technology that meets regulatory standards. These technologies include, but are not limited to, retention in settling ponds (where sediments settle out prior to discharge

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[57] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California*, December.

[58] SWRQB, General Construction Activity Storm Water Permit (General Construction Permit), 2009 (as amended 2010 and 2012), page 31.

[59] Ibid., page 8.

of water) and filtration using gravel and sand filters (to mechanically remove the sediment). If the dewatering activity is deemed by the RWQCB not to be covered by the Construction General Permit, then the discharger would prepare a Report of Waste Discharge for approval by the RWQCB and be issued site-specific Waste Discharge Requirements (WDRs) under the National Pollutant Discharge Elimination System (NPDES) regulations. Site–specific WDRs contain rigorous monitoring requirements and performance standards that, when implemented, ensure that receiving water quality is not substantially degraded and meets regulatory discharge standards.

If the water is not suitable for discharge to the storm drain (receiving water), as discussed above, dewatering effluent may be discharged to EBMUD's sanitary sewer system if special discharge criteria are met. These include, but are not limited to, application of treatment technologies or Best Management Practices (BMPs) which will result in achieving compliance with the wastewater discharge limits. Discharges to EBMUD's facilities must occur under a Special Discharge Permit. Per the EBMUD Wastewater Ordinance, "[w]astewater may be discharged into community sewers for interception, treatment, and disposal by the District provided that such wastewater does not contain substances prohibited, or exceed limitations of wastewater strength, set forth in this Ordinance" (Title II, Section 1). In addition, per the EBMUD Wastewater Ordinance "[a]ll dischargers, other than residential, whose wastewater requires special regulation or contains industrial wastes requiring source control shall secure a wastewater discharge permit" (Title IV, Section 1). As demonstrated above, EBMUD regulates the inputs into its facilities. EBMUD also operates its wastewater treatment facilities in accordance with WDRs issued by the RWQCB, which require rigorous monitoring of effluent to ensure discharges do not adversely impact receiving water quality.

Based on the information available from on-site soil and groundwater sampling, it is not expected that the dewatering effluent will be highly contaminated, but it may contain trace levels of contamination that may possibly exceed the discharge standards of EBMUD. In this case, the water would likely be treated to the standards required by the Special Discharge Permit program using proven technologies (e.g., filtration to remove sediment and/or advanced treatment technologies to remove other pollutants) to the degree the effluent could be discharged (under permit) to the storm or sanitary sewers. Compliance with regulatory permit requirements would ensure that the water is tested prior to discharge to ensure that the treatment technologies are effective.

Since proper management of dewatering effluent is covered by existing state and local regulations, and implementation of these regulations would protect receiving water quality in accordance with applicable regulatory standards, the project would have no significant impacts on receiving groundwater.

With respect to post-construction stormwater management, non-point source (NPS) pollutants are washed by rainwater from rooftops, landscape areas, and streets and parking areas into the drainage network. Pollutant concentrations in site runoff are dependent on a number of factors including: (1) land use conditions; (2) site drainage conditions; (3) intensity and duration of rainfall; (4) the climatic conditions preceding the rainfall event; and (5) implementation of water quality BMPs. Due to the variability of urban runoff characteristics, it is difficult to estimate pollutant loads for NPS pollutants. However, pollutants from the proposed project would be consistent with residential areas, commercial areas, landscape areas, and parking lots. Elevated levels of oil and grease, petroleum hydrocarbons, metals, and nutrients in site runoff are likely. Without proper mitigation, development of the project site

could contribute to NPS pollutants in the Oakland Estuary and San Francisco Bay and adversely affect water quality.

Since the project would replace greater than 10,000 square feet of impervious surfaces, the project would be required to comply with the following Oakland SCAs, which implement post-construction NPDES stormwater requirements:

SCA 79: Post-Construction Stormwater Management Plan

Prior to issuance of building permit (or other construction-related permit)

The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater runoff and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.

a) The post-construction stormwater management plan shall include and identify the following:

   i. All proposed impervious surface on the site;
   ii. Anticipated directional flows of on-site stormwater runoff; and
   iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and
   iv. Source control measures to limit the potential for stormwater pollution;
   v. Stormwater treatment measures to remove pollutants from stormwater runoff; and
   vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit.

b) The following additional information shall be submitted with the post-construction stormwater management plan:

   i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and
   ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e. non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project.

All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment

measures in the post-construction stormwater management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program.

SCA 80: Maintenance Agreement for Stormwater Treatment Measures.

Prior to final zoning inspection:

For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

i. The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and

ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.

Implementation of SCA 79 would ensure that development of the project does not increase the quantity of stormwater runoff at the site and that any stormwater discharges from the site are managed and treated in accordance with NPDES permit requirements. In accordance with applicable NPDES requirements, the proposed project would be required to consider site design features that reduce impervious areas and utilize landscape areas in between impervious areas as a storm drainage treatment feature; install source control features such as enclosed trash areas and covered car wash areas; and implement permanent treatment control features such as bio-retention areas, vegetation swales, and/or infiltration trenches. Also, if required under the NPDES permit, the project applicant would be required to utilize, retain, detain, or infiltrate runoff to match pre-project flows and durations. SCA 80 would provide a mechanism to ensure that required maintenance of the stormwater treatment system is performed during the life of the project. Accordingly, with implementation of SCA 79 and SCA 80, the project's potential post-construction impacts on water quality would be less-than-significant and the project would not otherwise substantially degrade water quality.

The project site is not located in a 100- or 500-year mapped flood hazard zone,[60] and the project site is not in a mapped dam inundation area.[61] The project site location is not located in an area subject to seiche, tsunami, or mudslide hazards.[62] The likelihood flooding caused by tsunamis, seiches, or mudflows in the project area is negligible. Therefore, the project would not expose people or structures to the risk of loss due to flooding, nor would it place within a 100-year flood hazard area structures which would impede or redirect flood flows. According, the proposed project's potential impacts related to flooding hazards would be considered less-than-significant.

There are no creeks, rivers or streams on or in the vicinity of the project site. Accordingly, the project would not alter the existing drainage pattern of the site in a manner that would increase the rate or amount of flow of creek, river or stream. For the same reason, the project would not conflict with the City of Oakland Creek Protection Ordinance. As such, the project's potential impacts related to creeks and streams would be less-than-significant.

Assuming concurrent implementation of the project with other reasonably foreseeable future projects in the vicinity, adverse cumulative effects on hydrology and water quality could include construction impacts related to increases in stormwater runoff and pollutant discharging into the Oakland Estuary and San Francisco Bay. The project and other future projects in the City would be required to comply with all SCAs relating to drainage and grading intended to control runoff and regulate water quality at each development site. Furthermore, the City is generally built out with very few and relatively small undeveloped parcels that could convert from pervious to impervious surfaces. New projects would be required to demonstrate that stormwater volumes could be managed by downstream conveyance facilities and would not induce flooding. New development projects would also be required to comply with all SCAs and City ordinances regarding water quality, creek protection, and NPDES permitting requirements. Therefore, the cumulative effect of the project on water quality and hydrology, in combination with other foreseeable projects, would be less-than-significant.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to hydrology and water quality, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to hydrology and water quality would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

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[60] Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Rate Map, Alameda County, California and Incorporated Areas Panel 67 of 725, Map 06001C0067G, August 3.

[61] City of Oakland, 2004. *General Plan.* Safety Element, Figure 6.1, Flooding Hazards.

[62] ENGEO, 2014. *Preliminary Geotechnical Assessment, 430 Jackson Street, Oakland, California,* December.

Minerals

Setting

The project, which is approximately 2.07 acres and comprised of one and half city blocks, is located within a built urban environment in the Jack London District neighborhood. The proposed project would replace an existing office/warehouse building and a paved parking lot. The project site and its vicinity are not designated Regionally Significant Construction Aggregate Resources by the State Mining and Geology Board, nor is any other site in the Jack London District.

Criteria of Significance and Summary of Previous CEQA Document Determinations

8. Mineral Resources Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or	☒	☐	☐
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.	☒	☐	☐

None of the Program EIRs identified any impact with respect to mineral resources and the Housing Element EIR determined that development thereunder would have no impact on mineral resources.[63]

Project Analysis

The project site has no known existing mineral resource of value to the region and the residents of the state. The project does not propose, and would not require, quarrying, mining, dredging, or extraction of locally-important mineral resources on site, nor would it deplete any known mineral resource that would

[63] Housing Element EIR, Appendix A, p. 161 et seq.

be of value to the region and the residents of the state.[64] As a result, the project would have no significant project-level or cumulative impacts related to mineral resources.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to mineral resources, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to mineral resources would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

[64] City of Oakland, 1996. *General Plan*. Open Space, Conservation, and Recreation Element, June.

Population and Housing

Setting

The project area is located in a built-out urban area that contains a variety of industrial, warehouse, commercial, residential, and joint living and working uses. The proposed project would be replacing an existing office and warehouse in the Block A portion of the site, and a parking lot in the Block B portion of the site. The proposed project would result in the construction of approximately 330 additional residential units with up to 8,000 square feet of non-residential space and 335 parking spaces in an urban area. The existing office use is that of the corporate headquarters of Cost Plus World Market, which is being phased out independently of the proposed project due to the acquisition of Cost Plus World Market by Bed Bath & Beyond.

Criteria of Significance and Summary of Previous CEQA Document Determinations

9. Population and Housing Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Induce substantial population growth in a manner not contemplated in the General Plan, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extensions of roads or other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed;	☒	☐	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element; or Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element.	☒	☐	☐

Each of the Program EIR's found less-than-significant impacts related to population and housing.[65]

Project Analysis

The proposed project is consistent with the General Plan Land Use and Transportation Element, which encourages infill housing opportunities in close proximity to employment centers and alternative transportation options. In addition, the proposed project would provide additional housing in the area and therefore additional residents to patronize and support to areas planned for more intense retail, dining, and entertainment activities in the Jack London Square and Lower Broadway in accordance with the *Estuary Policy Plan*. The proposed project would support and be consistent with the following land use objectives from the *Estuary Policy Plan*:[66]

- **Objective LU-1: Provide for a broad mixture of activities within the Estuary area.** "…A variety of uses can contribute in making the Estuary of value to Oakland's community and an attractive regional destination. A balance of uses and activities such as commercial, recreation, and residential - both traditional and non-traditional - will add to a dynamic waterfront…"
- **Objective LU-3: Expand opportunities and enhance the attractiveness of the Estuary as a place to live.** "The Estuary has been a place for people to live, with neighborhoods established close to jobs on inland sites. The mix of jobs and housing is characteristic of urban waterfront locations, and provides a precedent for modern day mixed use. It should remain so. In the future, opportunities to develop housing should be supported in the Estuary study area. An expanded residential population and associated services would support commercial and recreational uses, and over time generate neighborhoods..."

The U.S. Census population for the City of Oakland in 2010 was 390,724. According to ABAG's *2013 Projections*, the City of Oakland is expected to reach a population of more than 551,000 by 2040. For Oakland, ABAG projected a 12.5 percent population growth rate between 2010 and 2020, or an increase by 48,876 persons.[67] The project would replace an existing office use and parking lot and thus would not displace any existing housing or people. Residents added by the proposed project would represent a marginal fraction of this projected and planned growth. Additionally, Block B (431 Madison Street, APN 001-0161-007-07) is identified in the City's *2015-2023 Housing Element* as a housing opportunity site.[68] The project thus would not induce substantial population growth in a manner not contemplated in the General Plan, including the *2015-2023 Housing Element* and *Estuary Policy Plan*, and would not displace substantial numbers of existing housing or people. The project therefore would not result in a significant

[65] LUTE EIR, Section III.C, p. III.C-1 et seq.; Estuary Plan EIR, Section III.C, p. III.C-1 et seq.; Housing Element EIR, Appendix A, p. 165 et seq.

[66] City of Oakland and Port of Oakland, 1999. *Estuary Policy Plan*, Section II: Objectives, pages 29-30, June.

[67] City of Oakland, 2014. *2015-2023 Housing Element*, pages 210-211. December 9.

[68] City of Oakland, 2014. *2015-2023 Housing Element*, Appendix C: Detailed Site Inventory, Table C-6 Additional Housing Opportunity Sites, page 411, December 9.

project-level or cumulative impact related to population growth and would have no impact on housing displacement or population displacement.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to population and housing, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to population and housing would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

Public Services

Setting

The proposed project site is located in a completely developed urban area already served by public services. Fire protection and emergency medical response services are provided to the project site by the Oakland Fire Department. The nearest fire station, Station 12, is located within a mile from the project site at 822 Alice Street, Oakland. Station 12 has four staff on duty at any given time. Police protection services are provided to the project site by the Oakland Police Department headquartered in downtown Oakland at 455 7th Street. For police service purposes, the City of Oakland is divided into six geographic areas and 57 patrol beats numbered 1X through 35Y.[69] Each patrol beat generally includes an area with between 5,000 and 7,000 residents.[70] The project site is located within the Police Services Agency's Community Policing Area 1 and in Beat 1X. Area 1 is the area traditionally known as West Oakland, and is bordered by the City of Emeryville and Area 2 on the north, Lake Merritt on the east, the Oakland Estuary on the south, and the Bay on the west.[71]

The Oakland Unified School District (OUSD) operates public schools within the vicinity of the project site. The project site lies within the boundaries of Lincoln Elementary School, located to the north at 225 11th Street, less than ¾-mile from the project site, and within the boundaries of Westlake Middle/Junior High School, further to the north at 2629 Harrison Street and within 2 miles of the project site.[72] The project site also lies within the boundaries of Oakland Technical High School, located approximately 4 miles north at 4351 Broadway.[73]

The proposed project site is located in an urban area of downtown Oakland that is served by a number of parks including: the nearby 6.6-acre Estuary Park, located ½-mile southeast; Madison Park and Harrison (Chinese Garden) Park, each 1.38 acres and located ¼-mile north; and Lake Merritt, located 1 mile northeast of the project site.

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[69] City of Oakland, 2015. Oakland Police Department Districts and Beats Map. http://oakgis.maps.arcgis.com/home/, accessed March 12.

[70] Oakland City Council, 1996. Resolution No. 72727. June 11.

[71] Oakland Police Department, 2013. *Annual Management Report,* page 6.

[72] Oakland Unified School District, 2015. Map Center & School Finder. http://www.ousd.k12.ca.us/domain/51, accessed March 15, last updated September 4, 2009.

[73] Unified School District, 2015. Map Center & School Finder. http://www.ousd.k12.ca.us/domain/51, accessed March 15, last updated September 4, 2009.

Criteria of Significance and Summary of Previous CEQA Document Determinations

10. Public Services Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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; or • Other public facilities.	☒	☐	☐

Each of the Program EIRs found less-than-significant impacts related to public services.[74] T the Housing Element EIR identified SCAs to reduce such impacts to police and fire services to less-than-significant levels. The LUTE EIR identified a significant effect regarding student enrollment, and identified mitigation measures would not reduce the effect to less-than-significant. This determination predated enactment of Senate Bill 50 (SB 50), which provides that the payment of mandatory school impact fees shall be the exclusive method of considering the mitigating impacts on school facilities.

Project Analysis

The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 public services as described below:

[74] LUTE EIR, Section III.D, p. III.D-1 et seq.; Estuary EIR, Section III.D, p. III.D-1; Housing Element EIR, Appendix A, p. 175 et. seq.

Fire Protection Services

The Oakland Fire Department meets a 7.5-minute response time 90 percent of the time, and meets an 8-minute response time standard for medical calls. Residential projects constructed in the vicinity of the project site in recent years have not impacted the Fire Department's ability to maintain these response times; the only anticipated additional calls would be industrial accidents that could potentially occur during the finite construction period for the project.[75]

In compliance with Oakland's Building Code, the proposed project would contain a full sprinkler system, and the stairwells would be fire-walled and smoke proof.[76] In accordance with standard City practices, the Fire Services Division will review the project plans at the time of building permit issuance to ensure that adequate fire safety measures are designed into the project, in compliance with all applicable state and city fire safety requirements.

The project would be required to comply with the following Oakland SCAs, which address the above-mentioned requirements and others, and would result in only a marginal increase in population (as compared to the project site's existing office, warehouse and parking uses). Thus, the project would not be expected to cause a substantial adverse effect on call response times or other performance standards.[77] Moreover, the project site is not located in an Oakland Wildfire Prevention Assessment District, indicating that it is not located in the high wildland fire zone. The Fire Department indicates that it would be able to provide adequate fire suppression and emergency medical response services to the project site with existing staff, and that the project would not require development of new or physically altered facilities. To further reduce any potential impact on fire protection services, the project will be required to implement the following SCAs:

SCA 4: Conformance with other Requirements

Prior to issuance of a demolition, grading, P-job, or other construction related permit

a) The project applicant shall comply with all other applicable federal, state, regional, and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition of Approval [SCA] 3.[78]

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[75] Hoffman, Deputy Chief Mark, Oakland Fire Department, 2015. Personal communication with Urban Planning Partners, March 13.

[76] City of Oakland, 2015. Municipal Code, Chapter 15.12, Oakland Fire Code.

[77] Hoffman, Deputy Chief Mark, Oakland Fire Department, 2015. Personal communication with Urban Planning Partners, March 13.

[78] In relevant part, SCA 3 provides as follows:
"Scope of This Approval;Minor and Major Changes

b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

SCA 19: Improvements in the Public Right-of-Way (General)

Prior to the issuance of a P-job or building permit

a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including, but not limited to, curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards, and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements located within the public ROW.
b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations.
c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.
d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.

SCA 23: Construction Management Plan

Prior to issuance of a demolition, grading, or building permit

The project applicant shall submit to the Planning and Zoning Division and the Building Services Division for review and approval a construction management plan that identifies the conditions of approval and mitigation measures related to construction impacts of the project and explains how the project applicant will comply with these construction-related conditions of approval and mitigation measures.

Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes required submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

Implementation of SCA 4, SCA 19, and SCA 23 will ensure that that the Project's potential impact on the provision of fire services is less-than-significant by incorporating all appropriate building and fire code requirements into project construction (e.g., automatic sprinklers, smoke detectors, fire alarm systems, and fire resistant construction), and by implementing a fire safety plan as a component of the project's required construction management plan. Accordingly, with implementation of SCA 4, SCA 19 and SCA 23, the project's impact on the provision of fire services would be less-than-significant.

The increased population and density resulting from the project, in conjunction with other foreseeable development in the city, would result in a cumulative increase in demand for fire protection/emergency medical services. However, future development would occur pursuant to General Plan policies and SCAs that reduce the potential cumulative impact on fire services to a less-than-significant level. For the project, the Fire Department does not anticipate the need for any new physical facilities to adequately service the resulting increase in daytime and nighttime population on the project site. Additionally, as discussed above, the project will incorporate all appropriate building and fire code requirements into project construction, would implement a fire safety plan during project construction, and would develop emergency response plans in coordination with the Fire Department. Therefore, the project's contribution to the potential cumulative impact on the provision of fire services would be less-than-significant.

Police Protection Services

Police protection services are provided to the project site by the Oakland Police Department headquartered in downtown Oakland at 455 7th Street. The City of Oakland is divided into six geographic areas and 57 patrol beats numbered 1X through 35Y.[79] Each patrol beat generally includes an area with between 5,000 and 7,000 residents.[80] The project site is located within the Police Services Agency's Community Policing Area 1 and in Beat 1X. Area 1 is the area traditionally known as West Oakland, and is bordered by the City of Emeryville and Area 2 on the north, Lake Merritt on the east, the Oakland Estuary on the south, and the Bay on the west.[81] Area 1 is a diverse community with multiple thriving business districts, including Jack London Square, Downtown Oakland, and City Hall (Frank Ogawa Plaza),[82] as well as Chinatown, the Port of Oakland, and West Oakland extending to the Emeryville Border.[83] Patrol Beat 1X encompasses a portion of Jack London Square and is generally bounded by I-880 to the north, the Lake Merritt Channel to the east, the Oakland Estuary to the south, and Castro Street and Martin Luther King Jr. Way to the west.

Approximately 90 officers are assigned to Area 1, including foot patrol (1 sergeant and 3 officers, Monday through Friday, 8:00 a.m. to 4:00 p.m.), specialized units (Tuesday through Friday, and including the

[79] City of Oakland, 2015. Oakland Police Department Districts and Beats Map. http://oakgis.maps.arcgis.com/home/, accessed March 12.

[80] Oakland City Council, 1996. Resolution No. 72727. June 11.

[81] Oakland Police Department, 2013. *Annual Management Report,* page 6.

[82] Oakland Police Department, 2013. *Annual Management Report,* page 6.

[83] Capt. Drennon Lindsey, Area 1 Commander, Oakland Police Department, 2015. Personal communication with Urban Planning Partners, March 12.

crime reduction team), community response officers, and 24-hour patrol.[84] Calls placed to the Police Department are prioritized, and depending on the priority of the call, the nearest police officer will be dispatched to respond to the call. An officer from any of the six areas may be dispatched on a call depending on their location in the City and the priority of the call. The additional persons generated by the 330-unit project, as compared to the project site's existing office, warehouse and parking uses, would represent a small, incremental increase to the existing population already served by Area 1 police services, and officers assigned to all six areas would be available to respond to high-priority calls.

Additionally, a Neighborhood Crime Prevention Council, part of Oakland's community policing program, is organized for each police beat area. For each Neighborhood Crime Prevention Council, a Neighborhood Services Coordinator is assigned to help residents work together and in partnership with the Police and other City departments to identify and solve problems, to set priorities, and to develop strategies to improve public safety and crime.[85] The Neighborhood Crime Prevention Council for Beat 1X has been temporarily inactive, but is expected to have at least one meeting sometime in the first half of 2015 to re-initiate activity.[86] Given that the project would add only a relatively small number of residents to the area, the project would not result in the need for new or physically altered governmental police facilities due to this population increase. Accordingly, the project's impact on the provision of police services would be less-than-significant.

The incremental increase in population and density resulting from the project, in conjunction with other foreseeable development in the city, would result in a cumulative increase in demand for police services. However, future development would occur pursuant to General Plan policies and SCAs that reduce the potential cumulative impact on police services to a less-than-significant level. Moreover, the project would incorporate design measures aimed to heighten safety (through lighting, access, and visibility) to public spaces, would provide onsite security measures, and would develop security plans in coordination with relevant City departments. Therefore, the project's contribution to the potential cumulative impact on the provision of police services would be less-than-significant.

Schools

OUSD operates public schools within the vicinity of the project site. The project site lies within the boundaries of Lincoln Elementary School, located to the north at 225 11th Street, less than ¾-mile from the project site, and within the boundaries of Westlake Middle/Junior High School, further to the north at

[84] Capt. Drennon Lindsey, Area 1 Commander, Oakland Police Department, 2015. Personal communication with Urban Planning Partners, March 12.

[85] Oakland Police Department, 2015. Neighborhood Councils. http://www2.oaklandnet.com/Government/o/OPD/s/NSD/s/ncpc/index.htm, accessed March 12.

[86] Brenda Ivey, Oakland Police Department, 2015. Personal communication with Urban Planning Partners. March 12.

2629 Harrison Street, within 2 miles of the project site.[87] The project site also lies within the boundaries of Oakland Technical High School, located approximately 4 miles north at 4351 Broadway.[88]

While important to the quality of life in the project area, impacts to schools from increased development do not necessarily result in physical environmental impacts. In *Goleta Union School District v. Regents of the University of California*, the Court of Appeal found that "[c]lassroom overcrowding, per se, does not constitute a significant effect on the environment."[89] A General Plan may have policies relating to public service levels in general or schools in particular. If a development project overwhelms the school district's capacity and quality of service, it could be inconsistent with the General Plan. However, the City of Oakland's General Plan does not have a specific policy related to school service levels.

Although the proposed project entails the construction of 330 additional residential units, including 1- and 2-bedroom units, this represents a small, incremental increase of families with school-aged children. Therefore, the project is not expected to cause any significant increase in enrollment at nearby public schools, nor would the project interfere with the operations of existing schools. In addition, pursuant to SB 50, the project sponsor would be required to pay impact fees of $3.20 per square foot,[90] the maximum authorized by California Government Code Section 65995, to offset any impacts to school facilities from the proposed project. Payment of this fee mandated under SB 50 is the mitigation measure prescribed by statute, and payment thereof is deemed full and complete mitigation by law. Accordingly, the project's potential impact on school services would be less-than-significant and no mitigation is required.

School-aged children generated by the project, in conjunction with those generated by other foreseeable development in City, would result in a cumulative increased demand on the provision of school services. However, pursuant to SB 50, the project sponsor of all future projects would be required to pay school impact fees established to offset potential impacts on school facilities.[91] Therefore, although the project could result in additional students that contribute to cumulative demands on OUSD facilities, the mandated payment of SB 50 school mitigation fees is deemed full and complete mitigation of this potential cumulative impact.

Other Public Facilities

Although not a mandate for new development, the City's Open Space, Conservation, and Recreation Element (OSCAR) provides a citywide policy goal of establishing 10 acres of total park acreage for each 1,000 residents, with 4 acres of that total being in local-serving parks. As identified in the OSCAR, the existing citywide total park acreage average is 8.26 acres per 1,000 residents, and the local-serving

[87] Oakland Unified School District, 2015. Map Center & School Finder. http://www.ousd.k12.ca.us/domain/51, accessed March 15, last updated September 4, 2009.

[88] Unified School District, 2015. Map Center & School Finder. http://www.ousd.k12.ca.us/domain/51, accessed March 15, last updated September 4, 2009.

[89] Goleta Union School District v. Regents of the University of California (2d Dist. 1995) (37 Cal. App. 4th 1025, 1032, 1995).

[90] Don Smith, City of Oakland, Building Services, 2015. Personal communication with Urban Planning Partners, March 16.

[91] California Government Code Section 65996.

average is 1.33 acres per 1,000 residents.[92] The Central area (including the Jack London District) has a higher than average existing local-serving park acreage of 1.65 acres per 1,000 residents. The OSCAR recognizes the difficulty in meeting the established goals—which it notes would be impossible without massive redevelopment—especially in built-out urban areas, but states that major gains toward the goal can be made through the expansion of existing parks, improvement of creek and shoreline access, acquisition of vacant parcels, and incorporation of new parks in major redevelopment projects.[93]

The additional persons generated by the 330-unit project would represent a small, incremental increase to the existing population already served by the City's public parks, recreational facilities and open space. The project site is located in an urban area of downtown Oakland that is served by a number of parks, including: the nearby 6.6-acre Estuary Park, located ½-mile southeast; Madison Park and Harrison (Chinese Garden) Park, each 1.38 acres and located ¼-mile north; and Lake Merritt, located 1 mile northeast of the project site. Moreover, implementation of the *Estuary Policy Plan's* shoreline access and public space plan is expected to add to the area's public open space. Components of the plan include the expansion of Estuary Park and development of a Meadow Green located a few blocks to the southwest of the project site, some of which (e.g., Marina Green) is now complete. Other components of the shoreline access and public space plan, including the improvement of recreational access in the Oak to 9th District, are underway.

The proposed project would also provide open space as required by the Oakland Planning Code. The project includes approximately 15,088 square feet of common open space including the central courtyards and accessible rooftop terraces. Other open space would be provided in the form of private decks and mezzanine spaces on several floors. Private open space would total about 20,887 square feet, which, per the Planning Code, would be the equivalent of 41,774 square feet of group open space.[94] Therefore, the project's overall effective open space would total about 56,862 square feet, which would exceed the project's requirement of 49,500 square feet of open space.[95] The effect of these proposed improvements would relieve the project's limited increased demand of park and recreational facilities in the project area. Given the limited number of new residents to be added by the project and the close proximity of existing and planned recreational facilities, as well as the open space amenities to be provided by the project, any increase the use of existing neighborhood or regional parks or other recreational facilities attributable to the project is not expected to result in substantial adverse impacts associated with the provision of, or the need for, new or physically altered park or recreational facilities. Accordingly, the project's potential impact on recreational and open space amenities in the project area would be less-than-significant.

The proposed project, in conjunction with other planned and foreseeable development under the cumulative scenario, could increase the use of existing recreational facilities in the project area on a cumulative basis. However, continued implementation of the *Estuary Policy Plan's* shoreline access and

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[92] City of Oakland, 1996. *General Plan*. Open Space, Conservation, and Recreation Element, pages 4-9, June.
[93] City of Oakland, 1996. *General Plan*. Open Space, Conservation, and Recreation Element, pages 4-9 and 4-10, June.
[94] *Oakland Zoning Code Regulations,* Section 17.126.020.
[95] 330 units at 150 square feet per unit, per Oakland Planning Code, Section 17.30.180.

public space plan, along with new public recreational and open space amenities associated with other projects is expected to relieve such demand. For example, the Brooklyn Basin project, a 65-acre project in the Oak to 9th District, includes 32 acres of parks and open spaces, restored wetlands, and a new marina, and will be required to comply with public access requirements that will ultimately close the largest gap in the Bay Trail along the Oakland Estuary. This uninterrupted, public access walkway along the estuary shoreline and development of the Oak to 9th District would provide additional public open spaces and recreational facilities for nearby residents, providing a system of open spaces and recreational facilities along the estuary. Moreover, as discussed above, the proposed project would exceed the open space area required under applicable zoning requirements. Taken together, the project would not cause, or represent a considerable contribution to, substantial adverse impacts associated with the provision of, or the need for, new or physically altered park or recreational facilities, the construction of which might have a substantial adverse physical effect on the environment. Therefore, the project's contribution to this potential cumulative impact would be less-than-significant.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to public services, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's impacts related to public services would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

Recreation

Setting

The proposed project site is located in an urban area of downtown Oakland that is served by a number of parks in the area including: the nearby 6.6-acre Estuary Park, located ½-mile southeast; Madison Park and Harrison (Chinese Garden) Park, each 1.38 acres and located ¼-mile north; and Lake Merritt, located 1 mile northeast of the project site. The project site is also located within the Jack London District, a subarea of the *Estuary Policy Plan*. The Estuary shoreline offers opportunities for a wide variety of water-oriented recreational activities, including fishing, viewing, sitting, bicycling, jogging, walking, and birdwatching. Estuary Park incorporates the Jack London Aquatics Center, a community center providing youth and adult rowing programs. Estuary Park also includes a grassy field, a public boat launch, and public picnic areas. The Bay Trail and the MLK Regional Shoreline, in the southern portion of the Estuary, contribute greatly to the role of the Estuary as a place for recreation and open space.

Criteria of Significance and Summary of Previous CEQA Document Determinations

11. Recreation Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or b. Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment.	☒	☐	☐

Each Program EIR found less-than-significant impacts related to recreational facilities; no mitigation measures were warranted nor SCAs identified.[96]

Project Analysis

Although not a mandate for new development, the City's Open Space, Conservation, and Recreation Element (OSCAR) provides a citywide policy goal of establishing 10 acres of total park acreage for each

[96] LUTE EIR, Section III.D, p. III.D-1 et seq.; Estuary EIR, Section III.D, p. III.D-1; Housing Element EIR, Appendix A, p. 175 et. seq.

1,000 residents, with 4 acres of that total being in local-serving parks. As identified in the OSCAR, the existing citywide total park acreage average is 8.26 acres per 1,000 residents, and the local-serving average is 1.33 acres per 1,000 residents.[97] The Central area (including the Jack London District) has a higher than average existing local-serving park acreage of 1.65 acres per 1,000 residents. The OSCAR recognizes the difficulty in meeting the established goals—which it notes would be impossible without massive redevelopment—especially in built-out urban areas, but states that major gains toward the goal can be made through the expansion of existing parks, improvement of creek and shoreline access, acquisition of vacant parcels, and incorporation of new parks in major redevelopment projects.[98]

The additional persons generated by the 330-unit project would represent a small, incremental increase to the existing population already served by the City's public parks, recreational facilities and open space. As discussed above, the project site is located in an urban area of downtown Oakland that is served by a number of parks in the area, including: the nearby 6.6-acre Estuary Park, located ½-mile southeast; Madison Park and Harrison (Chinese Garden) Park, each 1.38 acres and located ¼-mile north; and Lake Merritt, located 1 mile northeast of the project site. Moreover, implementation of the *Estuary Policy Plan's* shoreline access and public space plan is expected to add to the area's public open space. Components include the expansion of Estuary Park and development of a Meadow Green located a few blocks to the southwest of the project site, some of which (e.g., Marina Green) is now complete. Other components of the shoreline access and public space plan, including the improvement of recreational access in the Oak to 9th District, are underway.

The proposed project would also provide open space as required by the Oakland Planning Code. The project includes approximately 15,088 square feet of common open space including the central courtyards and accessible rooftop terraces. Other open space would be provided in the form of private decks and mezzanine spaces on several floors. Private open space would total about 20,887 square feet, which, per the Planning Code, would be the equivalent of 41,774 square feet of group open space.[99] Therefore, the project's overall effective open space would total about 56,862 square feet, which would exceed the project's requirement of 49,500 square feet of open space.[100] The effect of these proposed improvements would relieve the project's limited increased demand of park and recreational facilities in the project area. Given the limited number of new residents to be added by the project and the close proximity of existing and planned recreational facilities, as well as the open space amenities to be provided by the project, any increase the use of existing neighborhood or regional parks or other recreational facilities attributable to the project is not expected to cause or accelerate substantial physical deterioration of such facilities, nor require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment. Accordingly, the project's potential impact on recreational and open space amenities in the project area would be less-than-significant.

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[97] City of Oakland, 1996. *General Plan*. Open Space, Conservation, and Recreation Element, pages 4-9, June.
[98] City of Oakland, 1996. *General Plan*. Open Space, Conservation, and Recreation Element, pages 4-9 and 4-10, June.
[99] *Oakland Zoning Code Regulations,* Section 17.126.020.
[100] 330 units at 150 square feet per unit, per Oakland Planning Code, Section 17.30.180.

The proposed project, in conjunction with other planned and foreseeable development under the cumulative scenario, could increase the use of existing recreational facilities in the project area on a cumulative basis. However, continued implementation of the *Estuary Policy Plan's* shoreline access and public space plan, along with new public recreational and open space amenities associated with other projects is expected to relieve such demand. For example, the Brooklyn Basin project, a 65-acre project in the Oak to 9th District, includes 32 acres of parks and open spaces, restored wetlands, and a new marina, and will be required to comply with public access requirements that will ultimately close the largest gap in the Bay Trail along the Oakland Estuary. This uninterrupted, public access walkway along the estuary shoreline and development of the Oak to 9th District would provide additional public open spaces and recreational facilities for nearby residents, providing a system of open spaces and recreational facilities along the estuary. Moreover, as discussed above, the proposed project would exceed the open space area required under applicable zoning requirements. Taken together, the project would not substantially degrade, or represent a considerable contribution to, the future demand on recreational and open space amenities in the project area. Therefore, the project's contribution to this potential cumulative impact would be less-than-significant.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to recreation, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's recreation impacts would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

Utilities and Service Systems

Setting

The project site is located in an urban area already served by utilities and service systems, and the existing conditions of the site include office buildings that house approximately 100 employees with active utilities connections. The East Bay Municipal Utility District (EBMUD), a publicly owned utility, supplies water and provides wastewater treatment to parts of Alameda and Contra Costa counties, including the city of Oakland and the project site.

In Oakland, stormwater runoff is collected from the southwesterly flows from the Oakland/Berkeley hills to the developed flatlands, where it then flows primarily through underground storm drains and culverts to the San Francisco Bay, via the Oakland Estuary (directly or by way of Lake Merritt) or through the city of Emeryville. The Alameda County Flood Control and Water Conservation District constructs, operates, and maintains major trunk lines and flood-control facilities in Oakland, and the Oakland Public Works Agency (PWA) is responsible for construction and maintenance of the local storm drainage system with Oakland's public areas and roads.

Solid waste in the city of Oakland is collected by Waste Management of Alameda County (WMAC), which provides curbside pickup for residential, commercial and industrial nonhazardous waste, and transports it to WMAC's Davis Street Transfer Station in the City of San Leandro. The Alameda County Waste Management Authority estimates that in 2000, Oakland disposed of approximately 423,200 tons of solid waste or about 1,160 tons per day (CIWMB, 2007).

Electricity and gas service in the City of Oakland is provided primarily by Pacific Gas and Electric (PG&E), which owns the gas and electrical utility supply lines. Some users purchase energy services directly from alternate power providers. Throughout most of Oakland, electrical power is delivered via overhead distribution and transmission lines, and natural gas is distributed through underground piping. PG&E expands its services on an as-needed basis and requires the user to fund the extension of service.

Criteria of Significance and Summary of Previous CEQA Document Determinations

12. Utilities and Service Systems Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
a. Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board; Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects;	☒	☐	☐

12. Utilities and Service Systems Would the project:	**Equal or Less Severity of Impact Previously Identified in the Program EIRs**	**Substantial Increase in Severity of Previously Identified Significant Impact in the Program EIRs**	**New Significant Impact**
Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects;			
b. Exceed water supplies available to serve the project from existing entitlements and resources, and require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects;	☒	☐	☐
c. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects; Violate applicable federal, state, and local statutes and regulations related to solid waste;	☒	☐	☐
d. Violate applicable federal, state and local statutes and regulations relating to energy standards; or Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects.	☒	☐	☐

Each of the Program EIRs found less-than-significant impacts related to utilities and service system with adherence to SCAs or with implementation of mitigation measures that have been implemented as, and are the functional equivalent to, SCAs.[101]

Project Analysis

Water Supply

The Estuary Plan EIR accounted for the water demand projections associated with development under the Estuary Plan, including development of the project site with uses and densities consistent with the proposed project. The Housing Element EIR accounted for the water demand projections associated with development of the RHNA. Both EIRs found less-than-significant impacts to water supplies and facilities. The project proposes development consistent with the development assumptions analyzed in the Estuary Plan and Housing Element EIRs and would not cause any substantial increase in the severity of impacts related to water supplies and infrastructure previously identified in Estuary Plan EIR and Housing Element EIR.

Oakland's water service provider, EBMUD, summarizes its water services capacity in its 2010 Urban Water Management Plan (UWMP). The UWMP to support EBMUD's long-term resource planning, and ensure adequate water supplies are available to meet existing and future water demands. Every urban water supplier that either provides over 3,000 acre-feet of water annually, or serves more than 3,000 urban connections is required to prepare an urban water management that assesses the reliability of its water sources over a 20-year planning horizon, and report its progress on 20% reduction in per-capita urban water consumption by the year 2020, as required in the Water Conservation Bill of 2009 SBX &-7. The plans must be prepared every 5 years and submitted to the Department of Water Resources (DWR). DWR staff then reviews the submitted plans to make sure they have completed the requirements identified in the Water Code, Sections §10608– 10656, then submits a report to the Legislature summarizing the status of the plans.

According to the UWMP, EBMUD's long-term water demand projections are based on the adopted general plans of the cities and counties in the EBMUD service area and on meetings with local planning agencies regarding the timing and direction of future development in their respective communities. The UWMP demand projections also include the projected Regional Housing Needs Allocation (RHNA)[102] local governments are required to plan for. The Oakland General Plan designates the project site for the uses and densities proposed by the project, and the UWMP anticipates higher densities of existing land uses through 2020, consistent with the projected site analysis. Therefore the project's long-term water demand is accounted for in the UWMP's long-term water demand projections. The UWMP includes implementation of water conservation and recycled water programs to decrease impacts of development.

[101] LUTE EIR, Section III.D, p. III.D-1 et seq.; Estuary Plan EIR, Section III.D, p. IIID-1 et seq., Housing Element EIR, Appendix A, p. 197 et seq.

[102] 14,765 housing units.

According to the UWMP, EBMUD can meet customer service demands (based on ABAG population projections) through the year 2030 during normal year conditions; therefore, the available supply is considered equal to or greater than overall demand. However, in dry years, EBMUD would implement a Drought Management Program focused on reducing water consumption to ensure adequate supply is available. In the case of multiple dry years, in addition to water consumption reduction programs, EBMUD's water supply would have to be supplemented.[103]

In October 2009, EBMUD adopted the long-term *Water Supply Management Program 2040* (WSMP), which was subject to environmental review pursuant to a Program EIR prepared and certified by EBMUD. The WSMP serves as a long-range water supply planning guide used to evaluate water supplies and project demands over a thirty-year planning horizon to 2040. Its purpose is to identify and recommend solutions to meet or overcome dry-year water demands now and through the year 2040. The WSMP forecasts that EBMUD's service area demands would be approximately 304 mgd by 2030, and that this demand would be reduced to 229 mgd with implementation of water conservation measures and increased recycled water use. By 2040, the projected service area demand is 312 mgd, a figure EBMUD projects will be reduced to 230 mgd with implementation of water conservation measures and increased recycled water use.[104] These future water demand projections were calculated using existing and future demands for various land uses and projected land use patterns identified in the various general plans of cities and counties in the EBMUD service area.[105]

The WSMP identifies a "portfolio" of supplemental water sources, conservation measures, recycling and water rationing to meet projected service area water demand through 2040 during normal, single-dry and multiple-dry water years. The portfolio includes:

- Increased water conservation with a goal of reducing water demand by as much as 39 mgd;
- Increased production and use of recycled water, with a goal of achieving up to 11 mgd of recycled water use by year 2040;
- Managed water rationing during years of prolonged drought, and
- Acquisition of supplemental water supplies, including Northern California water transfers, the Bayside Groundwater Project, groundwater banking and exchanges, reservoir expansions, and regional desalination facilities.

The WSMP determines that implementation of these portfolio components over time will satisfy projection service area water demand through 2040 even during drought year conditions.

Given that the UWMP projects adequate supply during normal and dry years, with implementation of supplemental water supplies in multiple dry years, the small incremental water demand associated with

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[103] East Bay Municipal Utility District (EBMUD), 2011. *Urban Water Management Plan 2010*, page 4-2-4-10, June.
[104] EBMUD, *Water Supply Master Plan 2040*, Ocotober 2009, pg. 6-53.
[105] *Id*.

the project is not anticipated to exceed available water supplies from existing entitlements and resources or require the expansion or construction of water facilities that would cause significant environmental effects. The project would not change the UWMP's water demand projection and would not result in a new significant increase in water use.

Although not required to address the project's impact on water supplies, the project would be required to comply with all California Building Code requirements mandating low-flow plumbing fixtures and water efficient irrigation systems, and with SCA 18, below, to ensure that any necessary water service facilities would be installed in accordance with standard specifications of the serving utilities, therefore ensuring no significant environmental effects related to water facilities.

> **SCA 18: Underground Utilities**
>
> ***Prior to issuance of a building permit***
>
> The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.

The proposed project, in conjunction with reasonably foreseeable future projects, could result in cumulative increase in demand for water service. However, as discussed above, the UWMP's water demand projections account for all reasonably foreseeable future projects and the project would not exceed water supplies available to serve the project, nor cause significant environmental effects due to the construction of new or expanded water facilities. Additionally, the increases in demand attributable to other future development would be addressed on a site-by-site basis by EBMUD prior to approval of new development. Additionally, all future projects would be required to comply with City ordinances and policies regarding water supply, as well as water conservation measures, and wherever feasible, participate in water recycling programs established by EBMUD to address effects of severe drought. Overall, the effect of the proposed project on water supply, in combination with other foreseeable projects, would not be cumulatively considerable and would be less-than-significant.

Wastewater and Stormwater Treatment and Collection

The Estuary Plan EIR accounted for the wastewater treatment demand projections associated with development under the Estuary Plan, including development of the project site with uses and densities consistent with the proposed project. The Housing Element EIR accounted for the wastewater treatment demand projections associated with development of the RHNA. Both EIRs found less-than-significant impacts to wastewater facilities with implementation of applicable SCAs. The project proposes development consistent with the development assumptions analyzed in the Estuary Plan and Housing Element EIRs and would not cause any substantial increase in the severity of wastewater treatment impacts previously identified in Estuary Plan EIR and Housing Element EIR.

In 2009, the SF Bay RWQCB reissued an NPDES permit to EBMUD to operate its wastewater treatment facilities. Wastewater from Oakland flows to EBMUD's regional wastewater treatment plant in Oakland near the entrance of the San Francisco-Oakland Bay Bridge. EBMUD provides secondary treatment for a maximum flow of 168 million gallons per day (MGD). Primary treatment is provided for up to 320 MGD. Storage basins provide plant capacity for a short-term hydraulic peak of 415 MGD. On average, about 63 million gallons of wastewater is treated every day.[106] In Oakland, wastewater flows into the regional wastewater treatment plan through the City's sanitary sewer system. The City of Oakland owns and maintains approximately 1,000 miles of sewer collection pipelines and seven pump stations.[107] The City has both collection and treatment capacity to accommodate its share of the RHNA.[108] EBMUD and the City of Oakland collaboratively maintain the transport system.

EBMUD's projections for future flows at the wastewater plant are based on assumptions about the amount of development that will take place within the service area. In areas considered to be fully developed, including most of Oakland (and the project site), a 20 percent increase in sanitary flow was assumed to take into account higher densities associated with planned infill development. Based on EBMUD projections, the wastewater treatment plant and interceptor system have adequate capacity to treat the wastewater flows from future development, including the project site. Moreover, the City of Oakland's long-range sewer improvements are anticipated to reduce peak regional sanitary flows from 1.1 billion gallons per day to 775 mgd. Thus, the project would not result in a determination by the wastewater treatment provider which serves the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments or result in the construction of new wastewater treatment facilities. Therefore, this impact is less–than-significant.

Wastewater from the project would be directed to existing facilities, which would continue to comply with all provisions of the NPDES program, as enforced by the SF Bay RWQCB. Therefore, the project would not result in an exceedance of wastewater treatment requirements and the impact is less-than-significant.

Although not required to address the project's impact on wastewater treatment facilities, the project would be required to comply with SCA 90, which would further ensure that the project does not cause a significant impact on the City's sanitary sewer system:

> **SCA 90: Stormwater and Sewer**
>
> ***Prior to completing the final design for the project's sewer service***
>
> Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary

[106] East Bay Municipal Utility District, "Wastewater," at: http://www.ebmud.com/wastewater/.
[107] City of Oakland, 2014. *2015-2023 Housing Element*, pp. 247-248. December 9.
[108] City of Oakland, 2014. *2015-2023 Housing Element*, pp. 247-248. December 9.

sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.

The proposed project, in conjunction with reasonably foreseeable future projects, could result in a cumulative increase in sewage generation, resulting in increased demand on EBMUD's wastewater treatment facility serving the project site. However, it is not anticipated that the wastewater demands of the project combined with future projects in Oakland would result in the City exceeding EBMUD capacity to serve the project's projected demand in addition to its existing commitments within its service area. Moreover, other foreseeable future projects would be required to comply with the City's programs and ordinances regarding adequate function and capacity of the sanitary sewer system. Overall, the effect of the proposed project on the need for new or expanded wastewater facilities, in combination with other foreseeable projects would be less-than-significant.

Stormwater Collection

The Estuary Plan EIR accounted for the stormwater facility demand projections associated with development under the Estuary Plan, including development of the project site with uses and densities consistent with the proposed project. The Housing Element EIR accounted for the stormwater facility demand projections associated with development of the RHNA. Both EIRs found less-than-significant impacts to stormwater facilities with implementation of applicable SCAs. The project proposes development consistent with the development assumptions analyzed in the Estuary Plan and Housing Element EIRs and would not cause any substantial increase in the severity of stormwater facility impacts previously identified in Estuary Plan EIR and Housing Element EIR.

The City of Oakland is located within the jurisdictional boundaries of the San Francisco Bay Regional Water Quality Control Board (SF Bay RWQCB). The SF Bay RWQCB provides groundwater protection, wastewater discharge regulation, site cleanups, brownfields cleanups, stormwater basin planning, water quality information, enforcement, and stream and waterway protection. Under the SF Bay RWQCB National Pollutant Discharge Elimination System (NPDES) permit system, all existing and future municipal and industrial discharges to surface waters within the City would be subject to regulation.

Overall stormwater runoff from the project site is not anticipated to change substantially with the project. This is primarily due to the fact that the project site is currently developed with buildings, paved areas, and contains mostly impervious surfaces. Consistent with current regulations, the applicant will be required, as described in SCA 82 in the Geology and Soils section of this checklist, to submit on-site grading and drainage plans to the Building Services Division for review prior to commencement of construction or grading activities on site as to ensure that surface runoff during construction and operation of the project is adequately controlled. The project would also be required to comply with the

post-construction requirements outlined in SCA 90 in the Hydrology and Water Quality section of this checklist. SCA 90 would ensure that development of the project does not increase the quantity of stormwater runoff at the site and that any stormwater discharges from the site are treated in accordance with NPDES permit requirements. SCA 90 would provide a mechanism to ensure that required maintenance of the stormwater treatment system is performed during the life of the project. Thus, with implementation of SCA 90, the proposed project would not result in significant impacts with respect to stormwater drainage system capacity requirements.

As discussed earlier in this section, no major change in the total annual stormwater discharge from the site into the storm drain system is anticipated, due to the required implementation of stormwater management strategies, including the preparation of a SWPPP and the use of BMPs. Foreseeable future projects also would be subject to all regulatory requirements and programs aimed to reduce impacts on the storm drain system citywide, including compliance with the City's stormwater and related SCAs; thus the proposed project, in conjunction with reasonably foreseeable future projects, would not result in a cumulative increase in stormwater runoff and would not require the need for new or expanded stormwater drainage facilities.

Solid Waste

The Estuary Plan EIR accounted for solid waste disposal demand projections associated with development under the Estuary Plan, including development of the project site with uses and densities consistent with the proposed project. The Housing Element EIR accounted for the solid waste disposal demand projections associated with development of the RHNA. Both EIRs found less-than-significant impacts to solid waste facilities with implementation of applicable SCAs. The project proposes development consistent with the development assumptions analyzed in the Estuary Plan and Housing Element EIRs and would not cause any substantial increase in the severity of stormwater facility impacts previously identified in Estuary Plan EIR and Housing Element EIR.

Waste Management of Alameda County (WMAC) provides solid waste collection and disposal services to Oakland homes and businesses through an exclusive franchise agreement with the City. WMAC hauls Oakland's solid waste to the Davis Street Transfer Station (DSTS), a Waste Management facility in San Leandro. WMAC also delivers source-separated residential recyclables and yard trimmings to DSTS, where they are processed and transported to end markets. DSTS operates a Construction & Demolition Material Recovery Facility (MRF) that handles Oakland solid waste, which is typically collected from construction sites or other "dry" accounts. The DSTS's average daily outflow of 2,027 tons is well below its permit limit of 5,600 tons per day.[109] Solid waste delivered to DSTS, and residuals from recycling and MRF operations at DSTS, are transferred to the Altamont Landfill in Livermore for disposal. The Altamont Landfill has a permitted capacity of 87.1 million tons and a remaining capacity of 40 million tons, with an expected closure date in 2037.[110] Altamont is permitted for a maximum of 1.6 million tons

[109] Alameda County Integrated Waste Management Plan, Amended March 2015, p. II-26.
[110] Id. at II-38.

per year, subject to periodic adjustments.[111] Daily disposal at Altamont is limited to a maximum of 11,150 tons per day, but actual input averaged 4,531 TPD-5.[112] Altamont has slightly in excess of 34 years of remaining capacity.[113] Accordingly, the Altamont Landfill currently has adequate permitted capacity to serve the City of Oakland and can accommodate disposal of the small, incremental increase in solid waste that would be generated by the project.

Project construction would generate construction waste and debris. Assembly Bill (AB) 939 requires that all cities divert 50 percent of their solid waste from landfills by December 31, 2000. The current waste diversion rate in the City of Oakland is only 40 percent. However, increased participation in recycling programs is expected to further increase the City's waste disposal rate. Indeed, in 1995, the City disposed of 501,145 tons in County landfills, but this number dropped to 422,484 tons in 2000 and was further reduced to 304,820 tons in 2008.[114] With increased recycling citywide, this downward trend is expected to continue. Moreover, the project sponsor shall be required to comply with the City's construction and demolition debris recycling ordinance, which requires submittal of a plan to divert at least 50 percent of the construction waste generated by the project from landfill disposal, as required by SCA 35:

SCA 35: Waste Reduction and Recycling

The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency.

Prior to issuance of demolition, grading, or building permit

Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3), and all demolition (including soft demo).The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at **www.oaklandpw.com/Page39.aspx** or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.

Ongoing

The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by

[111] Id.
[112] Id.
[113] Id. at 39.
[114] Alameda County Integrated Waste Management Plan, Amended March 2015, Table3-5, p. III-10.

operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.

To further reduce the impacts on landfill facilities, the project sponsor must also provide adequate recycling collection and storage space to the project, as required by SCA 35.

Based on the above analysis, and with implementation of SCA 35, the project will have a less-than-significant impact on landfill facilities and is not expected to violate applicable federal, state or local statutes and regulations related to solid waste. As discussed above, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs and would not require or result in construction of landfill facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Moreover, implementation of SCA 35 would further reduce the project's impact on landfill facilities by diverting construction waste and operational waste from landfill resources to recycling centers in accordance with applicable standards. Accordingly, this project impact is less-than-significant.

The proposed project, in conjunction with reasonably foreseeable future projects, could result in a cumulative increase in solid waste and debris generated by project construction and operations. However, comprehensive implementation of City and County waste reduction and diversion requirements and programs by the project and future projects would reduce the potential for exceeding existing capacities of existing landfills, which have indicated that adequate long-term capacity currently exists. As a result, the project and future projects would not result in new or expanded landfill facilities or impede the City's ability to meet mandated waste diversion requirements, and this cumulative impact would therefore be less-than-significant.

Energy Standards

The Housing Element EIR accounted for the energy demand projections associated with development of the City's RHNA units and determined that impacts to energy resources would be less-than-significant. The project proposes development consistent with the development assumptions analyzed in the Housing Element EIR and would not cause any substantial increase in the severity of energy impacts previously identified in the Housing Element EIR.

The project's electric and gas needs would be served by Pacific Gas & Electric (PG&E). The proposed project would result in an incremental increase in the demand for gas and electrical power given the increase in development on the project site. Overall, the level of public energy required of the proposed project is not expected to violate applicable federal, state , and local statutes and regulations relating to energy or exceed PG&E's service capacity or require new or expanded facilities. Because the project proposes the new construction of a multi-family development of more than three units, it would also be required to comply with SCA 77, which mandates compliance with Title 24 of the California Code of Regulations requiring incorporation of energy-conserving design and construction. Compliance with these standards is verified and enforced through the building permit process. Also, PG&E infrastructure

exists at the project site, and any improvements and extensions required to accommodate the project would be determined in consultation with PG&E prior to installation.

SCA H: Compliance with the Green Building Ordinance, OMC Chapter 18.02

Prior to issuance of a demolition, grading, or building permit

The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02.

a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit:
   i. Documentation showing compliance with Title 24 of the 2013 California Building Energy Efficiency Standards.
   ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.
   iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.
   iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.
   v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance.
   vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit.
   vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

b) The set of plans in subsection (a) shall demonstrate compliance with the following:
   i. CALGreen mandatory measures.
   ii. All pre-requisites per the LEED/ GreenPoint Rated checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit.
   iii. **[INSERT: Green building point level requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)]** per the appropriate checklist approved during the Planning entitlement process.
   iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plancheck application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted.
   v. The required green building point minimums in the appropriate credit categories.

During Construction

The applicant shall comply with the applicable requirements of CALGreen and the Green Building Ordinance, Chapter 18.02.

a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval:
   i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit.
   ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance.
   iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.

Although the project would incrementally increase energy consumption, it would not result in a significant impact related to the provision of energy services, and implementation of SCA H would further reduce the project's reliance on energy consumption by ensuring the incorporation of energy-conserving project design and construction. Accordingly, the project's impact on energy services would be less-than-significant. Moreover, development of the project and other reasonably foreseeable future projects in Oakland, which is mostly already served by gas and electricity infrastructure, and the net increased power demand from these projects relative to the regional service area, would be minimal and not require expanded or new power facilities as a direct result of project development. Further, all future projects would be required to comply with all standards of Title 24 of the California Code of Regulations. Therefore, the effect of the proposed project on energy consumption levels, in combination with other foreseeable projects, would be less-than-significant.

Conclusion

Based on the above analysis, the proposed project would not cause any significant impacts related to utilities and service systems, nor would such effects of the proposed project, in combination with other foreseeable projects, be cumulatively considerable. The project's utilities and service system impacts would be equal to or less than the level of impact identified in the Program EIRs. There is no substantial new information which shows that the project's related adverse effects are more significant than described in the Program EIRs.

ATTACHMENT A

Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the CEQA Analysis prepared for the Jack London District 4th and Madison mixed-use residential development.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures ("MM") recommended in the EIR and identifies mitigation monitoring requirements, as well as the City's Standard Conditions of Approval ("SCA") identified in the EIR as measures that would minimize potential adverse effects that could result from implementation of the project, to ensure the conditions are implemented and monitored.

All MMs and SCAs identified in the CEQA Analysis, which is consistent with the measures and conditions presented in the Broadway Valdez District Specific Plan Environmental Impact Report (EIR), are included herein. To the extent that there is any inconsistency between the SCA and MM, the more restrictive conditions shall govern; to the extent any MM and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column identifies the SCA and MM applicable to that topic in the CEQA Analysis.
- The second column identifies the monitoring schedule or timing applicable to the Project.
- The third column names the party responsible for monitoring the required action for the Project.

The project sponsor is responsible for compliance with any recommendations in approved technical reports, all applicable mitigation measures adopted and with all conditions of approval set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the mitigation measures will be the responsibility of the Planning and Zoning Division. Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

[THE SCAMMRP IS INTENTIONALLY OMITTED HERE. THE SCAMMRP FOR THIS DOCUMENT IS INCLUDED AS APPENDIX D TO THE RESPONSE TO COMMENTS DOCUMENT.]

ATTACHMENT B

Infill Performance Standards, Per CEQA Guidelines Section 15183.3

California Environmental Quality Act (CEQA) Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M establish eligibility requirements for projects to qualify as infill projects. Table C-1, on the pages following, shows how the proposed project satisfies each of the applicable requirements.

Table B-1 Project Infill Eligibility

CEQA Eligibility Criteria		Eligible?/Notes for Proposed Project
1.	Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter. For the purpose of this subdivision, "adjoin" means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved right-of-way. (CEQA Guidelines Section 15183.3[b][1])	Yes The project site has been previously developed with office, warehouse and surface parking lot uses, and adjoins existing urban uses on 100% of the site's perimeter, as described in the Project Description, above.
2.	Satisfy the performance Standards provided in Appendix M (CEQA Guidelines Section 15183.3[b][2]) as presented in 2a and 2b below:	—
	2a. *Performance Standards Related to Project Design.* All projects must implement **all** of the following:	—
	Renewable Energy. *Non-Residential Projects.* All nonresidential projects shall include onsite renewable power generation, such as solar photovoltaic, solar thermal, and wind power generation, or clean back-up power supplies, where feasible. *Residential Projects.* Residential projects are also encouraged to include such onsite renewable power generation.	Not Applicable According to Section IV (G) of CEQA Appendix M, for mixed-use projects "…the performance standards in this section that apply to the predominant use shall govern the entire project." Because the project's predominant use is residential, the proposed project is not required to include onsite renewable power generation. It is not known at this time if the proposed project will provide onsite renewable power.
	Soil and Water Remediation. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.	Yes According to the Phase I Environmental Site Assessment prepared for the site, the project site is not included on any list compiled pursuant to Government Code Section 65962.5 (ENGEO, 2014). See Section 7, Hazards and Hazardous Materials, of the CEQA Checklist for additional information.

Table B-1 Project Infill Eligibility (Continued)		
CEQA Eligibility Criteria		**Eligible?/Notes for Proposed Project**
	Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code, or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.	Yes As discussed in the Air Quality section of this checklist, the project will comply with SCA B. Under SCA-B, the project applicant would be required to either a) prepare a HRA demonstrating that the future users of the site are not exposed to a health risk above the City's thresholds or b) incorporate health risk reduction measures into the project design that would reduce the cancer and hazard risks associated with nearby TAC emissions (SCA-B, option a). The project applicant has indicted that the project design will include air filters with a MERV-13 rating, which will reduce levels of indoor DPM and $PM_{2.5}$ by at least 85 percent relative to the incoming outdoor air.[115] An 85 percent reduction in the level of indoor DPM would reduce the cumulative incremental cancer risk at the project site to about 24 in a million, which is below the City's threshold of 100 in a million. An 85 percent reduction in the level of indoor $PM_{2.5}$ would reduce the cumulative concentration at the project site to about 0.72 micrograms per cubic meter, which is below the City's threshold of 0.8 micrograms per cubic meter. Therefore, implementation of the health risk reduction measures described under SCA-B option a(ii) would reduce the potential health impacts to new receptors at the project site through project design features to a less-than-significant level.
	2b. *Additional Performance Standards by Project Type.* In addition to implementing all the features described in criterion 2a above, the project must meet eligibility requirements provided below by project type.[a]	—
	Residential. A residential project must meet **<u>one</u>** of the following: A. *Projects achieving below average regional per capita*	Yes The proposed project is eligible under Section (B). The proposed project site is well-served by nearby Alameda-

[115] South Coast Air Quality Management District, 2009. *Pilot Study of High Performance Air Filtration for Classrooms Applications*, October.

Table B-1 Project Infill Eligibility (Continued)		
CEQA Eligibility Criteria		**Eligible?/Notes for Proposed Project**
	vehicle miles traveled. A residential project is eligible if it is located in a "low vehicle travel area" within the region; B. *Projects located within ½ mile of an Existing Major Transit Stop or High Quality Transit Corridor.* A residential project is eligible if it is located within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor; **or** C. *Low – Income Housing.* A residential or mixed-use project consisting of 300 or fewer residential units all of which are affordable to low income households is eligible if the developer of the	Contra Costa County Transit District (AC Transit) routes. The project site is also within 0.25 mile of the Lake Merritt Bay Area Rapid Transit (BART) station.
	development project provides sufficient legal commitments to the lead agency to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.	
	Commercial/Retail. A commercial/retail project must meet **one** of the following: A. *Regional Location.* A commercial project with no single-building floor-plate greater than 50,000 square feet is eligible if it locates in a "low vehicle travel area"; **or** B. *Proximity to Households.* A project with no single-building floor-plate greater than 50,000 square feet located within ½ mile of 1,800 households is eligible.	Not Applicable According to Section IV (G) of CEQA Appendix M, for mixed-use projects "…the performance standards in this Section that apply to the predominant use shall govern the entire project." Because the predominant use is residential, the requirements for commercial/retail projects do not apply.
	Office Building. An office building project must meeting **one** of the following: A. *Regional Location.* Office buildings, both commercial and public, are eligible if they locate in a low vehicle travel area; **or** B. *Proximity to a Major Transit Stop.* Office buildings, both commercial and public, within ½ mile of an existing major transit stop, or ¼ mile of an existing stop along a high quality transit corridor, are eligible.	Not Applicable

Table B-1 Project Infill Eligibility (Continued)		
CEQA Eligibility Criteria		**Eligible?/Notes for Proposed Project**
	Schools. Elementary schools within 1 mile of 50 percent of the projected student population are eligible. Middle schools and high schools within 2 miles of 50 percent of the projected student population are eligible. Alternatively, any school within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor is eligible. Additionally, to be eligible, all schools shall provide parking and storage for bicycles and scooters, and shall comply with the requirements of Sections 17213, 17213.1, and 17213.2 of the California Education Code.	Not Applicable
	Transit. Transit stations, as defined in Section 15183.3(e)(1), are eligible.	Not Applicable
	Small Walkable Community Projects. Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features in 2a above are eligible.	Not Applicable
3.	Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, **except** as provided in CEQA Guidelines Sections 15183.3(b)(3)(A) or (b)(3)(B) below: (b)(3)(A). Only where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75; **or** (b)(3)(B). Where an infill project is proposed outside of the boundaries of a metropolitan planning organization, the infill project must meet the definition of a "small walkable community project" in CEQA Guidelines §15183.3(f)(5). (CEQA Guidelines Section 15183.3[b][3])	Yes The project site is located in the Downtown & Jack London Square Priority Development Area established by Plan Bay Area, the region's sustainable community strategy (see, http://gis.abag.ca.gov/website/PDAShowcase/). Moreover, the project proposes residential uses at densities greater than 20 units per acre and non-residential uses greater than 0.75 FAR, consistent with applicable land use designations, density, building intensities, and is located within 0.25 miles of a major transit station (Lake Merritt BART).

Note:

[a] Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this section that apply to the predominant use shall govern the entire project.

Figure List

Table List

APPENDIX D

Standard Conditions of Approval and Mitigation Monitoring and Reporting Program

STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) was formulated based on the findings of the Environmental Impact Report (EIR) prepared for the Jack London District 4th & Madison Project in the City of Oakland. This SCAMMRP complies with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists Standard Conditions of Approval (SCAs) and mitigation measures recommended in the EIR and identifies mitigation monitoring requirements.

The SCAMMRP table below presents the SCAs and mitigation measures identified in the Jack London District 4th & Madison Project EIR necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the topical section to which it pertains in the EIR. As an example, Mitigation Measure TRANS-1 is the first mitigation measure identified in the EIR for the Jack London District 4th & Madison Project in Section IV.A, Traffic and Transportation. The SCAs are numbered consistent with the City's SCAs in place at the time of preparation of the Draft EIR.

The first column of the SCAMMRP table identifies the Mitigation Measure or SCA. The second column identifies implementation action and responsibility, the third column identifies the monitoring schedule or timing, and the fourth column names the party responsible for monitoring and the required monitoring action. The fifth column provides a place to record compliance with monitor dates and initials. This last column will be used by the City to ensure that individual mitigation measures are monitored.

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
IV.A. LAND USE AND PLANNING				
Implementation of the proposed project would not result in any significant land use impacts.				
IV.B. HISTORIC RESOURCES				
HIST-1: Implement the following four-part Mitigation Measure: HIST-1a: *HABS Documentation.* Prior to demolition of 180 4th Street warehouse, the project applicant shall provide HABS-Level III Documentation records that follow the specifications set by the Historic American Buildings Survey (HABS). The documentation shall include: ▪ Drawings – sketch floor plans of the buildings and a site plan. ▪ Photographs – digital photographs meeting the Digital Photography Specifications Checklist. ▪ Written data – a historical report with the history of the property, property description and historical significance. The required written data shall incorporate available information contained in previously prepared evaluation documentation of the existing building at 180 4th Street and the Western Waterfront District (WWD) and shall put in context the history of such existing building in relation to the overall historic WWD. A final scope of work for the required HABS-Level III Documentation shall be prepared in consultation with the Oakland Cultural Heritage Survey. A qualified architectural historian meeting the qualifications in the *Secretary of the Interior's Professional Qualification Standards* shall oversee the preparation of the sketch plans, photographs and written data. The documentation shall be printed on archival paper. Digital photographs shall be burned to archival CD or DVD disks. The documentation shall be submitted to and reviewed by the City of Oakland staff and reasonably found to be consistent with HABS standard (Federal Register, Vol. 48, No. 190,	Project sponsor: ▪ Implement the four-part Mitigation Measure.	Prior to: ▪ Issuance of first Certificate of Occupancy.	City of Oakland, Planning and Zoning Division: ▪ Confirm receipt of HABS documentation. ▪ Confirm installation of visual display. ▪ Verify proof of payment to JLID for historic district signage program. ▪ Review and approve historic signage program based on its ability to enhance, promote and preserve the integrity of the historic district. Verify proof of payment to JLID. ▪ Confirm project sponsor's salvage and incorporation of architectural elements into project.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
Thursday, September 29, 1983, pp. 44730-34) prior to issuance of the demolition permit. The documentation shall be deposited with the Oakland History Room in the Public Library, Oakland City Planning Department, and the Northwest Information Center at Sonoma State University, the repository for the California Historical Resources Information System. HIST-1b: *Commemoration and Public Interpretation.* The project applicant shall prepare a permanent exhibit/display, with the help of an experienced professional, of the history of the property including, but not limited to, historic and current condition photographs, interpretive text, drawings, video, or interactive media. The exhibit/display shall be placed in a suitable, publicly accessible location on the site of the project facing toward the interior of the WWD either on 4th Street or on Jackson Street. The visual display should focus on the District and the S & W Company. It should contain a minimum of interpretative text and provide more visual-based interpretation with depictions that may include, but are not limited to: images of S & W Company operations within the Historic District at 200 4th Street or other locations; historic images of street scenes within the Historic District in and around the project site; images or reproductions of the S & W Fine Foods can labels and crate labels to provide context of the project site in terms of S & W Fine Food's operations during 1914-1954 and its role as part of the larger Historic District of which it is part, The applicant is encouraged to contact the public relations department of Del Monte Foods, Inc., the present owner of the S & W brand, for assistance in obtaining archival materials that may assist in development of the visual display required by this mitigation measure. The visual display required by this mitigation measure shall refer the public to a 5- to 10-minute (minimum) podcast or similar audio presentation				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
prepared at the project sponsor's expense that shall be made available on the internet at no cost to the public. Content of the required podcast or audio presentation shall be prepared by a qualified architectural historian meeting the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards, and shall combine discussion regarding the S & W building (i.e., the existing building at 180 4th Street) and its context within the greater Historic District to form the basis of a comprehensive self-guided walking tour of the District. This exhibit/display required by this mitigation measure shall be in addition to the existing historic signage #6, S & W Fine Foods currently mounted on a trash receptacle within the historic district (see Mitigation Measure HIST-1c). HIST-1c: *Historic District Signage Program*. The project applicant shall provide a financial contribution of $25,000 to fund the repair and replacement of existing trash receptacles and historic signage that comprise the Jack London Improvement District's sidewalk and trash receptacles and historic signage program ("Program"), payable to Jack London Improvement District (JLID) or another organization responsible for the Program upon issuance of the first Certificate of Occupancy. HIST-1d: Contribution to *Façade Improvement Program*. Project applicant shall contribute to the City of Oakland's Facade Improvement Program. In accordance with the City's Façade Improvement Program, the amount of the contribution required to be paid by the project applicant under this mitigation measures shall be: ▪ $10,000 for the first 25 feet of two façades of a building and $2,500 per each additional 10 linear feet of those two same façades beyond 25 feet. ▪ There shall be a 20 percent increase for the				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
buildings designated as Historic Resources under CEQA. ▪ Multiply the total by two times for being located within a National Register District. For purposes of this mitigation, the two façades are along 4th Street and Jackson Street at 300 feet and 200 feet, respectively. The following calculation results in a total contribution of $318,000: 4th Street: $10,000 + $2,500 x 275/10 feet = $78,750 Jackson Street: $10,000 + $2,500 x 175/10 feet = $53,750 $78,750 + $53,750 = $132,500 Increase by 20%: $159,000 Increase by 2x: $318,000 The Façade Improvement Program contribution required hereunder shall be payable upon issuance of the first Certificate of Occupancy to the project and designated for the repair or improvement of facades within the historic WWD for a 2-year period. After that time all remaining funds shall be eligible for citywide Façade Improvement Program expenditures. Notwithstanding the foregoing, if prior to the issuance of the first Certificate of Occupancy for the project, the JLID updates its existing historic signage program ("Program") to enhance, promote, and preserve the integrity of the WWD (e.g., interpretive signage programs, trash receptacle maintenance programs, walking tour programs, and graffiti removal programs) and all plans for the Program are approved by City staff, the project sponsor may contribute up to $100,000 under this mitigation measure towards the Program. City staff's review and approval will be based on the Program's ability to enhance, promote and preserve the integrity of the WWD. The Façade Improvement Program contribution required				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
hereunder shall be reduced in an amount equal to the project applicant's payment to JLID provided that proof of such payment is verified by City staff and shall be subject to further adjustment in accordance with HIST-1e. The above noted payment to JLID shall be in addition to the contribution to the historic signage currently mounted on a trash receptacle within the historic district, as listed in HIST-1c. HIST-1e: *Salvaged Architectural Elements*: The project sponsor shall use commercially reasonable efforts to salvage at least two ribbed vertical pilasters from the façade of the existing Block A building and incorporate such pilasters into the design of the ground-floor 5th Street façade of the Block A building proposed by the project, subject to confirmation by the Planning & Building Department. Up to $100,000 of the $318,000 façade improvement fee required under Mitigation Measure HIST-1d may be used by the project sponsor to pay for such pilaster salvage and incorporation. In addition, the project sponsor shall salvage the segment of railroad spur track along the south facing, 4th Street façade of the existing Block A building for incorporation into the final project design by imbedding them in concrete, subject to confirmation by the Planning & Building Department. No portion of the façade improvement fee required under Mitigation Measure HIST-1d may be used to pay for such rail salvage or incorporation. The impact will remain significant and unavoidable, as this mitigation measure cannot lessen impacts to a less-than-significant level.				
IV.C. TRAFFIC AND TRANSPORTATION				
SCA TRA-1: Parking and Transportation Demand Management *Prior to issuance of a final inspection of the building permit.* The project applicant shall submit a Transportation	Project sponsor: ▪ Shall submit for review and approval by the Planning and Zoning Division a	Prior to: ▪ Issuance of a final inspection of the building permit.	City of Oakland, Planning and Zoning Division, Transportation Services Division: ▪ Verify that the TDM	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
and Parking Demand Management (TDM) plan for review and approval by the City. The intent of the TDM plan shall be to reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable consistent with the potential traffic and parking impacts of the project. The goal of the TDM shall be to achieve the following project vehicle trip reductions (VTR): ▪ Projects generating 50 to 99 net new AM or PM peak hour vehicle trips: 10 percent VTR. ▪ Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR. The TDM plan shall include strategies to increase pedestrian, bicycle, transit, and carpool use, and reduce parking demand. All four modes of travel shall be considered, as appropriate. VTR strategies to consider include, but are not limited to, the following: a) Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. b) Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping. c) Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. d) Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. e) Construction and development of transit stops/shelters, pedestrian access, way finding	Transportation Demand Management (TDM) plan containing strategies to reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable consistent with the potential traffic and parking impacts of the project.		Plan has been prepared in accordance with the stipulations outlined in the SCA and is approve if found acceptable.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
signage, and lighting around transit stops per transit agency plans or negotiated improvements.				
f) Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).				
g) Provision of a transit subsidy to employees or residents, determined by the project sponsor and subject to review by the City, if the employees or residents use transit or commute by other alternative modes.				
h) Provision of an ongoing contribution to AC Transit service to the area between the development and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle or streetcar service; and 3) Establishment of new shuttle or streetcar service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).				
i) Guaranteed ride home program for employees, either through 511.org or through separate program.				
j) Pre-tax commuter benefits (commuter checks) for employees.				
k) Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.				
l) On-site carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools.				
m) Distribution of information concerning alternative transportation options.				
n) Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
alternative to a free parking space in commercial properties. o) Parking management strategies; including attendant/valet parking and shared parking spaces. p) Requiring tenants to provide opportunities and the ability to work off-site. q) Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). r) Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. The TDM Plan shall indicate the estimated VTR for each strategy proposed based on published research or guidelines. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report. The project applicant shall implement the approved TDM Plan on an ongoing basis. For projects that generate 100 or more net new AM or PM peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR. If deemed necessary, the City may elect				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.				
SCA TRA-2 (SCA 32): Construction Traffic and Parking *Prior to issuance of a demolition, grading, or building permit.* The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements: a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. c) Location of construction staging areas for materials, equipment, and vehicles at an approved location.	Project Sponsor: ▪ Shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division.	Prior to: ▪ Issuance of a demolition, grading, or building permit.	City of Oakland, Planning and Zoning Division, Building Services Division, and Transportation Services Division: ▪ Confirm project applicant meets with appropriate City of Oakland agencies to determine construction traffic management strategies. ▪ Ensure that project sponsor develops and submits construction management plan to the City for review and comment prior to approval. ▪ Verify that construction management plan meets the standards listed in the SCA and approve if found acceptable.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an on-site complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services.				
e) Provision for accommodation of pedestrian flow.				
f) Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces.				
g) Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the project sponsor's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the project sponsor's expense, before the issuance of a Certificate of Occupancy.				
h) Any heavy equipment brought to the construction site shall be transported by truck, where feasible.				
i) No materials or equipment shall be stored on the traveled roadway at any time.				
j) Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.				
k) All equipment shall be equipped with mufflers.				
l) Prior to the end of each work day during				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.				
SCA TRA-3 (SCA 19): Improvements in the Public Right-of-Way (General) *Approved prior to the issuance of a P-job or building permit:* a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW. b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations. c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit. d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.	Project sponsor: ▪ Shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements.	Prior to: ▪ Issuance of a P-job or building permit.	City of Oakland, Building Services Division, Tree Services Division, Planning and Zoning Division, Public Works Agency, and Fire Services Division: ▪ Confirm Public Improvement Plans meet all conditions and/or mitigations and City requirements. ▪ Review and confirm street trees. ▪ Review and approve designs and specifications for the improvements. ▪ Review and approve plans for compliance with current fire codes and standards.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
SCA TRA-4 (SCA 20): Improvements in the Public Right-of-Way (Specific) *Approved prior to the issuance of a grading or building permit.* Final building and public improvement plans submitted to the Building Services Division shall include the following components: a) Provide a protected left-turn phase for the northbound approach at the Jackson Street/6th Street intersection in accordance with Mitigation Measure TRANS-1. Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group. b) Install or preserve existing sidewalk, curb and gutter along all project street frontages, including the installation of curb, gutter and sidewalk at Block A along 4th Street where parking currently exists. c) Maintain accessible curb ramps at each corner of Block A, and at the corners of Madison Street and 3rd Street and Madison Street and 4th Street on Block B. d) Install additional standard City of Oakland streetlights where necessary. e) Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter. f) Reconstruct drainage facility to current City standard. g) Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards. h) Construct wheelchair ramps that comply with Americans with Disability Act requirements and current City Standards. i) Remove and replace deficient concrete sidewalk, curb and gutter within property frontage per City	Project sponsor: ▪ Shall submit a Public Improvement Plan that includes specific improvements listed in components a. through k.	Prior to: ▪ Issuance of a grading or building permit.	City of Oakland, Building Services Division: ▪ Confirm Public Improvement Plan includes all improvements listed in components a. through k.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
standards. j) Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards. k) Ensure that the project driveway would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway. If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveway				
TRANS-1: Implement the following measures at the Jackson Street/6th Street intersection: a) Provide a protected left-turn phase for the northbound approach at the intersection. b) Coordinate the signal timing at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the project applicant shall submit the following to the City of Oakland's Transportation Services Division for review and approval: ▪ Plans, Specifications, and Estimates (PS&E) to modify intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for the elements listed below: o 2070L Type Controller with cabinet assembly o GPS communications (clock) o Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) o Countdown pedestrian head module switch out	Project sponsor: ▪ Shall submit Plans, Specifications, and Estimates (PS&E) to modify the Jackson/6th Street intersection in accordance with City standards in effect at the time of construction. ▪ Shall fund, prepare, and install the approved plans and improvements.	Prior to: ▪ Plans submitted prior to Issuance of a grading or building permit. ▪ Installation complete prior to Certificate of Occupancy.	City of Oakland, Transportation Services Division: ▪ Review and approve the PS&E for compliance with City standards and ADA standards in effect at the time of construction.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
○ City standard ADA wheelchair ramps ○ Video detection on existing (or new, if required) ○ Mast arm poles, full actuation (where applicable) ○ Polara push buttons (full actuation) ○ Bicycle detection (full actuation) ○ Pull boxes ○ Signal interconnect and communication with trenching (where applicable), or through (E) conduit (where applicable)- 600 feet maximum ○ Conduit replacement contingency ○ Fiber Switch ○ PTZ Camera (where applicable) ○ Transit Signal Priority (TSP) equipment consistent with other signals along corridor. ▪ Signal timing plans for the signals in the coordination group. The Project sponsor shall fund, prepare, and install the approved plans and improvements.				
IV.D. AIR QUALITY				
SCA-A. Construction-Related Air Pollution Controls (Dust and Equipment Emissions) *Ongoing throughout demolition, grading, and/or construction.* During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the BAAQMD: **Basic Controls (apply to ALL construction sites)** a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. b) Cover all trucks hauling soil, sand, and other	Project sponsor: ▪ Require the construction contractor to implement all of the applicable measures recommended by the BAAQMD.	Ongoing: ▪ Throughout demolition, grading, and/or construction.	City of Oakland, Building Services Division: ▪ Make regular visits to the project site to ensure that all dust-control measures and equipment and vehicle operation protocol are being implemented and followed. ▪ Verify that a designated dust control coordinator is on-call during construction periods. ▪ Ensure all other measures in the SCA are implemented as applicable, including	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).			measure (y).	
c) 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.				
d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.				
e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).				
f) Limit vehicle speeds on unpaved roads to 15 miles per hour.				
g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.				
h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.				
i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
Enhanced				
j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.				
k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.				
l) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.				
m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).				
n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.				
o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.				
p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.				
q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.				
r) All trucks and equipment, including tires, shall be washed off prior to leaving the site.				
s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6- to 12-inch				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
compacted layer of wood chips, mulch, or gravel. t) Minimize the idling time of diesel-powered construction equipment to two minutes. u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available. v) Use low volatile-organic compound (VOC) (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard. SCA-A is further supplemented by the following additional measure: y) If access to grid power is available, grid power electricity shall be used instead of diesel-powered generators. If grid power is not available, then propane or natural gas generators may be used, as feasible. Only if propane or natural gas generators prove infeasible shall portable diesel engines be allowed.				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
SCA-B: Exposure to Air Pollution (Toxic Air Contaminants). The SCA applies to all projects that meet all of the following criteria: 1) The project involves either of the following sensitive land uses: a) New residential facilities or new dwelling units; or b) New or expanded schools, daycare centers, parks, nursing homes, or medical facilities; and 2) The project is located within 1,000' of one or more of the following sources of air pollution: a) Freeway; b) Roadway with significant traffic (at least 10,000 vehicles/day); c) Rail line (except BART) with over 30 trains per day; d) Distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating Transportation Refrigeration Units (TRU) per day, or where the TRU unit operations exceed 300 hours per week; e) Major rail or truck yard (such as the Union Pacific rail yard adjacent to the Port of Oakland); f) Ferry terminal; g) Port of Oakland; or h) Stationary pollutant source requiring a permit from BAAQMD (such as a diesel generator); and 3) The project exceeds the health risk screening criteria after a screening analysis is conducted in accordance with the BAAQMD CEQA Guidelines. **Health Risk Reduction Measures** Requirement: The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to	Project sponsor: ▪ Shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the Health Risk Measures listed in the SCA and submit to the City for approval.	Prior to: ▪ Approval of construction-related permit.	City of Oakland, Planning and Building Department, Planning and Zoning Division and the Building Services Division: ▪ Verify that an appropriate method to achieve an acceptable interior air quality level is implemented. ▪ Verify that the outdoor areas are shielded or buffered from air pollution sources to the maximum extent feasible.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
exposure to toxic air contaminants. The project applicant shall choose **one** of the following methods: i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with the California Air Resources Board (CARB) and the Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: ▪ Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents, and other sensitive populations, in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. ▪ Phasing of residential developments when				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. ▪ The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods, if feasible. ▪ Sensitive receptors shall not be located on the ground floor, if feasible. ▪ Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (Pinus nigra var. maritima), Cypress (X Cupressocyparis leylandii), Hybrid popular (Populus deltoids X trichocarpa), and Redwood (Sequoia sempervirens). ▪ Within the project site, sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. ▪ Within the project site, existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. ▪ Within the project site, emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: ▪ Installing electrical hook-ups for diesel trucks at loading docks. ▪ Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. ▪ Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid)				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
or alternative fuels. ▪ Prohibiting trucks from idling for more than two minutes. ▪ Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.				
Maintenance of Health Risk Reduction Measures Requirement: The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.	Project sponsor: ▪ Shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis.	Ongoing	City of Oakland, Building Services Division: ▪ Verify that the project applicant prepare and distribute to the building manager/operator an operation and maintenance manual. ▪ Verify that the project applicant performs maintenance on an ongoing and as-needed basis.	
IV.E. GREENHOUSE GAS EMISSIONS				
SCA-A. Construction-Related Air Pollution Controls (Dust and Equipment Emissions) *Ongoing throughout demolition, grading, and/or construction:* During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the BAAQMD: **Basic** a) Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.	Project sponsor: ▪ Require the construction contractor to implement all of the applicable measures recommended by the BAAQMD.	Ongoing: ▪ Throughout demolition, grading, and/or construction.	City of Oakland, Building Services Division: ▪ Make regular visits to the project site to ensure that all dust-control measures and equipment and vehicle operation protocol are being implemented and followed. ▪ Verify that a designated dust control coordinator is on-call during construction periods. ▪ Ensure all other measures in the SCA are	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).			implemented as applicable, including measure (y).	
c) 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.				
d) Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.				
e) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).				
f) Limit vehicle speeds on unpaved roads to 15 miles per hour.				
g) Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.				
h) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.				
i) Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and the BAAQMD shall also be visible. This information may be posted on other required on-site signage.				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
Enhanced				
j) All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.				
k) All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.				
l) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.				
m) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).				
n) Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress.				
o) Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.				
p) Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.				
q) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.				
r) All trucks and equipment, including tires, shall be washed off prior to leaving the site.				
s) Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
compacted layer of wood chips, mulch, or gravel. t) Minimize the idling time of diesel-powered construction equipment to two minutes. u) The project applicant shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available. v) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). w) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. x) Off-road heavy diesel engines shall meet the CARB's most recent certification standard. SCA-A is further supplemented by the following additional measure: y) If access to grid power is available, grid power electricity shall be used instead of diesel-powered generators. If grid power is not available, then propane or natural gas generators may be used, as feasible. Only if propane or natural gas generators prove infeasible shall portable diesel engines be allowed.				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
SCA-H. Compliance with the Green Building Ordinance, OMC Chapter 18.02 *Prior to issuance of a demolition, grading, or building permit:* The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02. a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit: i. Documentation showing compliance with Title 24 of the 2013 California Building Energy Efficiency Standards. ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below. v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. vii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. b) The set of plans in subsection (a) shall	Project Sponsor: ▪ Shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02.	Prior to: ▪ Issuance of a demolition, grading or building permit.	City of Oakland, Building Services Division: ▪ Review and approve required documentation described in the SCA.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
demonstrate compliance with the following: i. CALGreen mandatory measures. ii. All pre-requisites per the LEED/GreenPoint Rated checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. iii. Insert green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non-residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 75 points for residential and LEED Gold for non-residential) per the appropriate checklist approved during the Planning entitlement process. iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plancheck application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted. v. The required green building point minimums in the appropriate credit categories.				
During construction: The applicant shall comply with the applicable requirements CALGreen and the Green Building Ordinance, Chapter 18.02. a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval: i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of	Project sponsor: ▪ Shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02.	During construction.	City of Oakland, Building Services Division: ▪ Review and approve required documentation described in the SCA, including completed copies of the green building checklists approved during prior permit review.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.				
SCA-I. Compliance with the Green Building Ordinance, OMC Chapter 18.02, for Building and Landscape Projects Using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist This SCA would apply to the projects listed below **AND** that are rated using the Small Commercial or Bay Friendly Basic Landscape Checklists: a) New Construction of Non-Residential Buildings between 5,000 and 25,000 sq. ft. of total floor area. b) Alterations/Alterations 5,000 and 25,000 sq. ft. of total floor area to a Non-Residential Building c) Additions/Alterations (not meeting the Major Alteration Definition) over 25,000 sq. ft. of total floor area to a Non-Residential Building d) Alterations/Alterations 5,000 and 25,000 sq. ft. of total floor area to a Historic Non-Residential Building e) Additions/Alterations (not meeting the Major Alteration Definition) over 25,000 sq. ft. of total floor area to a Historic Non-Residential Building f) Construction projects with over 25,000 sq. ft. of total floor area of new construction requiring a landscape plan. *Prior to issuance of a building permit:* The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.) for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist. a) The following information shall be submitted to	Project sponsor: ▪ Shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.).	Prior to: ▪ Issuance of a building permit and during construction.	City of Oakland, Building Services Division: ▪ Review and approve documentation and set of plan are in compliance with CALGreen mandatory measures and applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.)	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
the Building Services Division for review and approval with application for a Building permit: i. Documentation showing compliance with the 2013 Title 24, California Building Energy Efficiency Standards. ii. Completed copy of the green building checklist approved during the review of a Planning and Zoning permit. iii. Permit plans that show in general notes, detailed design drawings and specifications as necessary compliance with the items listed in subsection (b) below. iv. Other documentation to prove compliance. b) The set of plans in subsection (a) shall demonstrate compliance with the following: i. CALGreen mandatory measures. ii. All applicable green building measures identified on the StopWaste.Org checklist approved during the review of a Planning and Zoning permit, or submittal of a Request for Revision Plan-check application that shows the previously approved points that will be eliminated or substituted.				
During construction: The applicant shall comply with the applicable requirements of CALGreen and Green Building Ordinance, Chapter 18.02 for projects using the StopWaste.Org Small Commercial or Bay Friendly Basic Landscape Checklist. a) The following information shall be submitted to the Building Inspections Division for review and approval: i. Completed copy of the green building checklists approved during review of the Planning and Zoning permit and during the review of the Building permit. ii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.	Project sponsor: ▪ Shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.).	Prior to: ▪ Issuance of a building permit and during construction.	City of Oakland, Building Inspections Division: ▪ Review and approve the green building checklists and other documentation are in compliance with CALGreen mandatory measures and the applicable requirements of the Green Building Ordinance, (OMC Chapter 18.02.)	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
IV.F. NOISE AND VIBRATION				
SCA NOISE-1 (SCA 27): Days/Hours of Construction Operation *Ongoing throughout demolition, grading, and/or construction:* The project applicant shall require construction contractors to limit standard construction activities as follows: a) Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division. c) Construction activity shall not occur on Saturdays, with the following possible exceptions: i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction	Project sponsor: ▪ Shall require construction contractors to limit standard construction activities as listed in the SCA.	Ongoing throughout demolition, grading, and/or construction.	City of Oakland, Building Services Division: ▪ Shall make regular visits to the construction site to ensure that noise from construction activities is appropriately controlled.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division. ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions. e) No construction activity shall take place on Sundays or Federal holidays. f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. g) Applicant shall use temporary power poles instead of generators where feasible.				
SCA NOISE-2 (SCA 28): Noise Control *Ongoing throughout demolition, grading, and/or construction:* To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures: a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). b) Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock	Project sponsor: ▪ Shall require construction contractors to implement a site-specific noise reduction program.	Ongoing throughout demolition, grading, and/or construction.	City of Oakland, Planning and Zoning Division and the Building Services Division: ▪ Review and approve site-specific noise reduction program that includes the measures outlined in the SCA.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.				
SCA NOISE-3 (SCA 29): Noise Complaint Procedures *Ongoing throughout demolition, grading, and/or construction:* Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours); b) A sign posted on-site pertaining with permitted	Project sponsor: ▪ Shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise.	Ongoing throughout demolition, grading, and/or construction: ▪ Submitted by project applicant along with the submission of construction documents, prior to the issuance of each building permit.	City of Oakland, Building Services Division: ▪ Review and approve this documentation and ensure that it includes the measures outlined in the SCA.	

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construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); c) The designation of an on-site construction complaint and enforcement manager for the project; d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.				
SCA NOISE-4 (SCA 30): Interior Noise *Prior to issuance of a building permit and Certificate of Occupancy:* If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommend-dations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/ measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review	Project sponsor: ▪ Shall incorporate appropriate noise reduction features/measures into project building design, if necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, as based upon recommendations of a qualified acoustical engineer.	Prior to: ▪ Issuance of a building permit and Certificate of Occupancy.	City of Oakland, Building Services Division: ▪ Review and approve documentation of recommendation of qualified acoustical engineer. ▪ If deemed necessary, ensure that noise reduction features/measures outlined in the SCA are implemented. ▪ Review written confirmation by the acoustical consultant, HVAC or HERS specialist, and approve prior to Certificate of Occupancy.	

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and approval, prior to Certificate of Occupancy (or equivalent) that: a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit. c) Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or title to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following: i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ventilation is included in the recommendations by the acoustical analysis. ii. Prohibition of Z-duct construction.				
SCA NOISE-5 (SCA 31): Operational Noise-General *Ongoing:* Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.	Project sponsor: ▪ Ensure noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code.	Ongoing.	City of Oakland, Planning and Zoning Division and the Building Services Division: ▪ If noise levels exceed these standards, verify compliance after action is taken by project applicant to regain compliance as described in the SCA.	

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SCA NOISE-6 (SCA 38): Pile Driving and Other Extreme Noise Generators *Ongoing throughout demolition, grading, and/or construction:* To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90 dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity: a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and	Project sponsor: ▪ Prepare and submit to the City a noise reduction plan that includes a set of site-specific noise attenuation measures, including applicable measures listed in the SCA. ▪ Shall submit a deposit concurrent with submittal of the noise reduction plan. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official.	Ongoing throughout demolition, grading, and/or construction.	City of Oakland, Planning and Zoning Division and the Building Services Division: ▪ Review the submitted noise reduction plan and approve if determination can be made that maximum feasible noise attenuation will be achieved.	

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conditions; c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and e) Monitor the effectiveness of noise attenuation measures by taking noise measurements.				
NOISE-1: The structural engineer or other appropriate professional retained to prepare the vibration impact assessment shall undertake an existing conditions study (study) of the Allegro apartment building located east of Jackson Street. The study will establish the baseline condition of the building including, but not limited to, the location and extent of any visible cracks or spalls on the building. The study shall include written descriptions and photographs of the building. The study shall be reviewed and approved by the Building Services Division prior to issuance of a grading permit. Upon completion of the project, the building will be resurveyed, and any new cracks or other changes in the building shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. The findings shall be submitted to the Building Services Division for review. If it is determined that project construction has resulted in damage to the building, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair.	Project sponsor: ▪ Direct structural engineer (or other appropriate professional retained to prepare the vibration impact assessment) to prepare an existing conditions study of the Allegro apartment building located east of Jackson Street, which shall include written descriptions and photographs of the building. Submit findings to the City. ▪ Upon completion of the project, direct a professional to resurvey the building and make a determination as to whether the proposed project caused the damage. Submit findings to the City.	Ongoing throughout demolition, grading, and/or construction.	City of Oakland, Building Services Division: ▪ Review and approve the pre-construction existing conditions study prior to issuance of a grading permit. ▪ Findings shall be submitted to the Building Services Division for review upon completion of the project, which will show whether the proposed project caused any damage to the Allegro building.	

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V.A. AESTHETICS, SHADOW AND WIND				
SCA 12: Required Landscape Plan for New Construction and Certain Additions to Residential Facilities *Prior to issuance of a building permit:* Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform with all provisions of Chapter 17.124 of the Oakland Planning Code, including the following: a) Landscape plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species. b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions. c) Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire-resistant The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant. d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure	Project sponsor: ▪ Shall submit a landscape plan for the entire site and conform to all provisions of Chapter 17.124 of the Oakland Planning Code.	Prior to: ▪ Issuance of a building permit.	City of Oakland Planning and Zoning Division: ▪ Ensure that the landscape plan and the plant materials installed pursuant to the approved plan conform to all provisions of Chapter 17.124 of the Oakland Planning Code.	

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adequate irrigation of all plant materials for at least one growing season.				
SCA 13: Landscape Requirements for Street Frontages *Prior to issuance of a final inspection of the building permit:* a) All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaved areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb, whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning. b) In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation.	Project sponsor: ▪ Shall comply with landscaping requirements as listed in the SCA.	Prior to: ▪ Issuance of a final inspection of the building permit.	City of Oakland Planning and Zoning Division, Director of City Planning, Director of Parks and Recreation: ▪ Ensure that street frontages comply with all provisions of Chapter 17.124 of the Oakland Planning Code and are reviewed by the Director of City Planning if existing plant materials are proposed to be incorporated. ▪ Ensure that a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with City policy and as approved by the Director of City Planning, is provided for every twenty-five (25) feet of street frontage.	
SCA 14: Assurance of Landscaping Completion *Prior to issuance of a final inspection of the building permit:* The trees, shrubs and landscape materials required by the conditions of approval attached to this project shall be planted before the certificate of occupancy will be issued; or a bond, cash, deposit, or letter of credit, acceptable to the City, shall be provided for the planting of the required landscaping. The amount of such bond, cash,	Project sponsor: ▪ Shall comply with the trees, shrubs and landscape materials required by the conditions of approval attached to this project.	Prior to: ▪ Issuance of a final inspection of the building permit.	City of Oakland Planning and Zoning Division, Director of City Planning: ▪ Ensure that landscape materials are planted or City-accepted financing method is posted.	

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deposit, or letter of credit shall equal the greater of two thousand five hundred dollars ($2,500.00) or the estimated cost of the required landscaping, based on a licensed contractor's bid.				
SCA 16: Landscape Requirements for Street Frontages *Prior to issuance of a final inspection of the building permit:* On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet and does not interfere with access requirements, a minimum of one (1) twenty-four (24) inch box tree shall be provided for every twenty-five (25) feet of street frontage, unless a smaller size is recommended by the City arborist. The trees to be provided shall include species acceptable to the Tree Services Division.	Project sponsor: ▪ Shall comply with landscape requirements for street frontages.	Prior to: ▪ Issuance of a final inspection of the building permit.	City of Oakland, Tree Services Division of the Public Works Agency: ▪ Ensure that planted trees comply with the SCA and/or City arborist recommendation.	
SCA 17: Landscape Maintenance *Ongoing:* All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.	Project sponsor: ▪ Shall permanently maintain all required planting and irrigation systems in good condition.	Ongoing	City of Oakland, Tree Services Division of the Public Works Agency: ▪ Ensure that required planting and irrigation systems are permanently maintained in good condition.	
Light and Glare				
SCA 39: Lighting Plan *Prior to the issuance of an electrical or building permit:* The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	Project sponsor: ▪ Shall submit lighting plans with lighting fixtures that are shielded to prevent unnecessary glare and architecturally integrated into the site.	Prior to: ▪ Issuance of an electrical or building permit.	City of Oakland, Planning and Zoning Division and the Electrical Services and Traffic Maintenance Division of the Public Works Agency: ▪ Review and approve plans. ▪ Confirm implementation of the design features during construction	

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V.B. AGRICULTURE AND FOREST RESOURCES				
None				
V.C. BIOLOGICAL RESOURCES				
None				
V.D. CULTURAL RESOURCES				
SCA 51: Archaeological Resources *Prior to issuance of a final inspection of the building permit:* a) Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as	Project sponsor: ▪ In the event that any prehistoric or historical subsurface cultural resources are discovered, ensure all work within 50 feet of the resources is halted and ensure the project applicant and/or Lead Agency consult with a qualified archaeologist to assess the significance of the find.	Prior to: ▪ Issuance of a final inspection of the building permit.	City of Oakland, Building Services Division and Planning and Zoning Division – Historic Preservation Staff: ▪ In the event that any prehistoric or historical subsurface cultural resources are discovered, ensure adherence to measures.	

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the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out.				
SCA 52: Human Remains *Ongoing throughout demolition, grading, and/or construction:* In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.	Project sponsor: ▪ In the event that human skeletal remains are uncovered, ensure that all work is immediately halted and the Alameda County Coroner is contacted to evaluate the remains following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines.	Ongoing throughout demolition, grading, and/or construction.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ In the event that human skeletal remains are uncovered, and the County Coroner determines that the remains are Native American, ensure adherence to measures.	
SCA 53: Paleontological Resources *Ongoing throughout demolition, grading, and/or construction:* In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of	Project sponsor: ▪ In the event of an unanticipated discovery of a paleontological resource, ensure that excavations within 50 feet of the find be temporarily halted or diverted until the discovery is examined by a qualified	Ongoing throughout demolition, grading, and/or construction.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ In the event of an unanticipated discovery of a paleontological resource, ensure adherence to measures.	

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the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.	paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)).			
SCA -E: Archaeological Resources – Sensitive Areas *Prior to issuance of a demolition, grading, or building permit:* The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision D (Construction ALERT Sheet). However, if in either case a high potential presence of historic-period archaeological resources on the project site is indicated, or a potential resource is discovered, the project applicant shall also implement all of the following provisions: ▪ Provision B (Construction-Period Monitoring), ▪ Provision C (Avoidance and/or Find Recovery), and ▪ Provision D (to establish a Construction ALERT Sheet if the Intensive Pre-Construction Study was originally implemented per Provision A, or to update and provide more specificity to the initial Construction ALERT Sheet if a Construction Alert Sheet was originally implemented per Provision D). Provision A through Provision D are detailed as follows: Provision A: Intensive Pre-Construction Study - The project applicant, upon approval from the City Planning and Zoning Division, may choose to complete a site-specific, intensive archaeological resources study prior to soil-disturbing activities occurring on the project site. The purpose of the	Project sponsor: ▪ Shall implement either Provision A (Intensive Pre-Construction Study) or Provision D (Construction ALERT Sheet). If in either case a high potential presence of historic-period archaeological resources on the project site is indicated, or a potential resource is discovered, the project applicant shall also implement Provisions B through D as described in the SCA.	Prior to: ▪ Issuance of a demolition, grading, or building permit.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Review Intensive Pre-Construction Study or Construction ALERT Sheet as specified. ▪ Monitor during construction.	

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site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. If that approach is selected, the study shall be conducted by a qualified archaeologist approved by the City Planning and Zoning Division. If prepared, at a minimum, the study shall include: ▪ An intensive cultural resources study of the project site, including subsurface presence/absence studies, of the project site. Field studies conducted by the approved archaeologist(s) may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources; ▪ A report disseminating the results of this research; ▪ Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, below), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, below), and prepare an ALERT Sheet that details what could potentially be found at the project site (see Provision D, Construction ALERT Sheet, below). Provision B: Construction-Period Monitoring - Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT Sheet, require per Provision D, Construction ALERT Sheet, below) and the procedures to follow if any are encountered, field recording and sampling in accordance with the Secretary of Interior's Standards				

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and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, or preparing a report to document negative findings after construction is completed. If a significant archaeological resource is discovered during the monitoring activities, adherence to Provision C, Avoidance and/or Find Recovery, discussed below), would be required to reduce the impact to less than significant. The project applicant shall hire a qualified archaeologist to monitor all ground-disturbing activities on the project site throughout construction. Provision C: Avoidance and/or Find Recovery - If a significant archaeological resource is present that could be adversely impacted by the proposed project, the project applicant of the specific project site shall either: ▪ Stop work and redesign the proposed project to avoid any adverse impacts on significant archaeological resource(s); or, ▪ If avoidance is determined infeasible by the City, design and implement an Archaeological Research Design and Treatment Plan (ARDTP). The project applicant shall hire a qualified archaeologist who shall prepare a draft ARDTP that shall be submitted to the City Planning and Zoning Division for review and approval. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed				

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project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical. The project applicant shall implement the ARDTP. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse impact to less than significant.				
Provision D: Construction ALERT Sheet - The project applicant, upon approval from the City Planning and Zoning Division, may choose to prepare a construction ALERT sheet prior to soil-disturbing activities occurring on the project site, instead of conducting site-specific, intensive archaeological resources pursuant to Provision A, above. The project applicant shall submit for review and approval by the City prior to subsurface construction activity an "ALERT" sheet prepared by a qualified archaeologist with visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor; any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving); and/or utilities firm involved in soil-disturbing activities within the project site.				
The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, that in the event of discovery of the following cultural materials, all work must be stopped in the area and the City's Environmental Review Officer contacted to evaluate the find: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains;				

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wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. If the project applicant chooses to implement Provision D, Construction ALERT Sheet, and a potential resource is discovered on the project site during ground disturbing activities during construction, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction (see Provision B, Construction-Period Monitoring, above), implement avoidance and/or find recovery measures (see Provision C, Avoidance and/or Find Recovery, above), and prepare an updated ALERT Sheet that addresses the potential resource(s) and other possible resources based on the discovered find found on the project site.				
V.E. GEOLOGY AND SOILS				
SCA 54: Erosion and Sedimentation Control Plan *Prior to any grading activities:* The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to	Project sponsor: ▪ Shall submit a site-specific erosion and sedimentation control plan with all necessary measures to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a	▪ Prior to any grading activities. ▪ Ongoing throughout grading and construction.	City of Oakland, Planning and Zoning Division, Building Services Division: ▪ Review and approve a site-specific erosion and sedimentation control plan. ▪ Confirm that all applicable measures are being implemented or complied with per the approved plan.	

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creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment. *Ongoing throughout grading and construction activities:* The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.	result of conditions created by grading operations. ▪ Shall implement the approved erosion and sedimentation plan.			
V.F. HAZARDS AND HAZARDOUS MATERIALS				
SCA 34: Hazards Best Management Practices *Prior to commencement of demolition, grading, or construction:* The project applicant and construction contractor shall ensure that Best Management Practices (BMPs) are implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following: ▪ Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction;	Project sponsor and construction contractor: ▪ Shall ensure that Best Management Practices (BMPs) are implemented.	Prior to: ▪ Commencement of demolition, grading, or construction.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Verify that construction BMPs are implemented.	

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▪ Avoid overtopping construction equipment fuel gas tanks; ▪ During routine maintenance of construction equipment, properly contain and remove grease and oils; ▪ Properly dispose of discarded containers of fuels and other chemicals; ▪ Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all underground storage tanks (USTs), elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building. ▪ If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any USTs, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in SCAs, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.				

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SCA 67: Best Management Practices for Soil and Groundwater Hazards *Ongoing throughout demolition, grading, and construction activities:* The project applicant shall implement all of the following BMPs regarding potential soil and groundwater hazards. ▪ Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland. ▪ Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources). ▪ Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall	Project sponsor and construction contractor: ▪ Shall ensure that all Best Management Practices (BMPs) for soil and groundwater hazards listed are implemented.	Ongoing throughout demolition, grading, and construction activities.	City of Oakland, Building Services Division, Planning and Zoning Division, Fire Department, and Emergency Management Services Division: ▪ Ensure that all BMPs listed are implemented by reviewing the written verification of required clearances by oversight authorities. ▪ Frequently visit site to confirm that soil is securely stockpiled and groundwater is safely contained.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.				
SCA 61: Phase I and/or Phase II Reports *Prior to the issuance of demolition, grading or building permit:* Prior to issuance of demolition, grading, or building permits the project applicant shall submit to the Fire Prevention Bureau, Hazardous Materials Unit, a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.	Project sponsor: ▪ Shall submit a Phase I environmental site assessment report, and a Phase II report if warranted by the Phase I report for the project site. ▪ Implement remedial action approved by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.	Prior to: ▪ Issuance of demolition, grading, or building permit.	City of Oakland, Building Services Division, Planning and Zoning Division, and Fire Prevention Bureau: ▪ Verify that a Phase I, and, if appropriate, Phase II, environmental site assessment report has been submitted. Ensure any approved recommended remediation actions are implemented.	
SCA 68: Radon or Vapor Intrusion from Soil or Groundwater Sources *Ongoing:* The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.	Project sponsor: ▪ Shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site. ▪ In the event of radon or vapor discovery, implement remedial action approved by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.	Ongoing.	City of Oakland, Building Services Division, Planning and Zoning Division, and Fire Prevention Bureau: ▪ Verify documentation regarding radon and vapor intrusion and confirm if Phase II report or professional signature are required. Ensure any approved recommended remediation actions are implemented.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
The following are the recommendations from the Phase II that shall be implemented.				
A site management plan (SMP) must be developed and submitted to the appropriate City of Oakland agencies for review and approval prior to demolition and construction to address potential unknown environmental issues. The SMP must include protocols for the characterization and handling of excavated soil consistent with applicable regulatory agency guidelines and standards and must include the following: ▪ **Observation during site demolition and soil disturbing activities**. Observation of construction activities must be performed by a qualified environmental consultant during demolition activities including removal of concrete slabs, asphalt pavement, foundation features, subsurface utilities, or any other subsurface feature; and during soil disturbing activities including grading/scraping, excavation/trenching, and drilling. The environmental consultant must identify signs of potential impacts from hazardous materials in soil and/or groundwater such as staining/discoloration, odors, and presence of rubble/debris. The environmental consultant must also use a photoionization detector (PID) meter to screen soil for organic vapors to evaluate potential impacts. The environmental consultant must have the authority to stop work in an area where potential impacts from hazardous materials in soil or groundwater are identified until the nature and extent of the potential impacts are further evaluated. ▪ **Appropriate sample collection procedures.** If potentially impacted soil or groundwater is encountered at the project site, sampling of the potentially impacted soil or groundwater must be performed by a qualified environmental consultant to evaluate the nature and extent of the potential impacts and determine whether	Project sponsor: ▪ Shall submit a SMP with all required protocols for the characterization and handling of excavated soil that are consistent with applicable regulatory agency guidelines and standards.	Prior to: ▪ Demolition and construction activities.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Review and approve the SMP and confirm all protocols are consistent with applicable regulatory agency guidelines and standards are included.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
notification of appropriate regulatory agency(ies) and remediation may be necessary. The appropriate sample containers, sampling techniques, sample preservation, and laboratory analysis to be performed should be specified. ▪ **Protocols for confirmation sampling.** If impacted soil is encountered and removed, or if a spill occurs and impacted soil is removed, confirmation sampling must be performed by a qualified environmental consultant to evaluate whether the extent of impacted soil removal was sufficient and whether the remaining soil is of acceptable quality (e.g., the soil meets appropriate regulatory agency guidelines and standards for residential land use) to remain on-site. ▪ **Segregation of impacted soil from non-impacted soil.** If impacted soil is excavated, it must be placed in a segregated stockpile, or placed directly into trucks or roll off bins for off-site disposal to ensure that it is not mixed with clean soil. ▪ **Appropriate stockpile best management practices.** Stockpile management methods consistent with applicable regulatory standards must be specified to ensure that stockpiles are constructed in a manner that would prevent potential contamination of underlying soil, spilling of soil from stockpile areas, infiltration of rainwater into stockpiles, and dust, vapor, or odor emissions from stockpiles. ▪ **Dust control/air monitoring procedures.** Dust control procedures must include limiting vehicle and equipment speeds; regular application of water on routes of vehicle/equipment travel; sweeping of pavement surfaces if soil is tracked onto pavement surfaces by vehicles/equipment; and application of water to active soil disturbing activities such as excavation, grading, stockpiling, and truck loading, to ensure that potential emissions of fugitive dust are minimized to the				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
maximum extent practicable. The application of water must be controlled to ensure that water does no runoff and cause ponding or enter storm drains. Air monitoring must include visual monitoring for dust. If visual dust is observed to be generated at the project site, additional dust control measures should be implemented. If visual dust is observed to cross the site boundary, work should be suspended until the dust emissions can be controlled. If impacted soil or groundwater is encountered at the project site that could pose a health risk for construction workers or the surrounding public due to exposure to dust or vapors from impacted soil or vapors from the impacted groundwater, appropriate air monitoring procedures should be developed in accordance with applicable regulatory standards and implemented to ensure that emissions of dust and/or vapors are adequately controlled to prevent exposure of construction workers and the surrounding public to potential health risks.				
▪ **Protocols for off-site waste disposal and protocols for soil re-use.** Excess soil or impacted soil to be removed from the project site must be sampled and characterized to ensure that it is disposed of at an appropriate off-site location. Soil impacted with hazardous materials must be disposed of at an appropriately permitted landfill and not be re-used as fill material on-site or at an off-site location. Soil that is sampled due to suspected contamination must only be re-used on-site if sampling results indicate that the soil meets the appropriate regulatory agency guidelines for residential land use. If soil that was suspected of contamination is proposed for on-site re-use based on waste characterization sampling results, additional sampling of the soil may need to be performed to demonstrate that the soil is suitable for re-use as a higher frequency of sampling should be specified for re-use of soil than for waste disposal				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
characterization, as determined by a qualified environmental consultant. The appropriate sample containers, sampling techniques, sample preservation, and laboratory analysis should be specified for evaluation of soil proposed for off-site disposal or on-site re-use. ▪ **Construction dewatering and treatment/management procedures, if necessary.** If groundwater is encountered and requires dewatering, sampling and characterization of the groundwater must be performed to evaluate groundwater disposal options. If groundwater is impacted with hazardous materials, it may require treatment prior to discharging to sanitary sewer in accordance with EBMUD permit requirements. ▪ **Notifications and response procedures.** Procedures for notification of construction workers, construction management personnel, and the appropriate regulatory agency(ies) must be specified for situations where impacted soil or groundwater is encountered, or other features of environmental concern are discovered such as underground storage tanks, buried drums or other hazardous materials containers, pipelines containing hazardous materials, or buried asbestos containing materials such as asbestos-cement pipelines or pipelines wrapped in asbestos insulation. Response procedures for such situations must include emergency response and evacuation procedures, further assessment/evaluation of the potentially hazardous conditions by appropriately trained personnel through use of field equipment and sampling, and retaining appropriately trained personnel to abate the hazards. ▪ **Contingency plan.** The contingency plan must describe how construction activities would be modified (e.g., temporary stopping of work, focusing on construction activities in a different area of the site, or designing and implementing				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
engineering controls) if features of potential environmental concern or impacted soil and/or groundwater are identified which would require further evaluation and possibly remediation in accordance with applicable regulatory guidelines and standards. ▪ **Health and Safety Plan.** The Health and Safety Plan (HSP) must describe potential site hazards, training requirements, personal protective equipment, and safe work practices for site personnel in accordance with Cal/OSHA regulations and standards. All contractors working at the project site must either adopt and abide by this HSP or develop their own safety plans which, at a minimum, meet the requirements of this HSP required by this paragraph.				
SCA 62: Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment *Prior to issuance of any demolition, grading or building permit:* The project applicant shall submit a comprehensive assessment report to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a qualified environmental professional, documenting the presence or lack thereof of ACM, LBP, and any other building materials or stored materials classified as hazardous waste by state or federal law for review and approval.	Project sponsor: ▪ Shall submit a comprehensive assessment report documenting the presence or lack thereof of asbestos-containing materials (ACM), lead-based paint (LBP), and any other building materials or stored materials classified as hazardous waste by state or federal law.	Prior to: ▪ Issuance of any demolition, grading, or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit: ▪ Review and approve documentation of the presence or lack thereof of ACM, LBP, and any other building materials or stored materials classified as hazardous waste by state or federal law.	
SCA 40: Asbestos Removal in Structures *Prior to issuance of a demolition permit:* If ACMs are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations (CCR); Title 8, Business and	Project sponsor: ▪ If ACMs are found to be present in building materials to be removed, demolition and disposal, the project sponsor shall submit specifications signed by a certified asbestos consultant for the removal,	Prior to: ▪ Issuance of a demolition permit.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Confirm that all applicable laws and regulations are followed when removing, encapsulating, or enclosing the identified	

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Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District (BAAQMD), Regulation 11, Rule 2, as may be amended.	encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations.		ACM.	
SCA 64: Lead-Based Paint Remediation *Prior to issuance of any demolition, grading or building permit:* If LBP is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.	Project sponsor: ▪ If LBP is present, the project applicant shall submit specifications signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations.	Prior to: ▪ Issuance of any demolition, grading, or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit: ▪ Confirm that all applicable laws and regulations are followed when stabilizing and/or removing the identified lead paint.	
SCA 65: Other Materials Classified as Hazardous Waste *Prior to issuance of any demolition, grading or building permit*: If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.	Project sponsor: ▪ If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.	Prior to: ▪ Issuance of any demolition, grading, or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit: ▪ Confirm that all applicable State and federal laws and regulations are followed when profiling, handling, treating, transporting and/or disposing of such materials.	
SCA 66: Health and Safety Plan per Assessment *Prior to issuance of any demolition, grading or building permit:* If the required LBP/coatings, asbestos, or polychlorinated biphenyl (PCB) assessment finds presence of such materials, the project applicant shall create and implement a health and safety plan to protect workers from risks	Project sponsor: ▪ If the required LBP/coatings, asbestos, or polychlorinated biphenyl (PCB) assessment finds presence of such	Prior to: ▪ Issuance of any demolition, grading, or building permit.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Confirm that all applicable measures are being implemented or	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
associated with hazardous materials during demolition, renovation of affected structures, and transport and disposal. The applicant shall implement the approved plan.	materials, the project applicant shall create and implement a health and safety plan. ▪ Shall implement the approved plan.		complied with pursuant to the Plan.	
V.G. HYDROLOGY AND WATER QUALITY				
SCA 74: Stormwater Pollution Prevention Plan (SWPPP) *Prior to and ongoing throughout demolition, grading, and/or construction activities:* The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.	Project sponsor: ▪ Shall file a notice of intent (NOI) with the SWRCB and prepare and submit a stormwater pollution prevention plan (SWPPP) for review and approval by the Building Services Division.	Prior to and ongoing through demolition, grading, and/or construction activities.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Review and approve the stormwater pollution prevention plan. Confirm that all applicable measures are being implemented or complied with per the approved plan.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
SCA 79: Post-Construction Stormwater Management Plan *Prior to issuance of building permit (or other construction-related permit):* The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable. a) The post-construction stormwater management plan shall include and identify the following: i. All proposed impervious surface on the site; ii. Anticipated directional flows of on-site stormwater runoff; and iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and iv. Source control measures to limit the potential for stormwater pollution; v. Stormwater treatment measures to remove pollutants from stormwater runoff; and vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit. b) The following additional information shall be submitted with the post-construction stormwater management plan: i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed;	Project sponsor: ▪ Shall submit a Construction-Permit-Phase Stormwater Supplemental Form with a stormwater management plan.	Prior to: ▪ Issuance of building permit (or other construction-related permit).	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Review and approve the NPDES permit. Confirm that all applicable measures are being implemented or complied with per the approved plan.	

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and ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable or removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project. All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program. Prior to final permit inspection, the applicant shall implement the approved stormwater management plan.				
SCA 80: Maintenance Agreement for Stormwater Treatment Measures *Prior to final zoning inspection:* For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following: i. The applicant accepting responsibility for the adequate installation/construction, operation,	Project sponsor: ▪ Shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement," in accordance with Provision C.3.e of the NPDES permit.	Prior to: ▪ Final zoning inspection.	City of Oakland, Building Services Division and Planning and Zoning Division: ▪ Review and approve the NPDES permit. Confirm that all applicable measures are being implemented or complied with per the approved plan.	

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maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense.				
V.H. MINERAL RESOURCES				
None				
V.I. POPULATION AND HOUSING				
None				
V.J. PUBLIC SERVICES				
SCA 4: Conformance with other Requirements *Prior to issuance of a demolition, grading, P-job, or other construction related permit:* a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in SCA 3. b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review	Project sponsor: ▪ Shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency.	Prior to: ▪ Issuance of a demolition, grading, P-job, or other construction related permit.	City of Oakland, Building Services Division and Planning and Zoning Division, Public Works Agency, and Fire Services Division: ▪ Confirm compliance with all applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines.	

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and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.				
SCA 19: Improvements in the Public Right-of-Way (General) *Prior to issuance of P-job or building permit*: a) The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW. b) Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations. c) The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit. d) The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards.	See SCA TRA-3 above.	See SCA TRA-3 above.	See SCA TRA-3 above.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
V.K. RECREATION				
None				
V.L. UTILITIES AND SERVICE SYSTEMS				
SCA 18: Underground Utilities *Prior to issuance of any building permit:* The project applicant shall submit plans for review and approval by the Building Services Division and the Public Works Agency, and other relevant agencies as appropriate, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground. The new facilities shall be placed underground along the project applicant's street frontage and from the project applicant's structures to the point of service. The plans shall show all electric, telephone, water service, fire water service, cable, and fire alarm facilities installed in accordance with standard specifications of the serving utilities.None	Project sponsor: ▪ Shall submit plans, that show all new electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities placed underground.	Prior to: ▪ Issuance of a building permit.	City of Oakland, Building Services Division and Public Works Agency: ▪ Ensure that plans are submitted to responsible agency and that plans include all requirements listed in the SCA.	
SCA 90: Stormwater and Sewer *Prior to completing the final design for the project's sewer service:* Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices	Project sponsor: ▪ Shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. ▪ Shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division and for payment of required installation or hook-up fees to the affected service providers.	Prior to: ▪ Completing the final design for the project's sewer service.	City of Oakland, Building Services Division and Sewer and Stormwater Division: ▪ Verify that a qualified civil engineer has confirmed the capacity of the City's stormwater and sanitary sewer system and that applicant is responsible for necessary improvements.	

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to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.				
SCA 35: Waste Reduction and Recycling The project applicant will submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency. *Prior to issuance of demolition, grading, or building permit:* Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of $50,000 or more (except R-3), and all demolition (including soft demo).The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan. *Ongoing:* The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be in implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully	Project sponsor: ▪ Shall submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP)	Prior to issuance of demolition, grading, or building permit and ongoing.	City of Oakland, Building Services Division and Environmental Services Division: ▪ Verify that applicant has submitted a WRRP and ODP that comply with the requirements in Chapter 15.34 and 17.118 of the Oakland Planning Code.	

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operational as long as residents and businesses exist at the project site.				
SCA-H: Compliance with the Green Building Ordinance, OMC Chapter 18.02 *Prior to issuance of a demolition, grading, or building permit:* The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building Ordinance, OMC Chapter 18.02. a) The following information shall be submitted to the Building Services Division for review and approval with the application for a building permit: i. Documentation showing compliance with Title 24 of the 2013 California Building Energy Efficiency Standards. ii. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. iii. Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. iv. Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (b) below. v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. vi. Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. vii. Other documentation as deemed necessary by the City to demonstrate compliance with	See SCA-H above.	See SCA-H above.	See SCA-H above.	

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
the Green Building Ordinance. b) The set of plans in subsection (a) shall demonstrate compliance with the following: i. CALGreen mandatory measures. ii. All pre-requisites per the LEED / GreenPoint Rated checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. iii. Insert green building point level requirement (See Green Building Summary Table; for New Construction of Residential or Non-Residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level requirement is 53 points for residential and LEED Gold for non-residential) per the appropriate checklist approved during the Planning entitlement process. iv. All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plancheck application is submitted and approved by the Planning and Zoning Division that shows the previously approved points that will be eliminated or substituted. v. The required green building point minimums in the appropriate credit categories. *During construction:* The applicant shall comply with the applicable requirements CALGreen and the Green Building Ordinance, Chapter 18.02. a) The following information shall be submitted to the Building Inspections Division of the Building Services Division for review and approval: i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the				

Mitigation Measures/SCAs	Implementation Responsibility/Action	Timing	Monitoring Responsibility/ Action	Date Completed/ Signature
review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.				

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