

<b>Location:</b>	2100 Telegraph Avenue (APN: 008-0648-001-00; -011-03; -016-03; -017-00; & -018-00) <b>See map on the reverse</b>
<b>Proposal:</b>	Public Hearing on the Draft Environmental Impact Report to obtain comments on the environmental analysis for a proposal to demolish the existing buildings on the entire city block including the public parking structure for a Planned Unit Development (PUD) with a potential range of development options that would include up to 2.8 million square feet of office or 1,556 residential dwelling units or a mix of the two. All development options within the PUD would include ground floor retail and a large parking garage.
<b>Applicant:</b>	W/L Telegraph Holdings JV, LLC
<b>Contact Person:</b>	Andrew Haydel / Lane Partners - (650) 838-0100
<b>Planning Permits Required:</b>	Planned Unit Development (PUD)
<b>General Plan:</b>	Central Business District
<b>Zoning:</b>	CBD-P
<b>Environmental Determination:</b>	Draft Environmental Impact Report was published for a 45-day review period from December 22, 2017 to February 5, 2018.
<b>Historic Status:</b>	495 22nd Street, Kwik Way #2, constructed circa 1953-54 which does not contain an OCHS rating as a PDHP (rating of *3), but has been evaluated as eligible for listing to the California Register of Historical Resources and identified as a CEQA historical resource.
<b>City Council District:</b>	3
<b>Staff Recommendation:</b>	Receive public and Planning Commission comments on the Draft Environmental Impact Report
<b>Action to be Taken:</b>	No action to be taken by the Planning Commission other than to provide comments on the DEIR
<b>For further information:</b>	Contact case planner <b>Pete Vollmann</b> at 510 238-6167 or by e-mail at <a href="mailto:pvollmann@oaklandnet.com">pvollmann@oaklandnet.com</a> .

**SUMMARY**

The purpose of this report and of the January 24, 2018 public hearing is to provide information and to solicit comments on the adequacy of specific environmentally-related information, issues and analysis contained in the Draft Environmental Impact Report (Draft EIR) for the project, which proposes to demolish all existing buildings on the subject property on the City block bounded by Telegraph Avenue, Broadway and 21<sup>st</sup> and 22<sup>nd</sup> Streets. The hearing is not intended for receipt of comments on the merits of the Project and no decisions will be made on the Draft EIR or on the proposed project at the hearing. Specifically, comments on the Draft EIR should focus on the adequacy of the Draft EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the

# CITY OF OAKLAND PLANNING COMMISSION



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Case File: ER16011  
Applicant: W/L Telegraph Holdings JV, LLC  
Address: 2100 Telegraph Avenue  
Zone: CBD-P  
Height Areas: Height Area 6, no limit; Height Area 7, no limit

project in light of the Draft EIR's purpose to provide useful and accurate information about such factors.

The Draft EIR concludes that the project would have significant and unavoidable impacts on Cultural Resources, Air Quality, and Aesthetics. The Draft EIR also recommends mitigation measures which may reduce the level of impacts but not to a level of less-than-significant.

## **BACKGROUND**

In June 2016, Lane Partners filed a request for environmental review application to begin review and consideration of a proposal for a Planned Unit Development (PUD).

The City is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and has the responsibility to prepare the Environmental Impact Report (EIR) for the Project. Staff published a Notice of Preparation (NOP) of an EIR on December 2, 2016. A scoping session was held before the Landmarks Preservation Advisory Board on December 12, 2016, and the Oakland Planning Commission on December 21, 2016.

The Notice of Availability for the Draft EIR was prepared and released on December 22, 2017 beginning a 45-day public comment period. The public comment period ends on February 5, 2018.

Comments on the Draft EIR may be made at the January 24, 2018 hearing or in writing to the Department of Planning & Building, Bureau of Planning, to the attention of Peterson Vollmann, Planner IV, City of Oakland, Department of Planning and Building, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612; (510) 238-6167(phone); (510) 238-4730(fax) or by e-mail at [pvollmann@oaklandnet.com](mailto:pvollmann@oaklandnet.com). Written comments must be received prior to the comment period deadline (4:00 p.m. on February 5, 2018). After all comments are received, a Final EIR/Response to Comments document will be prepared and the Planning Commission will consider certification of the Final EIR at a later meeting.

## **SITE DESCRIPTION**

The approximately 3.2 acre project site consists of the entire city block bounded by 22<sup>nd</sup> Street to the north, 21<sup>st</sup> Street to the south, Broadway to the east and Telegraph Avenue to the west and includes five parcels and a portion of the public right of way at the corner of 22<sup>nd</sup> Street and Telegraph Avenue. The two parcels fronting Telegraph Avenue include a two-level city-owned public parking facility and a vacant restaurant building surrounded by a parking lot, as well as the portion of the 22<sup>nd</sup> Street right of way. The remaining three parcels, fronting Broadway, contain three 2-story commercial buildings, including 2101 Broadway and 2127 Broadway which were both branch bank buildings, and 2131-2147 Broadway which contains a mix of retail and other commercial uses.

The project site is located within Downtown Oakland one block north of the 19<sup>th</sup> Street BART station. Uses in the project vicinity are a mix of commercial and residential mixed use buildings. The project site sits directly above the BART tunnels as they curve off the Broadway spine and

construction limitations are imposed on any development that is to take place on the properties due to the tunnels.

The project site is adjacent to two historic districts that are Areas of Primary Importance (API's), with the Cathedral District to the west and the Uptown Commercial District to the south. The site is also surrounded by several major historic resources such as the Bruener Building across 22<sup>nd</sup> Street, the Paramount Theatre across 21<sup>st</sup> Street and First Baptist Church of Oakland across Telegraph Avenue.

### **Historical Ratings**

The building at 2147 Broadway is known as the Sherman-Clay building and has an Oakland Cultural Heritage Survey (OCHS) rating of Dc3. The other properties on the block were built after 1945 and contain OCHS ratings of \*3. However, the Historic Property Evaluation prepared for the DEIR identified the property at 2150 Telegraph/495 22<sup>nd</sup> Street (Kwik way/Spaceburger) as being eligible for the California Register, thus making it a Historic Resource under CEQA.

### **PROJECT DESCRIPTION**

The project would demolish all of the existing buildings and parking structure to construct the proposed Project. As previously stated the PUD would include a range of development options that could include up to 2.8 million square feet of office and 1,556 residential dwelling units. All development options within the PUD would include the proposed ground floor retail and replacement of the City's public parking. Currently the applicant has filed two separate Final Development Plans (Scheme A and Scheme B) that would implement the PUD for the entirety of the site. The applicant is seeking approval of both Scheme A and Scheme B, but only one of the schemes would ultimately be constructed.

#### **Scheme A**

Scheme A includes a development scenario that includes approximately 85,000 square feet of ground floor retail, approximately 18,000 square feet of community and/or assembly space, approximately 880,000 square feet of office, and 395 dwelling units. The development proposal would include an office building that would occupy the majority of the block with building heights ranging from 12 to 16 stories in three separate building masses that wrap around an internal atrium. At the northeast corner of the site at Broadway and 22<sup>nd</sup> Street there would be a residential high rise that would be approximately 400 feet in height. The ground floor of the development would include retail including a large anchor tenant space accessed off Telegraph. A mid-block office lobby will also be provided along Telegraph between the two retail spaces, and a large plaza is proposed that would occupy 180 feet of the street frontage with a depth of approximately 38 feet (not including the 15-foot sidewalk depth). The Broadway frontage will contain retail space at the base of the residential tower and additional retail will be included inside a large indoor atrium space at the corner of Broadway and 21<sup>st</sup> Street. This atrium space would also provide access to an upper level community space that would be programmed for a community theater or similar type of assembly space as well as a large office lobby on the 5<sup>th</sup> level.

Parking would be provided on six levels above the retail floor with one level in a basement (on the side of the site clear from the BART tunnels). The upper level parking would be three structural floors with mezzanine levels in between so that they could be removed and repurposed to a different use such as office or retail in the future if the amount of parking is no longer desired. The parking garages would be mainly accessed off 21<sup>st</sup> Street with a second smaller access point off 22<sup>nd</sup> Street. The proposal will also include four loading berths with access off 22<sup>nd</sup> Street adjacent to the garage access point. Other back of house operations such as garbage and a large bike storage room will also be provided for along the 22<sup>nd</sup> Street frontage.

### **Scheme B**

Scheme B includes a development scenario that includes approximately 72,000 square feet of ground floor retail, approximately 23,000 square feet of community and/or assembly space, and approximately 1,600,000 square feet of office use. Similar to Scheme A, mid-rise office building masses of 12 and 16 stories would occupy the Telegraph Avenue frontage while wrapping around an internal atrium, but in the Scheme B scenario the Broadway frontage would contain a large 28 story office building that would extend up to approximately 400 feet in height. Outside of the tower on Broadway, the other components of Scheme B are very similar to that of Scheme A with the retail frontage along Telegraph Avenue and the large indoor atrium at the corner of Broadway and 21<sup>st</sup> Street. The parking access and layout is also similar in both schemes.

### **GENERAL PLAN**

The General Plan's Land Use and Transportation Element (LUTE) classifies the project site as being located in the Central Business District (CBD) General Plan area. This land use classification is intended encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, community facilities, and visitor uses. The CBD classification includes a mix of large-scale offices, commercial, urban high rise residential, institutional, open-space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses.

### **ZONING COMPLIANCE**

The project site is located within the CBD-P Zone, Central Business District Pedestrian Retail Commercial Zone, which is intended to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.

### **Planned Unit Development**

Pursuant to Planning Code Section 17.142.020 an application for a PUD may be permitted when a tract of land includes more than 60,000 square feet of lot area and is looking to take advantage of a bonus for an integrated development within the PUD regulations. The applicant has filed for the entire 3.2 acre block that will look to take advantage of a bonus to waive dimensional

requirements for the tower diagonal limitations as permitted in Section 17.142.100.G. The applicant is looking to waive this requirement due to the difficulty of breaking down the towers into multiple slender towers due to the structural truss system required to span the BART tunnels that run beneath the project site.

## ENVIRONMENTAL REVIEW PROCESS

### Scope

As stated earlier in this report the City published the NOP December 2, 2016. A scoping session was held before the Landmarks Preservation Advisory Board on December 12, 2016, and the Oakland Planning Commission on December 21, 2016. Chapter VI of the Draft EIR, *Effects Found Not to be Significant or Less Than Significant with Standard Conditions of Approval*, provides a brief discussion of the following environmental topics that during scoping were determined to have less than significant impacts: Agriculture and Forestry Resources; Biological Resources; Mineral Resources; and Population and Housing. The following environmental topics are addressed in detail in the Draft EIR:

- A. Land Use
- B. Cultural Resources
- C. Traffic and Transportation
- D. Air Quality
- E. Greenhouse Gases and Climate Change
- F. Soils, Geology and Seismicity
- G. Hazards and Hazardous Materials
- H. Hydrology and Water Quality
- I. Noise and Vibration
- J. Aesthetics, Shade and Shadow, and Wind
- K. Public Services, Utilities, and Recreation

### Potentially Significant Impacts Identified in the Draft EIR

All impacts, City Standard Conditions of Approval and Mitigation Measures identified in the Draft EIR are summarized in Table II-3 (see Attachment A) at the end of Chapter II (Summary) of the Draft EIR. Table II-3 also identifies the level of significance of the impact after City Standard Conditions of Approval and recommended Mitigation Measures are implemented. Other than the impacts discussed below, all of the environmental effects of the Project can be reduced to less than significant levels through implementation of Standard Conditions of Approval or recommended Mitigation Measures.

The Draft EIR identifies the following **Significant and Unavoidable** environmental impacts:

- **Impact HIST-1**: The project proposes demolition of all buildings in the project site, including a building that could be eligible for the California Register of Historical Resources: 2150 Telegraph Avenue/495 22<sup>nd</sup> Street.

- **Impact AIR-1:** Operation of the project, under the Maximum Office Scenario, would generate criteria air pollutants that could violate an air quality standard or contribute substantially to an existing or projected air quality violation.
- **Impact AES-1:** Under the All Office Scenario and Maximum Office Scenario, wind levels could exceed the City's wind hazard criterion of winds above 36 mph for more than 1 hour per year during daylight hours during the year.
- **Impact AES-2:** Under the Maximum Residential Scenario, All Office Scenario, and Maximum Office Scenario, cumulative wind levels could exceed the City's wind hazard criterion of winds above 36 mph for more than 1 hour per year during daylight hours during the year.

The following is a summary of Mitigations that are proposed to respond to the impacts listed above but do not reduce the impacts to Less than Significant:

- **HIST-1a:** HABS Documentation. Prior to demolition of the building at 2150 Telegraph Avenue/495 22<sup>nd</sup> Street, the project applicant shall undertake HABS-Level III documentation of the subject building. The documentation, which shall be reviewed and approved by the Planning bureau and submitted to the Oakland History Room of the Oakland Public Library and OCHS, will include the following:
  - Drawings: Sketch floor plan of the building and a site plan.
  - Photographs: Photographs taken with large-format negatives of exterior and interior views.
  - Written History: A historical report summarizing the history of the building, property description, and historical significance.

A qualified architectural historian meeting the qualifications in the Secretary of the Interior's *Professional Qualifications Standards* for architectural history shall oversee the preparation of drawings, photographs, and written history. The documentation will be printed on archival paper.

- **HIST-1b:** Commemoration and Public Interpretation. The project applicant shall prepare a permanent exhibit/display, in coordination with an experienced museum professional, of the history of the building, including but not limited to historic and current condition photographs, interpretive text, drawings, video, and interactive media. The interpretive display shall be reviewed and approved by the Bureau of Planning and will be placed in a suitable public space at the project site.
- **HIST-1c:** City of Oakland Façade Improvement Program. The project proponent shall contribute to the City of Oakland's Façade Improvement Program. The amount of contribution to the program is based on the following formula:
  - \$10,000 for the first 25 feet of two façades of a building and \$2,500 per each 10 additional linear feet of those two same façades beyond 25 feet.
  - There shall be a 20 percent increase for the buildings designated as Historical Resources under CEQA.

- For the purposes of this mitigation, the two façades along 22<sup>nd</sup> Street and Telegraph Avenue are approximately 50 feet and 25 feet long, respectively. The building appears eligible as a historical resource under CEQA as noted in Appendix B, but is not located in an API. The following calculation results in a total contribution of \$26,500:

22<sup>nd</sup> Street façade:  $\$10,000 + \$2,500 \times 25/10 \text{ feet} = \$16,250$

Telegraph Avenue façade: \$10,000

Total for both façades:  $\$16,250 + \$10,000 = \$26,250$

CEQA Historical Resource – Increase by 20 percent:  $\$26,250 \times 1.20 = \$31,500$ .

The total Façade Improvement Program contribution for the demolition of the building at 2150 Telegraph Avenue/495 22<sup>nd</sup> Street is \$31,500.

- **HIST-1d:** Relocation. The project applicant shall first make funds available for relocating the building. Contingent on plans for relocation, the façade improvement fee as well as demolition cost estimate would be made available by the applicant. If relocation is not feasible, the project applicant shall use commercially reasonable efforts to salvage the Google-style cubes located above the former Kwik Way (Space Burger) building and the Google-style awning across the building's main, street-facing façade. The applicant must make available a portion of the total \$31,500 façade improvement fee required under Mitigation Measure HIST-1c as a contribution to an individual or group willing to take custody and/or to utilize these Google-styled architectural elements.
- **AES-1:** Wind testing shall be repeated to reduce wind hazards, as feasible. The testing results shall be reviewed and approved by the City prior to submittal of an application for building permit(s).

The identified Air Quality impacts are from reactive organic gases (ROG) resulting from the use of consumer products such as cleaning supplies and oxides of nitrogen (NOx) resulting from vehicle exhaust in the Maximum Office Scenario. Consumer products have been regulated by the California Air Resources Board (CARB), which can set ROG limits for specific categories of consumer products. However, the purchase and use of consumer products cannot be feasibly mitigated on a project by project basis. Therefore, emissions of ROG during operation of the Maximum Office Scenario would result in a significant and unavoidable impact on regional air quality standards. While the project area has much lower average vehicle miles traveled (VMT) than the region the Air Quality NOx threshold is based upon total emissions (annual and daily) and not emissions per worker, thus the impact has been identified as a conservatively significant and unavoidable impact in the Maximum Office Scenario where no feasible mitigation has been identified.

### Project Alternatives

Chapter VII of the Draft EIR includes the analysis of two alternatives, beyond the “*No Project Alternative*”, to the Proposed Project that meet the requirements of CEQA, which include a



reasonable range of alternatives to the Project that would feasibly attain most of the Project's basic objectives, and avoid or substantially lessen many of the Project's significant environmental effects. The CEQA alternatives analyzed in Chapter VII include:

- *Reduced Office Alternative* – The Reduced Office Alternative assumes a reduction in overall building square footage from the Maximum Office Scenario to avoid significant and unavoidable air quality impacts, but would not reduce impacts to cultural resources.
- *Reduced Building/Preservation Alternative* – The Reduced Building/Preservation Alternative assumes development would occur on the entire site except for the former Kwik Way at 2150 Telegraph/495 22<sup>nd</sup> Street, which would be preserved under this alternative. This alternative would avoid significant and unavoidable impacts to air quality and cultural resources.

The DEIR concluded that the No Project Alternative is the environmentally superior alternative. In instances 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, indicates that the Reduced Building/Preservation Alternative would represent the next-best alternative in terms of the fewest significant environmental impacts. Implementation of the Reduced Building/Preservation Alternative would result in slightly reduced environmental impacts and would avoid the significant unavoidable impacts related to Cultural Resources and Air Quality.

#### **PUBLICATION AND DISTRIBUTION OF THE DRAFT EIR**

The Draft EIR was made available for public review on December 22, 2017. The Notice of Availability for the Draft EIR was mailed to property owners within 300 feet of the Project area, distributed to State and local agencies, posted on the City's website, and mailed to Interested Parties. The Notice of Availability is attached to this report (see Attachment B). Copies of the Draft EIR were also previously distributed to City officials, including the Planning Commission, and is available at the Department of Planning & Building, Bureau of Planning (250 Frank H. Ogawa Plaza, Suite 2114), and the City's website at:

[#51](http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157)

#### **CONCLUSION**

All comments received on the Draft EIR will be considered by the City prior to finalizing the EIR and making a decision on the Project. Comments on the Draft EIR should focus on the adequacy of the EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the Project in light of the EIR's purpose to provide useful and accurate information about such factors. The public hearing on January 24, 2018 is not intended for public comments on the Project merits. Comments on the Draft EIR may be made at the public hearing or in writing to the attention of Peterson Vollmann, Planner IV, City of Oakland, Department of Planning and Building, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612; (510) 238-6167(phone); (510) 238-4730(fax) or by e-mail at [pvollmann@oaklandnet.com](mailto:pvollmann@oaklandnet.com). Written comments must be received prior to the

comment period deadline (4:00 p.m. on February 5, 2018). A public meeting on the DEIR was also scheduled for the Landmarks Board on January 8, 2018 for comment, however it did not take place due to a lack of a quorum. Staff has requested that the Landmarks Board members provide written comments directly to staff. After all comments are received, the City will prepare a Final EIR/Response to Comments document will be prepared and the Planning Commission will consider certification of the Final EIR at a future meeting date. Staff will return to the full Planning Commission for action on the development entitlements.


## RECOMMENDATION

- 1) Receive public and Planning Commission comments on the Draft EIR.
- 2) Close the public hearing with respect to receipt of oral comments; written comments will be accepted until 4:00 pm on February 5, 2018.

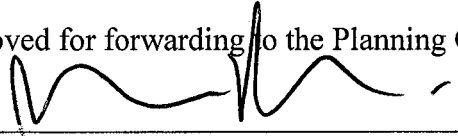
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Reviewed by:

  
Catherine Payne, Acting Development Planning Manager  
Bureau of Planning

Approved for forwarding to the Planning Commission:

  
Darin Ranelletti, Deputy Director  
Bureau of Planning

Attachments:

- A. Summary Table (DEIR Table II-1)
- B. Notice of Availability (NOA)

Note:

The Draft EIR was provided under separate cover for review and consideration by the Planning Commission, and is available to the public at the Bureau of Planning office at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612 and on the City's website at:

[#51](http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157)

### C. SUMMARY TABLE

Information in Table II-3, Summary of Impacts, Standard Conditions of Approval, and Mitigation Measures has been organized to correspond with environmental issues discussed in *Chapter V* and *Chapter VI* of this EIR. The table is arranged in four columns: (1) impacts; (2) level of significance prior to mitigation measures, (3) mitigation measures/SCAs; and (4) level of significance after implementation of SCAs or mitigation measures, which for each topic area except for Cultural and Historical Resources, Air Quality, and Aesthetics, Shade and Shadow, and Wind, is less than significant (LTS). The table also includes an SCA Implementation Measure identified to further implement the SCA. The EIR found that all potentially significant impacts, with the exception of those related to Cultural and Historical Resources, Air Quality, and Wind, would be reduced to a less-than-significant level with implementation of SCAs and mitigation measures. All SCAs and mitigation measures necessary to ensure that no significant impacts would occur are included in Table II-1 for reference. For a complete description of environmental findings and required mitigation measures and SCAs, please refer to the specific discussions in *Chapter V* and *Chapter VI*.

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<b>A. LAND USE</b>			
<i>Implementation of the project would not result in any significant land use impacts.</i>			
<b>B. CULTURAL AND HISTORICAL RESOURCES</b>			
<p>HIST-1: The project proposes demolition of all buildings in the project site, including a building that could be eligible for the California Register of Historical Resources: 2150 Telegraph Avenue/495 22<sup>nd</sup> Street.</p>	S	<p>Mitigation Measure HIST-1: The following measures shall be incorporated to diminish this impact:</p> <p>Mitigation Measure HIST-1a: The following measures shall be incorporated to diminish this impact:</p> <ul style="list-style-type: none"> <li>▪ Drawings: sketch floor plan of the building and a site plan;</li> <li>▪ Photographs: photographs taken with large-format negatives of exterior and interior views; and</li> <li>▪ Written History: a historical report summarizing the history of the building, property description, and historical significance.</li> <li>▪ A qualified architectural historian meeting the qualifications in the Secretary of the Interior’s Professional Qualifications Standards for architectural history shall oversee the preparation of drawings, photographs, and written history. The documentation will be printed on archival paper.</li> </ul> <p>Mitigation Measure HIST-1b: Commemoration and Public Interpretation. The project applicant shall prepare a permanent exhibit/display, in coordination with an experienced museum professional, of the history of the building including, but not limited to, historic and current condition photographs, interpretive text, drawings, video, or interactive media. The interpretive display will be placed in a suitable public space in the project site.</p> <p>Mitigation Measure HIST-1c: City of Oakland Façade Improvement Program. The project proponent shall contribute to the City of Oakland’s Façade Improvement program. The amount of contribution to the program is based on the following formula:</p> <ul style="list-style-type: none"> <li>▪ \$10,000 for the first 25 feet of two façades of a building and</li> </ul>	SU

**TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES**

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
	<p>\$2,500 per each 10 additional linear feet of those two same façades beyond 25 feet.</p> <ul style="list-style-type: none"> <li>▪ There shall be a 20 percent increase for the buildings designated as Historical Resources under CEQA.</li> <li>▪ For the purposes of this mitigation, the two façades along 22<sup>nd</sup> Street and Telegraph Avenue are approximately 50 feet and 25 feet long, respectively. The building appears eligible as a historical resource under CEQA, but is not located in an API. The following calculation results in a total contribution of \$26,500:            22<sup>nd</sup> Street façade: \$10,000 + \$2,500 x 25/10 feet = \$16,250            Telegraph Avenue façade: \$10,000            \$16,250 + \$10,000 = \$26,250            CEQA Historical Resource - increase by 20 percent: \$26,250 x 1.20 = \$31,500.</li> </ul>	<p><b>Mitigation Measure HIST-1d:</b> Relocation. The project applicant shall first make funds available for relocating the building. Contingent on plans for relocation, the facade improvement fee as well as demolition cost estimate would be made available by the applicant. If relocation is not feasible, the project applicant shall use commercially reasonable efforts to salvage the Google-style cubes located above the former Kwik Way (Space Burger) building and the Google-style awning across the building's main, street-facing façade. The applicant must make available a portion of the total \$31,500 façade improvement fee required under Mitigation Measure HIST-1c as a contribution to an individual or group willing to take custody and/or to utilize these Google-styled architectural elements.</p> <p>Although implementation of Mitigation Measures HIST-1a, HIST-1b, HIST-1c, and HIST-1d would diminish the level of impact to this historical resource as a result of the project, this impact cannot be mitigated to a less-than-significant level, and the impact after mitigation would be significant and unavoidable.</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><b>SCA-CULT-1: Archaeological and Paleontological Resources - Discovery During Construction. (#29)</b>                      Requirement: Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration 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, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented.</p> <p>In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. 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</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>if nondestructive methods are practicable. 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. The project applicant shall implement the ARDTP at his/her expense.</p> <p>In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.</p> <p><u>When Required:</u> During construction.</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-CULT-2: Archaeologically Sensitive Areas - Pre-Construction Measures (#30)</b></p> <p><b>Requirement:</b> The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources.</p>	
		<p><b>Provision A: Intensive Pre-Construction Study</b></p> <p>The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City 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. At a minimum, the study shall include:</p>	<p>a) Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other</p>

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>common methods used to identify the presence of archaeological resources.</p>	
b)	A report disseminating the results of this research.		
c)	Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources.		
		<p>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 and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts 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, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction.</p>	
		<p><b>Provision B: Construction ALERT Sheet</b></p>	
		<p>The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, 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 utility firms involved in soil-disturbing activities within the project site.</p>	



TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: 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. The ALERT sheet shall also be posted in a visible location at the project site.</p> <p><u>When Required:</u> Prior to approval of construction-related permit; during construction</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-CULT-3: Human Remains - Discovery During Construction (#31)</b>            Requirement: Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC),</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. 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 and at the expense of the project applicant.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-CULT-4: Property Relocation Rather than Demolition (#32)</b></p> <p><u>Requirement:</u> Pursuant to Policy 3.7 of the Historic Preservation Element of the Oakland General Plan, the project applicant shall make a good faith effort to relocate the historic resource to a site acceptable to the City. A good faith effort includes, at a minimum, all of the following:</p> <ol style="list-style-type: none"> <li>a. Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3' x 6' size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations;</li> <li>b. Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the City;</li> <li>c. Maintaining the signs and advertising in place for a minimum of 90 days; and</li> <li>d. Making the building available at no or nominal cost (the amount to be reviewed by the Oakland Cultural Heritage Survey) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement.</li> </ol> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning (including Oakland Cultural</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
C. TRAFFIC AND TRANSPORTATION		Resource Survey) Monitoring/Inspection: N/A	
<i>Implementation of the project would not result in any significant impacts related to transportation, however, the following City SCAs apply.</i>	S	<p><b>SCA-TRANS-1: Construction Activity in the Public Right-of-Way (#68)</b></p> <p><b>a. Obstruction Permit Required</b>  <u>Requirement:</u> The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.  <u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>b. Traffic Control Plan Required</b>  <u>Requirement:</u> In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.  <u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Public Works Department, Transportation Services Division  <u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>c. Repair of City Streets</b>  <u>Requirement:</u> The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project</p>	LTS

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>construction at his/her 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 approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.</p> <p>When Required: Prior to building permit final</p> <p><u>Initial Approval:</u> N/A</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-TRANS-2: Bicycle Parking (#69)</b></p> <p><u>Requirement:</u> The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (Chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.</p> <p>When Required: Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-TRANS-3: Transportation Improvements (#70)</b></p> <p><u>Requirement:</u> The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&amp;E) to the City for review and approval. All elements shall be designed to applicable City</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below:</p> <ul style="list-style-type: none"> <li>a. 2070L Type Controller with cabinet accessory</li> <li>b. GPS communication (clock)</li> <li>c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile)</li> <li>d. Countdown pedestrian head module switch out</li> <li>e. City Standard ADA wheelchair ramps</li> <li>f. Video detection on existing (or new, if required)</li> <li>g. Mast arm poles, full activation (where applicable)</li> <li>h. Polara Push buttons (full activation)</li> <li>i. Bicycle detection (full activation)</li> <li>j. Pull boxes</li> <li>k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum</li> <li>l. Conduit replacement contingency</li> <li>m. Fiber switch</li> <li>n. PTZ camera (where applicable)</li> <li>o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor</li> <li>p. Signal timing plans for the signals in the coordination group</li> </ul> <p><u>When Required:</u> Prior to building permit final or as otherwise specified  <u>Initial Approval:</u> Bureau of Building; Public Works Department, Transportation Services Division  <u>Monitoring/Inspection:</u> Bureau of Building</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>SCA-TRANS-4: Transportation and Parking Demand Management (#71)</p> <p><i>a. Transportation and Parking Demand Management (TDM) Plan Required</i></p> <p>Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.</p> <p>i. The goals of the TDM Plan shall be the following:</p> <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Achieve the following project vehicle trip reductions (VTR):                             <ul style="list-style-type: none"> <li>• Projects generating 50-99 net new AM or PM peak hour vehicle trips: 10 percent VTR</li> <li>• Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR</li> </ul> </li> <li>▪ Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.</li> <li>▪ Enhance the City's transportation system, consistent with City policies and programs.</li> </ul> <p>ii. TDM strategies to consider include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>▪ Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in Chapter 5 of the Bicycle Master Plan and the Bicycle Parking Ordinance (Chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.</li> <li>▪ Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike</li> </ul>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<ul style="list-style-type: none"> <li>▪ lane striping.</li> <li>▪ Installation of safety elements per the Pedestrian Master Plan (such as crosswalk 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.</li> <li>▪ Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.</li> <li>▪ Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.</li> <li>▪ 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).</li> <li>▪ Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.</li> <li>▪ Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).</li> <li>▪ Guaranteed ride home program for employees, either through 511.org or through separate program.</li> <li>▪ Pre-tax commuter benefits (commuter checks) for employees.</li> <li>▪ Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share</li> </ul>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<ul style="list-style-type: none"> <li>▪ membership for employees or tenants.</li> <li>▪ On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.</li> <li>▪ Distribution of information concerning alternative transportation options.</li> <li>▪ Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.</li> <li>▪ Parking management strategies including attendant/valet parking and shared parking spaces.</li> <li>▪ Requiring tenants to provide opportunities and the ability to work off-site.</li> <li>▪ Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five 8-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four 10-hour days; allowing employees to work from home 2 days per week).</li> <li>▪ 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.</li> </ul>	
		<p>The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. 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.</p> <p>When Required: Prior to approval of construction-related permit</p>	



TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> N/A</p>	
		<p><b>b. TDM Implementation – Physical Improvements</b> <u>Requirement:</u> For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project. <u>When Required:</u> Prior to building permit final <u>Initial Approval:</u> Bureau of Building <u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>c. TDM Implementation – Operational Strategies</b> <u>Requirement:</u> 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 5 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 achieved by the project during operation. If deemed necessary, the City may elect 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. <u>When Required:</u> Ongoing <u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> Bureau of Planning</p>	

D. AIR QUALITY

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<u>AIR-1</u> : Operation of the project, under the Maximum Office Scenario, would generate criteria air pollutants that could violate an air quality standard or contribute substantially to an existing or projected air quality violation.	S	No SCA or mitigation measure would apply. The City's Green Building Code would help minimize this impact but there are no additional feasible mitigations to reduce the impact.	SU
<i>No significant construction period impacts related to air quality under all project scenarios and no significant operation period impacts related to air quality under the Residential/Office Mix Scenario, All Office Scenario, and Maximum Residential Scenario would occur with implementation of the City SCAs listed in this table.</i>		<p><b>SCA-AIR-1: Construction-Related Air Pollution Controls (Dust and Equipment Emissions) (#19)</b>  <u>Requirement:</u> The project applicant shall implement all of the following applicable air pollution control measures during construction of the project:</p> <p><b>Enhanced Controls</b></p> <ul style="list-style-type: none"> <li>a) Water all exposed surfaces of active construction areas at least twice daily. 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 feasible.</li> <li>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).</li> <li>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.</li> <li>d) Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used.</li> <li>e) Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).</li> <li>f) Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>g) Idling times on all diesel-fueled commercial vehicles over 10,000</li> </ul>	LTS

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>lbs. shall be minimized either by shutting equipment off when not in 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.</p>	
h)		<p>Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").</p>	
i)		<p>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.</p>	
j)		<p>Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.</p>	
k)		<p>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.</p>	
l)		<p>All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.</p>	
m)		<p>Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</p>	
n)		<p>Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).</p>	
o)		<p>Designate a person or persons to monitor the dust control program</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Level of Significance Prior to Mitigation Measure	Impacts	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		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.	
	p)	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.	
	q)	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.	
	r)	Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.	
	s)	All trucks and equipment, including tires, shall be washed off prior to leaving the site.	
	t)	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.	
	u)	All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met.	
	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 California Air Resources Board's most recent certification standard.	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p>y) Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.</p> <p>When Required: During construction            Initial Approval: N/A            Monitoring/Inspection: Building Services Division</p> <p><b>SCA-AIR-2: Exposure to Air Pollution (Toxic Air Contaminants) (#20)</b>  <b>Health Risk Reduction Measures</b>  <u>Requirement:</u> 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 <u>one</u> of the following methods:</p> <p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and 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 that 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.</p> <p>ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be</p>			

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>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:</p> <ul style="list-style-type: none"> <li>▪ Installation of air filtration to reduce cancer risks and Particulate Matter 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 [insert MERV-16 for projects located in the West Oakland Specific Plan area] or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.</li> <li>▪ Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph).</li> <li>▪ Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.</li> <li>▪ 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 be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods.</li> <li>▪ Sensitive receptors shall be located on the upper floors of buildings, if feasible.</li> <li>▪ 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 poplar (Populus deltoids X trichocarpa), and Redwood (Sequoia sempervirens).</li> <li>▪ Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.</li> </ul>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<ul style="list-style-type: none"> <li>▪ Existing and new diesel generators shall meet CARB's Tier 4 emissions standards, if feasible.</li> <li>▪ Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:               <ul style="list-style-type: none"> <li>• Installing electrical hook-ups for diesel trucks at loading docks.</li> <li>• Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.</li> <li>• Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.</li> <li>• Prohibiting trucks from idling for more than two minutes.</li> <li>• 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.</li> </ul> </li> </ul> <p><u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Planning and Zoning Division  <u>Monitoring/Inspection:</u> Building Services Division</p>	
		<p><b>Maintenance of Health Risk Reduction Measures</b>  <u>Requirement:</u> 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.  <u>When Required:</u> Ongoing  <u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Building Services Division</p> <p><b>SCA-AIR-3: Stationary Sources of Air Pollution (Toxic Air Contaminants) (#21)</b>  <u>Requirement:</u> The project applicant shall incorporate appropriate</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>measures into the project design in order to reduce the potential health risk due to on-site stationary sources of toxic air contaminants. The project applicant shall choose one of the following methods:</p> <p>i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk associated with proposed stationary sources of pollution in the project. 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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Installation of non-diesel fueled generators, if feasible, or;</li> <li>• Installation of diesel generators with an EPA-certified Tier 4 engine or engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.</li> </ul> <p><u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Planning and Zoning Division  <u>Monitoring/Inspection:</u> Building Services Division</p> <p><b>SCA-AIR-4: Asbestos in Structures (#23)</b>  <u>Requirement:</u> The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code</p>	



TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p><b>E. GREENHOUSE GAS EMISSIONS</b></p> <p><i>No significant impacts to greenhouse gas emissions would occur with implementation of the City's SCAs listed in this table.</i></p>		<p>of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.</p> <p><u>When Required</u>: Prior to approval of construction-related permit</p> <p><u>Initial Approval</u>: Applicable regulatory agency with jurisdiction</p> <p><u>Monitoring/Inspection</u>: Applicable regulatory agency with jurisdiction</p> <p><b>SCA-TRANS-4: Transportation and Parking Demand Management (#71)</b></p> <p><i>See SCA-TRANS-4 above.</i></p>	LTS
		<p><b>SCA-GHG-1: Greenhouse Gas (GHG) Reduction Plan (#38)</b></p> <p><i>a. Greenhouse Gas (GHG) Reduction Plan Required</i></p> <p><u>Requirement</u>: The project applicant shall retain a qualified air quality consultant to develop a Greenhouse Gas (GHG) Reduction Plan for City review and approval and shall implement the approved GHG Reduction Plan.</p> <p>The requirement for a Greenhouse Gas Reduction Plan, would apply under any of the following scenarios:</p> <p><b>Scenario A</b>: Projects which (a) involve a land use development (i.e., a project that does <u>not</u> require a permit from the Bay Area Air Quality Management District (BAAQMD) to operate), (b) exceed the greenhouse gas (GHG) emissions screening criteria contained in the BAAQMD CEQA Guidelines, <u>AND</u> (c) after a GHG analysis is prepared would produce total GHG emissions of more than 1,100 metric tons of CO<sub>2</sub>e annually <u>AND</u> more than 4.6 metric tons of CO<sub>2</sub>e per service population annually (with "service population" defined as the total number of employees and residents of the project).</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><b>Scenario B:</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 <u>at least one</u> of the BAAQMD Thresholds of Significance (more than 1,100 metric tons of CO<sub>2</sub>e annually <u>OR</u> more than 4.6 metric tons of CO<sub>2</sub>e per service population annually), <u>AND</u> (d) are considered to be "Very Large Projects."</p>	
		<p><b>Scenario C:</b> Projects which (a) involve a stationary source of GHG (i.e., a project that requires a permit from BAAQMD to operate) <u>AND</u> (b) after a GHG analysis is prepared would produce total GHG emissions of more than 10,000 metric tons of CO<sub>2</sub>e annually.</p> <p>The goal of the GHG Reduction Plan shall be to increase energy efficiency and reduce GHG emissions to below at least one of the Bay Area Quality Management District's (BAAQMD's) CEQA Thresholds of Significance (1,100 metric tons of CO<sub>2</sub>e per year or 4.6 metric tons of CO<sub>2</sub>e per year per service population) <u>AND</u> to reduce GHG emissions by 36 percent below the project's "business-as usual" scenario (as explained below) to help achieve the City's goal of reducing GHG emissions. The GHG Reduction Plan shall include, at a minimum, (a) a detailed GHG emissions inventory for the project under a "business-as-usual" scenario with no consideration of project design features, or other energy efficiencies, (b) an "adjusted" baseline GHG emissions inventory for the project, taking into consideration energy efficiencies included as part of the project (including the City's Standard Conditions of Approval, proposed mitigation measures, project design features, and other City requirements), (c) a comprehensive set of quantified additional GHG reduction measures available to further reduce GHG emissions beyond the adjusted GHG emissions, and (d) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. If the project is to be constructed in phases, the GHG Reduction Plan shall provide GHG emissions scenarios by phase.</p>	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>Potential GHG reduction measures to be considered include, but are not be limited to, measures recommended in BAAQMD's latest CEQA Air Quality Guidelines, the California Air Resources Board Scoping Plan (December 2008, as may be revised), the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (August 2010, as may be revised), the California Attorney General's website, and Reference Guides on Leadership in Energy and Environmental Design (LEED) published by the U.S. Green Building Council.</p> <p>The types of allowable GHG reduction measures include the following (listed in order of City preference): (1) physical design features; (2) operational features; and (3) the payment of fees to fund GHG-reducing programs (i.e., the purchase of "carbon credits") as explained below.</p> <p>The allowable locations of the GHG reduction measures include the following (listed in order of City preference): (1) the project site; (2) off site within the city of Oakland; (3) off site within the SFBAAB; (4) off site within the state of California; then (5) elsewhere in the U.S.</p> <p>As with preferred locations for the implementation of all GHG reductions measures, the preference for carbon credit purchases include those that can be achieved as follows (listed in order of City preference): (1) within the city of Oakland; (2) within the SFBAAB; (3) within the state of California; then (4) elsewhere in the U.S. The cost of carbon credit purchases shall be based on current market value at the time purchased and shall be based on the project's operational emissions estimated in the GHG Reduction Plan or subsequent approved emissions inventory, which may result in emissions that are higher or lower than those estimated in the GHG Reduction Plan.</p> <p>For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be included on the drawings submitted for construction-related permits.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Level of Significance With SCA or Mitigation Measure
	<p><u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> N/A</p>	
	<p><b><i>b. GHG Reduction Plan Implementation During Construction</i></b> <u>Requirement:</u> The project applicant shall implement the GHG Reduction Plan during construction of the project. For physical GHG reduction measures to be incorporated into the design of the project, the measures shall be implemented during construction. For physical GHG reduction measures to be incorporated into off-site projects, the project applicant shall obtain all necessary permits/approvals and the measures shall be included on drawings and submitted to the City Planning Director or his/her designee for review and approval. These off-site improvements shall be installed prior to completion of the subject project (or prior to completion of the project phase for phased projects). For GHG reduction measures involving the purchase of carbon credits, evidence of the payment/purchase shall be submitted to the City for review and approval prior to completion of the project (or prior to completion of the project phase, for phased projects). <u>When Required:</u> During construction <u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> Bureau of Building</p>	
	<p><b><i>c. GHG Reduction Plan Implementation After Construction</i></b> <u>Requirement:</u> The project applicant shall implement the GHG Reduction Plan after construction of the project (or at the completion of the project phase for phased projects). For operational GHG reduction measures to be incorporated into the project or off-site projects, the measures shall be implemented on an indefinite and ongoing basis.  The project applicant shall satisfy the following requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. The GHG Reduction Plan requires regular periodic evaluation over the life of the project (generally estimated to be at least 40 years) to determine how the Plan</p>	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan.</p> <p><b>Annual Report.</b> Implementation of the GHG reduction measures and related requirements shall be ensured through compliance with Conditions of Approval adopted for the project. Generally, starting two years after the City issues the first Certificate of Occupancy for the project, the project applicant shall prepare each year of the useful life of the project an Annual GHG Emissions Reduction Report ("Annual Report"), for review and approval by the City Planning Director or his/her designee. The Annual Report shall be submitted to an independent reviewer of the City's choosing, to be paid for by the project applicant.</p> <p>The Annual Report shall summarize the project's implementation of GHG reduction measures over the preceding year, intended upcoming changes, compliance with the conditions of the Plan, and include a brief summary of the previous year's Annual Report results (starting the second year). The Annual Report shall include a comparison of annual project emissions to the baseline emissions reported in the GHG Plan.</p> <p>The GHG Reduction Plan shall be considered fully attained when project emissions are less than either applicable numeric BAAQMD CEQA Thresholds AND GHG emissions are 36 percent below the project's "adjusted" baseline GHG emissions, as confirmed by the City through an established monitoring program. Monitoring and reporting activities will continue at the City's discretion, as discussed below.</p> <p><b>Corrective Procedure.</b> If the third Annual Report, or any report thereafter, indicates that, in spite of the implementation of the GHG Reduction Plan, the project is not achieving the GHG reduction goal, the project applicant shall prepare a report for City review and approval, which proposes additional or revised GHG measures to better achieve the GHG emissions reduction goals, including without limitation, a</p>	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>discussion on the feasibility and effectiveness of the menu of other additional measures ("Corrective GHG Action Plan"). The project applicant shall then implement the approved Corrective GHG Action Plan.</p> <p>If, one year after the Corrective GHG Action Plan is implemented, the required GHG emissions reduction target is still not being achieved, or if the project applicant fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess the project applicant a financial penalty based upon actual percentage reduction in GHG emissions as compared to the percent reduction in GHG emissions established in the GHG Reduction Plan; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether the project's approvals should be revoked, altered or additional conditions of approval imposed.</p> <p>The penalty as described in (a) above shall be determined by the City Planning Director or his/her designee and be commensurate with the percentage GHG emissions reduction not achieved (compared to the applicable numeric significance thresholds) or required percentage reduction from the "adjusted" baseline.</p> <p>In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the project applicant has made a good faith effort to comply with the GHG Reduction Plan.</p> <p>The City would only have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the GHG Reduction Plan.</p> <p><b>Timeline Discretion and Summary.</b> The City shall have the discretion to reasonably modify the timing of reporting, with reasonable notice</p>	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>and opportunity to comment by the applicant, to coincide with other related monitoring and reporting required for the project.  <u>When Required:</u> Ongoing  <u>Initial Approval:</u> Bureau of Planning  <u>Monitoring/Inspection:</u> Bureau of Planning</p> <p>SCA-TRANS-4: Transportation and Parking Demand Management (#71)</p> <p>See SCA-TRANS-4 above.</p> <p>SCA-UTL-3: Construction and Demolition Waste Reduction and Recycling (#74)</p> <p>See SCA-UTL-3 below.</p> <p>SCA-UTL-6: Green Building Requirements (#77)</p> <p>See SCA-UTL-6 below.</p>	
<b>F. SOILS, GEOLOGY, AND SEISMICITY</b>			
GEO-1: Damage to structures could result from unstable soil conditions during the operation period of the project.	S	<p>Mitigation Measure GEO-1: Implementation of the following three-part mitigation measure would reduce impacts to project structures or property related to unstable soils to a less-than-significant level:</p> <p><u>Mitigation Measure GEO-1a:</u> Prior to the issuance of any grading or construction permits, a final geotechnical investigation report shall be prepared by a qualified Geotechnical Engineer or Certified Engineering Geologist with input from a structural engineer and submitted to the City of Oakland Bureau of Building for review and acceptance. In addition to all other requirements, the final geotechnical investigation report shall specifically provide recommendations to minimize the following:</p> <ul style="list-style-type: none"> <li>▪ The potential damage to structures, utilities, and pavements from total and differential settlement, soil collapse, and cyclic densification</li> </ul>	LTS

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
	<ul style="list-style-type: none"> <li>▪ The potential for damage to structures, utilities, and pavements caused by expansive soils</li> <li>▪ The potential for damage to nearby structures, utilities, and pavements caused by any construction-period dewatering-induced subsidence</li> <li>▪ The potential for damage caused by expected seismic shaking</li> </ul>	<p>The final geotechnical investigation report shall include estimates of allowable settlement, construction-period and post-construction settlement monitoring methods, and measures to be taken if settlement monitoring results indicate exceedance of allowable design estimates. All design measures, recommendations, investigation report shall be implemented as a condition of project approval.</p> <p><u>Mitigation Measure GEO-1b:</u> A licensed Geotechnical Engineer with specific experience in foundation design of high-rise buildings, and whose selection is approved by the Building Official, shall peer review the draft geotechnical aspects of the design and engineering plans. The Geotechnical Engineer shall be allowed sufficient time to provide the project design team with comments prior to the building permit application. These comments shall be considered by the Geotechnical Engineer or Certified Engineering Geologist preparing the plans. Where consensus is reached between the two parties, the plans shall be modified accordingly, prior to building permit application. If consensus is not reached, another third-party Geotechnical Engineer whose selection is approved by the Building Official shall make the determination.</p> <p><u>Mitigation Measure GEO-1c:</u> A licensed Geotechnical Engineer, or representative, whose selection is approved by the Building Official, shall provide third-party geotechnical observation and testing during all earthwork and foundation construction activities. The</p>	



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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>Geotechnical Engineer shall be allowed to evaluate any conditions differing from those encountered during the geotechnical investigation, and shall provide supplemental recommendations to the Building Official, as necessary, which the City shall require the project applicant to implement. At the end of construction, the Geotechnical Engineer shall provide a letter regarding contractor compliance with project plans and specifications and with the recommendations of the final geotechnical investigation report and any supplemental recommendations issued during construction. The letter shall be submitted for review to the City.</p> <p>Implementation of the above three-part mitigation measure would reduce this impact to a less-than-significant level.</p> <p><b>SCA-GEO-2: Seismic Hazards Zone (Landslide/Liquefaction) (#36)</b>            Requirement: The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.  <u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> Bureau of Building</p>	
<p><i>No significant construction period impacts related to soils, geology, and seismicity would occur with implementation of the City's SCAs listed in this table.</i></p>		<p><b>SCA-GEO-1: Construction-Related Permit(s) (#33)</b>            Requirement: The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure</p>	<p>LTS</p>

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p><b>G. HAZARDS AND HAZARDOUS MATERIALS</b> <b>HAZ-1:</b> Contaminated soil, groundwater, and potential USTs in the subsurface of the project site could pose a risk of exposure to hazardous materials.</p>	S	<p>structural integrity and safe construction.                      When Required: Prior to approval of construction-related permit                      Initial Approval: Bureau of Building                      Monitoring/Inspection: Bureau of Building</p>	LTS
		<p>SCA Implementation Measure HAZ-1: Additional characterization of soil in the areas to be excavated shall be performed by an environmental professional before the start of construction. If contaminated soil or groundwater is identified that could pose hazards to human health or the environment, the SMP shall be updated to ensure that the SMP includes appropriate procedures to mitigate potential hazards to human health or the environment to a less-than-significant level, the appropriate regulatory agencies shall be immediately notified of the identified soil or groundwater contamination, and the updated SMP shall be submitted to the appropriate regulatory agencies for review and approval. The SMP must be finalized and certified by an environmental professional prior to the start of construction.</p>	
		<p>Additional investigation of the former gas station area shall be performed by an environmental professional after removing the existing parking structure, including a geophysical survey and soil borings. If potential USTs are identified by the geophysical survey or if contaminated soil is encountered in the borings, the area of the former gas station shall be restricted from further development until the appropriate regulatory agencies have been notified and further investigation or remediation activities have been performed under regulatory agency oversight.</p>	
		<p>An environmental professional shall be hired by the applicant to monitor and document excavation, dewatering, and waste transportation and disposal activities to ensure that the procedures of the SMP are followed.</p>	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><b>SCA-HAZ-2: Site Contamination (#40)</b></p> <p><b>a. Hazardous Building Materials Assessment</b>  <u>Requirement:</u> The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.  <u>When Required:</u> Prior to approval of demolition, grading, or building permits  <u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>b. Environmental Site Assessment Required</b>  <u>Requirement:</u> The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.  <u>When Required:</u> Prior to approval of construction-related permit</p>	

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Level of Significance Prior to Mitigation Measure	Impacts	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><u>Initial Approval:</u> Bureau of Building <u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>c. Health and Safety Plan Required</b> <u>Requirement:</u> The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan. <u>When Required:</u> Prior to approval of construction-related permit <u>Initial Approval:</u> Applicable regulatory agency with jurisdiction <u>Monitoring/Inspection:</u> Applicable regulatory agency with jurisdiction</p> <p><b>d. Best Management Practices (BMPs) Required for Contaminated Sites</b> <u>Requirement:</u> The project applicant shall ensure that BMPs are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following:</p> <ul style="list-style-type: none"> <li>i. Soil generated by construction activities shall be stockpiled on-site 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 requirements.</li> <li>ii. Groundwater pumped from the subsurface shall be contained on-site 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. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.</li> </ul> <p><u>When Required:</u> During construction <u>Initial Approval:</u> N/A <u>Monitoring/Inspection:</u> Bureau of Building</p>	

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p>No significant construction period impacts related to hazards would occur with implementation of the City's SCAs listed in this table.</p>	<p>LTS</p>	<p><b>SCA-HAZ-1: Hazardous Materials Related to Construction (#39)</b>            Requirement: The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:            a. Follow manufacturer's recommendations for 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;            Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and            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 underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project 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 notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, 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.  <u>When Required:</u> During construction  <u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>LTS</p>

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Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p><b>H. HYDROLOGY AND WATER QUALITY</b></p>		<p><i>No significant impacts related to hydrology and water quality would occur with implementation of the City's SCAs listed in this table.</i></p>	LTS
		<p><b>SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#45)</b>  <b><i>Erosion and Sedimentation Control Plan Required</i></b>  <u>Requirement:</u> The project applicant shall submit an Erosion and Sedimentation Control Plan to the City for review and approval. 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 or public streets or into creeks as a result of conditions created by grading and/or construction 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 could 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 modification as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The plan shall specify that, after construction is completed, the project applicant shall ensure that the storm drain system is inspected and that the project applicant clears the system of any debris or sediment.  <u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> N/A  <b><i>Erosion and Sedimentation Control During Construction</i></b>  <u>Requirement:</u> 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 Bureau of Building.</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>When Required: During construction            Initial Approval: N/A            Monitoring/Inspection: Bureau of Building</p>	
		<p><b>SCA-HYD-2: State Construction General Permit (#46) Requirement:</b> The project applicant shall comply with the requirements of the Construction General Permit issued by the SWRCB. The project applicant shall submit an NOI, SWPPP, and other required Permit Registration Documents to the SWRCB. The project applicant shall submit evidence of compliance with permit requirements to the City.  <b>When Required:</b> Prior to approval of construction-related permit  <b>Initial Approval:</b> SWRCB; evidence of compliance submitted to Bureau of Building  <b>Monitoring/Inspection:</b> SWRCB</p>	
		<p><b>SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#50) Post-Construction Stormwater Management Plan Required Requirement:</b> The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the NPDES. The project applicant shall submit a Post-Construction Stormwater Management Plan to the City for review and approval with the project drawings submitted for site improvements, and shall implement the approved plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following:</p> <ol style="list-style-type: none"> <li>i. Location and size of new and replaced impervious surface.</li> <li>ii. Directional surface flow of stormwater runoff.</li> <li>iii. Location of proposed on-site storm drain lines.</li> <li>iv. Site design measures to reduce the amount of impervious surface area.</li> <li>v. Source control measures to limit stormwater pollution.</li> <li>vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size</li> </ol>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.		<p>the treatment measures.</p> <p><u>When Required:</u> Prior to approval of construction-related permit</p> <p><u>Initial Approval:</u> Bureau of Planning; Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>Maintenance Agreement Required</b></p> <p><u>Requirement:</u> The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following:</p>	
i. The project 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.		<p>Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the RWQCB, San Francisco Bay 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.</p>	
ii. The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.		<p><u>When Required:</u> Prior to building permit final</p> <p><u>Initial Approval:</u> Bureau of Building</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
<b>I. NOISE AND VIBRATION</b>			
<p><i>No significant impacts related to noise and vibration would occur with implementation of the City's SCAs listed</i></p>			<p><b>SCA-NOI-1: Construction Days/Hours (#58)</b>  <u>Requirement:</u> The project applicant shall comply with the following</p> <p>LTS</p>



TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<i>in this table.</i>		<p>restrictions concerning construction days and hours:</p> <ul style="list-style-type: none"> <li>a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling 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.</li> <li>b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday.</li> <li>c. No construction is allowed on Sunday or federal holidays.</li> </ul> <p>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.</p>	
		<p>Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.</p> <p>When Required: During construction            Initial Approval: N/A            Monitoring/Inspection: Bureau of Building</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><b>SCA-NOI-2: Construction Noise (#59)</b>  <u>Requirement:</u> The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>c. Applicant shall use temporary power poles instead of generators where feasible.</li> <li>d. Stationary noise sources shall be located as far from adjacent properties 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.</li> <li>e. 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.</li> </ol> <p><u>When Required:</u> During construction</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		Initial Approval: N/A Monitoring/Inspection: Bureau of Building	
		SCA-NOI-3: Extreme Construction Noise (#60)	
		<b>a. Construction Noise Management Plan Required</b>	
		Requirement: Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following:	
		i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings;	
		ii. 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;	
		iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site;	
		iv. 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	
		v. Monitor the effectiveness of noise attenuation measures by taking noise measurements.	
		When Required: Prior to approval of construction-related permit	
		Initial Approval: Bureau of Building	
		Monitoring/Inspection: Bureau of Building	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><b>b. Public Notification Required</b>  <u>Requirement:</u> The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.  <u>When Required:</u> During construction  <u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> Bureau of Building</p> <p><b>SCA-NOI-4: Construction Noise Complaints (#62)</b>  <u>Requirement:</u> The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include:                      a. Designation of an on-site construction complaint and enforcement manager for the project;                      b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit;                      c. Protocols for receiving, responding to, and tracking received complaints; and                      d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.  <u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Bureau of Building  <u>Monitoring/Inspection:</u> Bureau of Building</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p><b>SCA-NOI-5: Exposure to Community Noise (#63)</b>  <u>Requirement:</u> The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following:</p> <ul style="list-style-type: none"> <li>a. 45 dBA: Residential activities, civic activities, hotels</li> <li>b. 50 dBA: Administrative offices; group assembly activities</li> <li>c. 55 dBA: Commercial activities</li> <li>d. 65 dBA: Industrial activities</li> </ul> <p><u>When Required:</u> Prior to approval of construction-related permit  <u>Initial Approval:</u> Bureau of Planning  <u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-NOI-6: Operational Noise (#64)</b>  <u>Requirement:</u> Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 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 City.  <u>When Required:</u> Ongoing  <u>Initial Approval:</u> N/A  <u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-NOI-7: Exposure to Vibration (#65)</b>  <u>Requirement:</u> The project applicant shall submit a Vibration Reduction Plan prepared by a qualified acoustical consultant for City review and approval that contains vibration reduction measures to reduce groundborne vibration to acceptable levels per Federal Transit</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p><b>J. Aesthetics and Shade and Shadow</b></p> <p><u>AES-1:</u> Under the All Office Scenario and Maximum Office Scenario, wind levels could exceed the City's wind hazard criterion of winds above 36 mph for more than 1 hour per year during daylight hours during the year.</p>	<p>S</p>	<p>Administration (FTA) standards. The applicant shall implement the approved Plan during construction. Potential vibration reduction measures include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a "spring isolation" system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of groundborne vibration to the residences above.</li> <li>b. Trenching, which involves excavating soil between the railway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project's structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets [i.e., Styrofoam] or low-density polyethylene).</li> </ul> <p><u>When Required:</u> Prior to approval of construction-related permit <u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> Bureau of Building</p>	<p>SU</p>
<p><b>J. Aesthetics and Shade and Shadow</b></p> <p><u>AES-1:</u> Under the All Office Scenario and Maximum Office Scenario, wind levels could exceed the City's wind hazard criterion of winds above 36 mph for more than 1 hour per year during daylight hours during the year.</p>	<p>S</p>	<p><u>Mitigation Measure AES-1:</u> Wind testing shall be repeated to reduce wind hazards, as feasible. The testing results shall be reviewed and approved by the City prior to submittal of an application for building permit(s).</p>	<p>SU</p>

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
<p>AES-2: Under the Maximum Residential Scenario, All Office Scenario, and Maximum Office Scenario, cumulative wind levels could exceed the City's wind hazard criterion of winds above 36 mph for more than 1 hour per year during daylight hours during the year.</p>	S	<p>Mitigation Measure AES-2: Implement Mitigation Measure AES-1.</p>	SU
<p>No significant impacts related to aesthetics or shade/shadow would occur with implementation of the City's SCAs listed in this table.</p>		<p>SCA-AES-1: Graffiti Control (#16) Requirement:</p>	LTS
		<p>a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:</p> <ul style="list-style-type: none"> <li>i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.</li> <li>ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.</li> <li>iii. Use of paint with anti-graffiti coating.</li> <li>iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).</li> <li>v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.</li> </ul> <p>b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:</p> <ul style="list-style-type: none"> <li>i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.</li> <li>ii. Covering with new paint to match the color of the surrounding</li> </ul>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		surface. iii. Replacing with new surfacing (with City permits if required). <u>When Required:</u> Ongoing <u>Initial Approval:</u> N/A <u>Monitoring/Inspection:</u> Bureau of Building	
		<b>SCA-AES-2: Landscape Plan (#17)</b> a. Landscape Plan Required Prior to the final building permit, the project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. <u>When Required:</u> Prior to approval of construction-related permit <u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> N/A	
		b. Landscape Installation Requirement: The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of \$2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid. <u>When Required:</u> Prior to building permit final <u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> Bureau of Building	
		<b>SCA-AES-3: Lighting (#18)</b> <u>Requirement:</u> 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	



TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	Level of Significance With SCA or Mitigation Measure
<p><b>K. Public Services, Utilities, and Recreation</b></p> <p><i>Implementation of the project would not result in any public services, utilities, and recreation impacts; however, the following City SCAs listed in this table apply.</i></p>	<p><b>SCAs/Mitigation Measures</b></p> <p>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. When Required: Prior to building permit final Initial Approval: N/A Monitoring/Inspection: Bureau of Building</p>	<p>LTS</p>
<p><b>SCA-UTL-1: Compliance with Other Requirements (#3)</b></p> <p>The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Building, Fire Marshal, and Public Works Department. 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 #4.</p>	<p><b>SCA-UTL-2: Construction Management Plan (#13)</b></p> <p>Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed</p>	<p>LTS</p>

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.</p>	
		<p><b>SCA-UTL-3: Construction and Demolition Waste Reduction and Recycling (#74)</b></p>	
		<p><b>Requirement:</b> The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (Chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at <a href="http://www.greenhalosystems.com">www.greenhalosystems.com</a> or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.</p>	
		<p><b>When Required:</b> Prior to approval of construction-related permit</p>	
		<p><b>Initial Approval:</b> Public Works Department, Environmental Services Division</p>	
		<p><b>Monitoring/Inspection:</b> Public Works Department, Environmental Services Division</p>	
		<p><b>SCA-UTL-4: Underground Utilities (#75)</b></p>	
		<p><b>Requirement:</b> The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&amp;E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.</p> <p><u>When Required:</u> During construction <u>Initial Approval:</u> N/A <u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-UTL-5: Recycling Collection and Storage Space (#76)</b> <u>Requirement:</u> The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (Chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.</p> <p><u>When Required:</u> Prior to approval of construction-related permit <u>Initial Approval:</u> Bureau of Planning <u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-UTL-6: Green Building Requirements (#77)</b> <b>a. Compliance with Green Building Requirements During Plan-Check Requirement:</b> The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code).</p> <p>i. The following information shall be submitted to the City for review and approval with the application for a building permit:</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<ul style="list-style-type: none"> <li>▪ Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards.</li> <li>▪ Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit.</li> <li>▪ Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit.</li> <li>▪ Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below.</li> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul> <p>ii. The set of plans in subsection (i) shall demonstrate compliance with the following:</p> <ul style="list-style-type: none"> <li>▪ CALGreen mandatory measures.</li> <li>▪ All pre-requisites per the green building 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.</li> <li>▪ The point level certification requirement is 53 points for residential and <u>LEED Gold</u> (mid-60s minus cool roof requirements) for non-residential per the appropriate checklist approved during the Planning entitlement process.</li> </ul>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<ul style="list-style-type: none"> <li>▪ All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted.</li> <li>▪ The required green building point minimums in the appropriate credit categories.</li> </ul> <p>When Required: Prior to approval of construction-related permit            Initial Approval: Bureau of Building            Monitoring/Inspection: N/A</p>	
		<p><b><i>b. Compliance with Green Building Requirements During Construction</i></b></p> <p><u>Requirement:</u> The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project.</p> <p>The following information shall be submitted to the City for review and approval:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.</li> </ul> <p>When Required: During construction            Initial Approval: N/A            Monitoring/Inspection: Bureau of Building</p>	
		<p><b><i>c. Compliance with Green Building Requirements After Construction</i></b></p> <p><u>Requirement:</u> Within sixty (60) days of the final inspection of the</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green (Res) / Green Building Certification Institute (Commercial) and attain the minimum required certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.</p> <p><u>When Required:</u> After project completion as specified</p> <p><u>Initial Approval:</u> Bureau of Planning</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p>	
		<p><b>SCA-UTL-7: Sanitary Sewer System (#79)</b></p> <p><u>Requirement:</u> The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.</p> <p><u>When Required:</u> Prior to approval of construction-related permit and Construction</p> <p><u>Initial Approval:</u> Public Works Department, Department of Engineering</p> <p><u>Monitoring/Inspection:</u> N/A</p>	
		<p><b>SCA-UTL-8: Storm Drain System (#80)</b></p> <p><u>Requirement:</u> The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Level of Significance Prior to Mitigation Measure	Impacts	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>When Required: Prior to approval of construction-related permit            Initial Approval: Bureau of Building            Monitoring/Inspection: Bureau of Building</p>	
		<p>SCA-HYD-1: Erosion and Sedimentation Control Plan for Construction (#45)</p>	
		<p>See SCA-HYD-1 above.</p>	
		<p>SCA-HYD-3: NPDES C.3 Stormwater Requirements for Regulated Projects (#50)</p>	
		<p>See SCA-HYD-3 above</p>	
		<p>SCA-GHG-1: Greenhouse Gas Reduction Plan (#38)</p>	
		<p>See SCA-GHG-1 above.</p>	
<p><b>VI. Effects Found not to be Significant</b></p>			<p>LTS</p>
<p><i>Implementation of the project would not result in any impacts related to biology, mineral resources, or population and housing; however, the following City SCAs listed in this table apply.</i></p>		<p><b>SCA-BIO-1: Tree Removal During Bird Breeding Season (#26)</b>            Requirement: To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
	<p>feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.</p> <p>When Required: Prior to removal of trees</p> <p>Initial Approval: Bureau of Building</p> <p>Monitoring/Inspection: Bureau of Building</p> <p><b>SCA-BIO-2: Tree Permit (#27)</b></p> <p><i>a. Tree Permit Required</i></p> <p>Requirement: Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.</p> <p>When Required: Prior to approval of construction-related permit</p> <p>Initial Approval: Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building</p> <p><u>Monitoring/Inspection</u>: Bureau of Building</p> <p><i>b. Tree Protection During Construction</i></p> <p>Requirement: Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist:</p> <p>i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.</p> <p>ii. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall</p>		



TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.</p> <p>iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.</p> <p>iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.</p> <p>v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.</p> <p>vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks</p>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Level of Significance Prior to Mitigation Measure	Impacts	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
		<p>of debris creation, and such debris shall be properly disposed of by the project applicant in accordance with all applicable laws, ordinances, and regulations.</p> <p><u>When Required:</u> During construction</p> <p><u>Initial Approval:</u> Public Works Department, Tree Division</p> <p><u>Monitoring/Inspection:</u> Bureau of Building</p> <p><i>c. Tree Replacement Plantings</i></p> <p><u>Requirement:</u> Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered.</li> <li>ii. Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye), Umbellularia californica (California Bay Laurel), or other tree species acceptable to the Tree Division.</li> <li>iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.</li> <li>iv. Minimum planting areas must be available on site as follows: <ul style="list-style-type: none"> <li>▪ For Sequoia sempervirens, three hundred fifteen (315) square feet per tree;</li> <li>▪ For other species listed, seven hundred (700) square feet per tree.</li> </ul> </li> <li>v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree</li> </ul>	

TABLE II-3 SUMMARY OF IMPACTS, STANDARD CONDITIONS OF APPROVAL, AND MITIGATION MEASURES

Impacts	Level of Significance Prior to Mitigation Measure	SCAs/Mitigation Measures	Level of Significance With SCA or Mitigation Measure
	vi.	<p>planting in city parks, streets and medians.            The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.</p> <p><u>When Required:</u> Prior to building permit final  <u>Initial Approval:</u> Public Works Department, Tree Division  <u>Monitoring/Inspection:</u> Bureau of Building</p>	

# CITY OF OAKLAND



DALZIEL BUILDING • 250 FRANK H. OGAWA PLAZA • SUITE 3315 • OAKLAND, CALIFORNIA 94612

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## COMBINED NOTICE OF RELEASE AND AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT REPORT AND NOTICE OF PUBLIC HEARINGS ON THE EASTLINE PROJECT-2100 TELEGRAPH

**PROJECT TITLE:** EASTLINE PROJECT-2100 TELEGRAPH  
**CASE NO.** ER16-011  
**PROJECT SPONSOR:** W/L Telegraph Owner, LLC

### DESCRIPTION OF PROJECT:

The development site (also referred to as project site) encompasses one full city block within downtown Oakland. It is bounded by Telegraph Avenue to the west, 22<sup>nd</sup> Street to the north, Broadway to the east, and 21<sup>st</sup> Street to the south. The project site is within one block of the 19<sup>th</sup> Street Bay Area Rapid Transit District (BART) station, and is located approximately 0.5 miles east of Interstate 980 (I-980). The project site consists of five Alameda County Assessor's Parcels (APN 008-0648-001-00, APN 008-0648-011-03, APN 008-0648-016-03, APN 008-0648-018-00 and APN 008-0648-017-00), as well as a small portion of the 22<sup>nd</sup> Street right of way on the corner of Telegraph Avenue and 22<sup>nd</sup> Street.

To allow flexibility for the Eastline project to be responsive to changes in market demands and opportunities, a range of development scenarios are considered in this EIR consistent with the filed Planned Unit Development/Preliminary Development Plan (PUD/PDP). The PUD/PDP includes a proposal to demolish all existing buildings on the project site with a potential range of replacement development options that could include up to 2.8 million square feet of office or 1,556 residential dwelling units or a mix of the two. All development options within the PUD/PDP would include ground floor retail and a large parking garage. Four illustrative development scenarios are programmed in the DEIR: a maximum residential scenario, a maximum office scenario, an office and residential scenario, and an all office scenario.

Approval of a Final Development Plan (FDP) is required subsequent to approval of the PUD/PDP. The FDP shall conform in all major respects with the approved PUD/PDP and provide sufficient detail to indicate fully the ultimate operation and appearance of the development. The FDP that will be built is not yet known, but to ready the site for redevelopment as soon as possible, the development team has submitted two FDPs that are currently under review by the City. The first was submitted in conjunction with the PUD/PDP and is specifically considered throughout this EIR.

- o Residential/Office Mix FDP: Up to 880,550 square feet of large floor-plate office, a 365,000-square-foot residential tower (395 units), 85,000 square feet of ground floor retail, 18,500 square feet of community space, and six levels of parking.

Another FDP, the All Office FDP, was developed subsequent to the Residential/Office Mix FDP in response to current downtown market conditions. The All Office FDP is within the "book-ends" established in the PUD/PDP.

- o All Office FDP: Up to 1,450,000 square feet of large floor-plate office, 80,000 square feet of ground floor retail, 23,000 square feet of community space, and six levels of parking.

The All Office FDP falls within the scope of the PUD/PDP EIR analysis. In any cases where potentially unique findings may be associated with the All Office FDP development scenario, such cases are described.

The project sponsor anticipates that full buildout of the Eastline project will be less intense than is the maximum allowed under the site's FAR and under the proposed PUD/PDP. However, this EIR analyzes a maximum buildout under the proposed PUD/PDP to provide a comprehensive analysis that will cover subsequent FDP proposals that conform in all major respects with the proposed PUD/PDP. The proposed FDPs both fall within the "book-ends" of the two maximum development scenarios and are consistent with the blended development program included in the PUD/PDP.

**ENVIRONMENTAL REVIEW:** A Draft Environmental Impact Report (DEIR) was prepared for the project under the requirements of the California Environmental Quality Act (CEQA), pursuant to Public Resources Code Section 21000 *et. seq.* The DEIR analyzes potentially significant environmental impacts in the following environmental categories: Land Use, Cultural Resources, Traffic and Transportation, Air Quality, Greenhouse Gas Emissions, Soils and Geology, Hazardous Materials, Hydrology and Water Quality, Noise and Vibration, Aesthetics, Public Services, Utilities, and Recreation. The Draft EIR identifies significant and unavoidable environmental impacts related to Cultural Resources, Air Quality, and Aesthetics. Copies of the DEIR are available for review or distribution to interested parties at no charge at the Department of Planning and Building, 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 Draft EIR may also be reviewed at the following website:


<http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157.htm>

**PUBLIC HEARINGS:** The Landmarks Preservation Advisory Board will conduct a public scoping hearing on the Draft EIR for the project on **Monday, January 8, 2018**, at 6:00 p.m. in Sgt. Mark Dunakin Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612.

The City Planning Commission will conduct a public scoping hearing on the Draft EIR for the project on **Wednesday, January 24, 2018**, at 6:00 p.m. in Sgt. Mark Dunakin Hearing Room 1, City Hall, 1 Frank H. Ogawa Plaza, Oakland, CA 94612.

The City of Oakland is hereby releasing this Draft EIR, finding it to be accurate and complete and ready for public review. Members of the public are invited to comment on the EIR and the project. There is no fee for commenting, and all comments received will be considered by the City prior to finalizing the EIR and making a decision on the project. Comments on the Draft EIR should focus on the sufficiency of the EIR in discussing possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the project in light of the EIR's purpose to provide useful and accurate information about such factors. Comments may be made at the public hearing described above or in writing. Please address all written comments to Peterson Vollmann, Planner IV, City of Oakland, Department of Planning and Building, Bureau of Planning, 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612; (510) 238-6167(phone); (510) 238-4730(fax) or by e-mail at [pvollmann@oaklandnet.com](mailto:pvollmann@oaklandnet.com). Comments should be received no later than 4:00 p.m. on **February 5, 2018**. Please reference case number ER16-011 in all correspondence. If you challenge the environmental document or project in court, you may be limited to raising only those issues raised at the Planning Commission public hearing described above, or in written correspondence received by the Department of Planning and Building on or prior to 4:00 p.m. on **February 5, 2018**. After all comments are received, a Final EIR will be prepared and the Planning Commission will consider certification of the Final EIR and render a decision/make a recommendation on the project at a later meeting date to be scheduled. For further information, please contact Peterson Vollmann, Planner IV at (510) 238-6167 or at [pvollmann@oaklandnet.com](mailto:pvollmann@oaklandnet.com).

December 22, 2017  
File Number: ER16-011

  
DARIN RANELLETTI  
City of Oakland  
Environmental Review Officer