Oakland City Center Project
2016 Block T12 Project
CEQA Analysis (Addendum #6)

Pursuant to California Resources Code Sections 21083.3, 21094.5.5, and 21166 and CEQA Guidelines Sections 15162, 15164, 15183, 15183.3, 15168, and 15180

Date:	March 18, 2016
Project Address:	601 12th Street, Block T12
Case Number:	PUD99215- ER30021
Zoning:	CBD-C (Central Business District General Commercial Zone)
General Plan:	Central Business District (CBD)
APN:	002-0027-00700
Lot Size:	1.37 acres
Applicant:	Shorenstein Properties LLC 235 Montgomery Street, 16th Floor San Francisco, CA 94104
Staff Contact:	Catherine Payne, Planner IV Bureau of Planning cpayne@oaklandnet.com (510) 238-6168

I. Executive Summary

The proposed 2016 Block T12 Project ("Proposed Project") would be developed on an approximately 1.37-acre parcel that is one of four development blocks that make up the Oakland City Center Project in Downtown Oakland.

The City certified an Environmental Impact Report (EIR) for the Oakland City Center Project Preliminary Planned Unit Development (PUD) in April 2000, pursuant to the California Environmental Quality Act (CEQA).[1] The **"Original Project"** analyzed in the 2000 EIR considered the development of a 584,000 square-foot commercial office building up to 390 feet tall with ground floor retail space on Block T12. A total of up to 220 parking spaces was proposed to occur onsite or in an existing adjacent City parking garage.

The Proposed Project now involves the development of a 597,500 square-foot, 24-story (approximately 367 feet to top of roof) commercial office building, including an approximately 9,500 square feet of street-level retail/restaurant use. Approximately 205 on-site vehicle parking spaces would be provided in a below-ground garage on the lower levels of the proposed building, with up to 200 additional spaces available in the adjacent City Center West Parking Garage through an optional lease agreement with the City of Oakland. The two subgrade parking levels would involve a maximum total of approximately 64,000 cubic yards of excavation, of which approximately 25,000 cubic yards remain to be excavated.[2] Construction of the Proposed Project is to commence in 2017.

Overall, the Proposed Project would develop up to approximately 13,500 more total square feet of development, but result in approximately 18 percent fewer p.m. peak-hour vehicle trips, compared to that analyzed for Block T12 in the 2000 EIR and in the most recent Final Development Plan (FDP) approval that has since expired.

The 2000 EIR, and five subsequent addenda to that EIR, analyzed the environmental impacts of construction and operation of the City Center Project. The analysis in the 2000 City Center EIR and its five addenda are pertinent to the Proposed Project, providing the basis for use of an addendum to assess the current Proposed Project. Separate and independently, qualified planning level documents, specifically program-level EIRs, that can be used as a basis to provide additional CEQA clearance of the Proposed Project (all or in part) under specific CEQA provisions include Oakland's 1998 General Plan Land Use and Transportation Element EIR, and the 2011 Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"). These are referred to collectively throughout this document as "the Program EIRs" or "the Previous CEQA Documents."

II. Background

A. Original 2000 EIR Project

In April 2000, the Oakland Planning Commission certified the EIR and approved a Preliminary PUD for the Oakland City Center Project. The Original Project analyzed in the 2000 EIR consisted of a Preliminary PUD program of approximately 2.2 million square feet (msf) of high-rise building development on four city blocks: Blocks T5/6, T9, T10 and T12. The Original Project location and development blocks are shown in **Figure 1** and **Figure 2**, respectively. **Table 1** shows the development program of the Original Project.

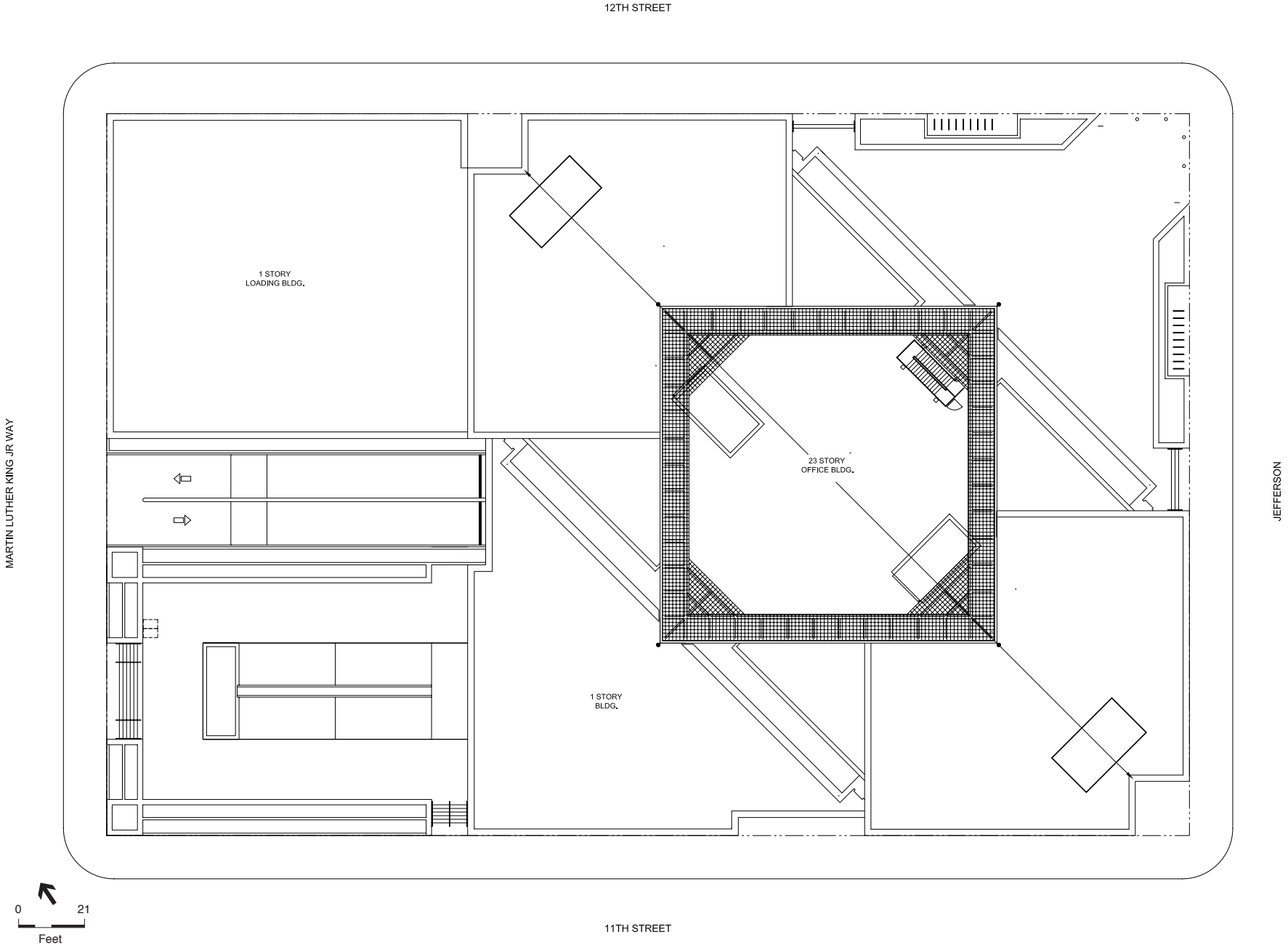
[1] Oakland City Center Project Final EIR, Certified April 26, 2000. SCH No. 99081119. Oakland Case No. ER99-15.

[2] Excavation was initiated in previous years during initial development of the site under the previous Block T12 approval.

SOURCE: Oakland City Center Project DEIR (2000)

2015 Block T12 Project Addendum . ESA 150439

Figure 1
Project Location



SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 2
Site Plan

TABLE 1
DEVELOPMENT CHARACTERISTICS OF ORIGINAL PROJECT, 2000 EIR

	Block T5/6	Block T9	Block T10	Block T12	Total Original Project (2000 EIR)
Office	580,000 sf	470,000 sf	550,000 sf	584,000 sf	**2,184,000 sf**
Residential	0	0	200 units	0	**200 units**
Commercial	7,500 sf	7,500 sf	8,000 sf	0	**23,000 sf**
Parking	150 spaces	236 spaces	230 spaces	220 spaces	**836 spaces**
Parking access	11th Street	11th Street	Jefferson St.	11th Street	**N/A**
Loading Spaces	3	3	3	3	**12 spaces**
Loading access	11th Street	11th Street	MLK Jr. Way	11th Street	**N/A**
Hgt. (stories)	26 stories	21 stories	31 stories	26 stories	**Max. 31 stories**
Height (feet) [a]	390 feet	306 feet	440 feet	390 feet	**Max. 440 feet**

[a] In the 2000 EIR, all Blocks were modeled at 440 feet tall shadow and scenic resources, and at 425 feet for the wind analyses in the 2000 EIR.

The 2000 EIR (including its Initial Study Checklist) determined that the Oakland City Center Project's impacts to the following resources would be reduced to **a less-than-significant level with the implementation of mitigation measures**: circulation and parking, air quality, and noise (in the EIR); geology and soils, hydrology and water quality, cultural resources, and hazards and hazardous materials (in the Initial Study). **Less-than-significant impacts** were identified for the following resources: aesthetics; biology; land use, plans, and policies; population and housing; public services, recreation, and utilities and service systems.

The 2000 EIR determined that the Oakland City Center Project would have **significant unavoidable effects** on the following environmental resources: traffic delays; air quality (cumulative); noise (cumulative); and wind hazards. Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

B. Previous Addenda and "Approved Project"

Five addenda to the 2000 EIR were completed to consider modifications to the Original Project: Addendum #1 for Block T10 (2003); Addenda #2 through #4 for Block T12 (2005, 2007 and 2010); and Addendum #5 for Block T5/T6 (2015).[3] The development programs for each addendum are summarized in **Table 2**. As described below, each of the addenda determined that no further review was required, in terms of a subsequent or supplemental EIR, pursuant to CEQA Guidelines Sections 15162 and 15164 (Subsequent EIRs, Supplements and Addenda to an EIR or Negative Declaration). Development on Blocks T9 and T10 are fully constructed and operational. The City approved a FDP for Phase 1 of Block T5/6 (Site A), and construction is anticipated to commence prior to 2018. Throughout this document, except

[3] The City prepared and approved a "CEQA Checklist" for the 2015 Block T5/6 Project, which evaluated the project and found it qualified for CEQA clearance under an addendum to the 2000 EIR as well as additional CEQA exemption and streamlining provisions. For consistency in this document, the 2015 Block T5/6 Project CEQA clearance is referred to as "Addendum #5."

where necessary for clarity, "2000 EIR" encompasses the Initial Study, Draft EIR, Final EIR, and each subsequent addendum for the City Center Project.

TABLE 2
DEVELOPMENT CHARACTERISTICS OF APPROVED MODIFIED PROJECT, THROUGH ADDENDUM #5, 2015

	Block T5/6 (approved, Addendum #5 [a])	Block T9 (as constructed, approved in Original Project)	Block T10 (as constructed, reduced from Original Project [b])	Block T12 (approved, Addendum #4 [c])	**Total Approved Modified Project, through Addendum #5 (2015)**	**Total Original Project (2000 EIR)**
Office	205,800 sf	470,000 sf	0	584,000 sf	**1,259,800 sf**	**2,184,000 sf**
Residential	262-524 units	0	251 units	0	**775 units**	**200 units**
Commercial	12,850 sf	7,500 sf	2,600sf	0	**22,950 sf**	**23,000 sf**
Parking	200-338 spaces	236 spaces	252 spaces	220 spaces	**1,046 spaces**	**836 spaces**
Parking access	11th Street	11th Street	Jefferson St.	11th Street	**N/A**	**N/A**
Loading Spaces	4-5	3	1	3	**12 spaces**	**12 spaces**
Loading access	11th Street	11th Street	14th Street	11th Street	**N/A**	**N/A**
Height (max stories)	14 stories	21 stories	8 stories	26 stories	**Max. 26 stories**	**Max. 31 stories**
Height (feet)	150 feet	306 feet	80 feet	390 feet	**Max. 390 feet**	**Max. 440 feet**

[a] Ranges are shown for Block T5/6 to reflect the variation among the three approved optional development profiles for Site B: Hotel, Residential, and Office.
[b] Block T10 was evaluated in and approved with Addendum #1 with 400 units, 3,000 to 10,000 square feet of commercial, 400 parking spaces, and a maximum height of 240 feet.
[c] Block T12 was also previously modified from the Original Project in Addendum #2 and Addendum #3.
[d] In the 2000 EIR, all Blocks were modeled at 440 feet tall for shadow and scenic resources, and at 425 feet for the wind analyses in the 2000 EIR.

The 2003 Addendum #1 found that a Modified Block T10 project, which increased the residential units and decreased office square footage on Block T10, would have no new or substantially severe impacts compared to what was identified in the 2000 Final EIR.

The 2005 Addendum #2, which considered an increased number of residential units for Block T12, confirmed that increased traffic anticipated from other new development that had occurred near Block T12 would not cause the Modified Block T12 Project to adversely affect intersections, specifically once the Uptown Project was completed.[4] The analysis concluded that there would be little interaction between traffic from Modified Block T12 Project and the Uptown project at the affected intersections.[5]

[4] The Uptown project is an approximately 1,270-unit residential complex on nine blocks, generally between San Pablo and Telegraph Avenues, from 19th to 21st Streets. The other new nearby development considered included Landmark Place, a 92-unit condominium complex at Martin Luther King Jr. Way and 12th Street (directly west of Block T12); and the Market Square Phase 1 project, a 115-unit residential project at 9th Street, between Clay and Jefferson Streets (two blocks south of Block T12, former Housewives' Market).

[5] Since certification of Addendum #2, all projects being developed in the Downtown area have included the City Center Project in their cumulative traffic analyses.

The 2007 Addendum #3 and 2010 Addendum #4 were completed to address the reversion of the Modified Block T12 Project of Addendum #2 to office use. Both addenda found that the four significant and unavoidable impacts of the City Center Project in the 2000 EIR, which are primarily due to the office component of the City Center Project, would remain the same and that no new or severe impacts were found. The CEQA Analysis for the Proposed Project assumes as a baseline for comparison the development of Block T12 with a high-rise office building, as approved in the Original Project and analyzed in the 2000 EIR and the most recent Addendum #4.

The 2015 Addendum #5 evaluated three possible development options on Block T5/6, which would be developed in two phases on two sites: Phase 1 on Site A and Phase 2 on Site B. With implementation of the applicable mitigation measures and SCAs (Standard Conditions of Approval), the phasing of Project development and the development of any of the three options on Site B would not result in a substantial increase in the severity of previously identified significant impacts in the 2000 EIR and its subsequent addenda, the applicable Program EIRs, or in any new significant impacts that were not previously identified in any of those CEQA documents.

C. Applicable Previous CEQA Documents / Program EIRs

The following describes the Program EIRs that constitute the Previous CEQA Documents considered in this CEQA Analysis. Each of the following documents is hereby incorporated by reference and can be obtained from the City of Oakland Bureau of Planning at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California 94612, and/or located at the following link:

http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009158.

General Plan Land Use and Transportation Element EIR

The City certified the EIR for its General Plan Land Use and Transportation Element (LUTE) in 1998. The LUTE identifies policies for utilizing Oakland's land as change takes place and sets forth an action program to implement the land use policy through development controls and other strategies. The LUTE identifies five "Showcase Districts" targeted for continued growth; the City Center Project and Block T12 are located within the "Downtown Showcase District" (Downtown) intended to promote a mixture of vibrant and unique districts with around-the-clock activity, continued expansion of job opportunities, and growing residential population. The 1998 LUTE EIR is designated a "Program EIR" under CEQA Guidelines Sections 15183 and 15183.3. As such, subsequent activities under the LUTE are subject to requirements under each of the aforementioned CEQA Sections, which are described further in Section III. While approved after certification of the 1998 LUTE EIR, growth and potential effects of the development of City Center in downtown Oakland would have been considered in the cumulative growth projections factored into the LUTE EIR analysis.

Applicable mitigation measures identified in the 1998 LUTE EIR are largely the same as those identified in the other Program EIR (discussed below) prepared *after* the 1998 LUTE EIR, either as mitigation measures or newer standard conditions of approval, the latter of which are described below in Section III B.

Environmental Effects Summary – 1998 LUTE EIR

The 1998 LUTE EIR (including its Initial Study Checklist) determined that development consistent with the LUTE would result in the following impacts **reduced to a less-than-significant level with the implementation of mitigation measures**: aesthetics (views, architectural compatibility and shadow only); air quality (construction dust [including PM_{10}] and emissions Downtown, odors); cultural resources

(except as noted below as less than significant); hazards and hazardous materials; land use (use and density incompatibilities); noise (use and density incompatibilities, including from transit/transportation improvements); population and housing (induced growth, policy consistency/clean air plan); public services (except as noted below as significant)[6]; and transportation/circulation (intersection operations Downtown).

Less-than-significant impacts were identified for the following resources in the 1998 LUTE EIR and Initial Study: aesthetics (scenic resources, light and glare); air quality (clean air plan consistency, roadway emissions in Downtown, energy use emissions, local/regional climate change); biological resources; cultural resources (historic context/settings, architectural compatibility); energy; geology and seismicity; hydrology and water quality; land use (conflicts in mixed use projects and near transit); noise (roadway noise Downtown and citywide, multifamily near transportation/transit improvements); population and housing (exceeding household projections, housing displacement from industrial encroachment); public services (water demand, wastewater flows, stormwater quality, parks services); and transportation/circulation (transit demand). **No impacts** were identified for agricultural or forestry resources, and mineral resources.

Significant unavoidable impacts were identified for the following environmental resources in the 1998 LUTE EIR: air quality (regional emissions, roadway emissions Downtown); noise (construction noise and vibration in Downtown); public services (fire safety); transportation/circulation (roadway segment operations); wind hazards, and policy consistency (clean air plan). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Central District Urban Renewal Plan Amendments EIR (Redevelopment Plan Amendments EIR)

The Oakland City Center Project site, including Block T12, is located within the Central District Urban Renewal Plan Area, which generally encompasses the entire Downtown: approximately 250 city blocks (828 acres) in an area generally bounded by Interstate 980 (I-980), Lake Merritt, 27th Street and the Embarcadero. The Oakland City Council adopted the Central District Urban Renewal Plan (the "Redevelopment Plan") for the Project Area in June 1969. Recently, the City prepared and certified an EIR for proposed amendments to the Urban Renewal Plan in 2011, and amended or supplemented the Plan up to April 3, 2012.[7] The blocks of the Oakland City Center Project that currently remain undeveloped (Blocks T5/6 and T12) were specifically identified and analyzed in the Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR") (May 2011) as part of the cumulative background.[8] The full Oakland City Center Project has been factored as into all cumulative

[6] The 1998 LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under *Public Services*.

[7] The 2011 EIR addressed two amendments. A 17th Amendment to the Redevelopment Plan to (1) extend the duration of the Plan from 2012 to 2022 and extend the time period that the then-Redevelopment Agency could receive tax increment funds from 2022 to 2032, as allowed by Senate Bill (SB) 211 (codified as Health and Safety Code Section 33333.10 et seq.); (2) increase the cap on the receipt of tax increment revenue to account for the proposed time extensions; and (3) renew the then-Redevelopment Agency's authority to use eminent domain in the Project Area. An 18th Amendment further extended the then-Redevelopment Plan time limit from 2022 to 2023 and extended the time period that the then-Redevelopment Agency could receive tax increment funds from 2032 to 2033, as allowed by Health and Safety Code Section 33331.5.

[8] Projects previously analyzed under CEQA and approved, referred to as "Other Projects and Programs supported by the Redevelopment Plan, but that may Occur Without the Proposed Amendments and Therefore Considered Only in the Cumulative Analysis."

traffic analysis for projects developed in the Downtown area since the City's certification of the 2000 EIR. The 2011 Redevelopment Plan Amendments EIR was designated a "Program EIR" under CEQA Guidelines Section 15180; as such, subsequent activities are subject to requirements under CEQA Section 15168.

Applicable mitigation measures and standard conditions of approval (described in Section III) identified in the 2011 Redevelopment Plan Amendments EIR are considered in the analysis in this document and are also largely the same as those identified in the other Program EIRs described in this section. The potential for significant unavoidable impacts identified for air quality, cultural resources, and traffic/circulation were identified in the Redevelopment Plan Amendments EIR, and all the impacts identified in that EIR are summarized throughout the CEQA Checklist in Section VI of this document.

Environmental Effects Summary – 2011 Redevelopment Plan Amendments EIR

The 2011 Redevelopment Plan Amendments EIR determined that development facilitated by the Proposed Amendments, combined with cumulative development that specifically identified Block T12, would result in impacts to the following resources that would be **reduced to a less-than-significant level with the implementation of identified mitigation measures and/or standard conditions of approval** (described in Section III): aesthetics (light/glare only); air quality (except as noted below as less than significant and significant); biological resources (except no impacts regarding wetlands or conservation plans); cultural resources (except as noted below as significant); geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality (stormwater and 100-year flooding only); noise (exceeding standards – construction and operations only); traffic/circulation (safety and transit only); utilities and service systems (stormwater and solid waste only).

Less-than-significant impacts were identified for the following resources in the 2011 Redevelopment Plan Amendments EIR: aesthetics (except as noted above as less than significant with standard conditions of approval); air quality (clean air plan consistency); hydrology and water quality (except as noted above as less than significant with standard conditions of approval); land use and planning; population and housing; noise (roadway noise only); public services and recreation; traffic/circulation (air traffic and emergency access); and utilities and service systems (except as noted above as less than significant with standard conditions of approval). **No impacts** were identified for agricultural or forestry resources, and mineral resources.

The 2011 Redevelopment Plan Amendments EIR determined that the Proposed Amendments combined with cumulative development, including explicitly Block T12, would have **significant unavoidable impacts** on the following environmental resources: air quality (toxic air contaminant exposure and odors); cultural resources (historic); and traffic/circulation (roadway segment operations).[9] Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

[9] The 2011 Redevelopment Plan EIR also identified significant and avoidable noise effects specifically associated with the potential development of a new baseball stadium at Victory Court, and multimodal safety at at-grade rail crossings, both near the Oakland Estuary. These effects would not pertain to the 2015 Block T12 Project given the distance and presumably minimal contribution of multimodal trips affecting these impacts.

III. Purpose and Summary of this Document

The purpose of this document is to demonstrate CEQA compliance of the Proposed Project. The 2000 Oakland City Center EIR analyzed the environmental impacts of development defined by the Preliminary PUD, which includes separate developments on four development blocks: T5/6, T9, T10 and T12. Subsequent final approvals for the foreseeable and anticipated development of each block were anticipated upon the submittal of detailed design proposals and, as necessary, supplemental or subsequent project-level CEQA review.

A. Applicable Provisions for CEQA Compliance

As described in Section II.B, five addenda to the 2000 EIR were prepared and certified. An addendum is considered suitable for the Proposed Project, as demonstrated by the CEQA Checklist presented in Section VI, herein. For comprehensive review and public information, the CEQA Checklist and its supporting attachments also demonstrate that the Proposed Project would also qualify for certain other CEQA exemptions, as summarized below, which separately and independently provide a basis for CEQA compliances.

1. **Addendum.** Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 (Subsequent EIRs, Supplements and Addenda to an EIR or Negative Declaration), state that an addendum to a certified EIR is allowed when minor changes or additions are necessary, and none of the conditions for preparation of a subsequent EIR or Negative Declaration per Sections 15162 and 15164 are satisfied.

   The analysis in the 2000 City Center EIR and its five addenda are pertinent to the Proposed Project (with Addenda #2 through #4 directly applied to Block T12), providing the basis for use of an Addendum.

2. **Community Plan Exemption.** Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning) allow streamlined environmental review for projects that are "consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." Section 15183(c) specifies that "if an impact is not peculiar to the parcel or to the proposed project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards…, then an EIR need not be prepared for the project solely on the basis of that impact."

   The analysis in the 1998 LUTE EIR is applicable to the Proposed Project and is the Previous CEQA Document providing the basis for use of the Community Plan Exemption.

3. **Qualified Infill Exemption.** Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Streamlining for Infill Projects) allow streamlining for certain qualified infill projects by limiting the topics subject to review at the project level, if the effects of infill development have been addressed in a planning level decision, or by uniformly applicable development policies. Infill projects are eligible if they are located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; satisfy the performance standards provided in CEQA Guidelines Appendix M; and are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an

alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

The analysis in the 1998 LUTE EIR is applicable to the Proposed Project and is the Previous CEQA Document providing the basis for use of the Qualified Infill Exemption under CEQA Guidelines Section 15183.3.

4. **Program EIRs and Redevelopment Projects.** CEQA Guidelines Section 15168 (Program EIRs) and Section 15180 (Redevelopment Projects) provide that the 2011 Redevelopment Plan Amendments EIR can be used as a Program EIR in support of streamlining and/or tiering provisions under CEQA. The 2011 Redevelopment Plan Amendments EIR is a Program EIR for streamlining and/or tiering provisions by CEQA Section 15168. The section defines the "program EIR" as one prepared on a series of actions that can be characterized as one large project and are related geographically and by other shared characteristics. Section 15168 continues that "subsequent activities in the program EIR must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared." If the agency finds that pursuant to CEQA Guidelines Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR and no new environmental document would be required.

   Further, CEQA Guidelines Section 15180 specifies that if a certified redevelopment plan EIR is prepared, no subsequent EIRs are required for individual components of the redevelopment plan unless a subsequent EIR or supplement to the EIR would be required by Section 15162 or 15163.

B. Previous Mitigation Measures and Current Standard Conditions of Approval (SCAs)

The CEQA Checklist provided in Section VI of this document evaluates the potential environmental effects of the Proposed Project, and evaluates whether such impacts were adequately covered by the 2000 EIR and its five addenda (as well as the Program EIRs previously described in Section II.C) to allow the above-listed provisions of CEQA to apply. The analysis conducted incorporates by reference the information contained in each of the previous Program EIRs. The Proposed Project is legally required to incorporate and/or comply with the applicable requirements of the mitigation measures identified in the 2000 EIR. Therefore, the mitigation measures are herein assumed to be included as part of the Proposed Project, including those that have been modified to reflect the City's current standard language and requirements, as discussed below.

SCA Application in General

The City established its *Standard Conditions of Approval and Uniformly Applied Development Standards* (SCAs) after certification of the 2000 EIR.[10] The City's SCAs are incorporated into and applied to new and changed projects as conditions of approval regardless of a project's environmental determination. The SCAs incorporate policies and standards from various adopted plans, policies, and ordinances, which have been found to substantially mitigate environmental effects; these adopted plan, policies, and ordinances include (without limitation) the Oakland Planning and Municipal Codes, Oakland Creek Protection Ordinance, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree

[10] Dated November 2, 2008, as amended and/or supplemented through July 22, 2015.

Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, California Building Code and Uniform Fire Code, among others. The SCAs are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental effects.

SCA Application in this CEQA Analysis

Several SCAs apply to the Proposed Project because of the characteristics and proposed "changes" to the Original Project; they are triggered by the fact that the City is considering renewed discretionary actions for the Proposed Project. Because the SCAs are mandatory City requirements, the impact analyses for new and modified projects assume that they will be imposed and implemented by the project in question.

Mitigation measures identified in the 2000 EIR and its addenda and that would apply to the Proposed Project are referenced in Attachment A to this document. Certain mitigation measures identified in the 2000 EIR or addenda have since been adopted by the City as SCAs for all projects. Therefore, some of the previously identified mitigation measures have been modified, and in some cases wholly replaced, to reflect the City's current standard language and requirements of its SCAs, which provide equally effective mitigation. All mitigation measures and applicable SCAs for the Proposed Project are listed in Attachment A to this document. Most of the SCAs that are identified in this document to apply to the Proposed Project were also identified in the 2011 Redevelopment Plan Amendments EIR; the 1998 LUTE EIR was developed prior to the City's application of SCAs.

C. 2016 Block T12 Project CEQA Compliance

The Proposed Project satisfies each of the CEQA provisions, as summarized below.

- **Addendum.** The analysis conducted in this document indicates that an addendum to the 2000 EIR applies; therefore, this CEQA Analysis is considered to be the addendum. As discussed under *Project Characteristics* (Section IV.B, below), the Proposed Project represents a minor change to the Block T12 development from what was analyzed with the Original Project in the 2000 EIR and subsequent addenda; the total building development is less and although the Proposed Project would include a new use (commercial on the ground floor), it would construct a building lower in height and would generate fewer trips than the Block T12 development analyzed in the 2000 EIR and subsequent addenda. The Proposed Project, therefore, meets the requirements for an addendum, as evidenced in Attachment B to this document.
- **Community Plan Exemption.** Based on the analysis conducted in this document, the Proposed Project also qualifies for a community plan exemption. It is permitted in the zoning district where the project site is located, and is consistent with the bulk, density, and land uses envisioned for the site. The analysis herein further reconsiders the analysis in the 1998 LUTE EIR for the overall project. This CEQA Analysis concludes that the Proposed Project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or offsite effects in the 2000 EIR; or (3) were previously identified as significant effects, but are determined to have a more severe adverse impact than discussed in the EIR. Findings regarding the Proposed Project's consistency with the zoning are included as Attachment C to this document.
- **Qualified Infill Exemption**. The analysis conducted in this document indicates that the Proposed Project qualifies for a qualified infill exemption and is generally consistent with the required

performance standards provided in CEQA Guidelines Appendix M, as evaluated in Table D-1 in Attachment D to this document. This CEQA Analysis supports that the Proposed Project would not cause any new specific effects or more significant effects than previously identified in applicable planning level EIRs, and uniformly applicable development policies or standards (SCAs) would substantially mitigate the project's effects. The Proposed Project is proposed on a previously developed site in downtown Oakland and is surrounded by urban uses. Further, the Proposed Project is consistent with the land use, density, building intensity, and applicable policies for the site. The analysis herein considers the analysis in the 2000 EIR and the 1998 LUTE EIR.

- **Program EIRs and Redevelopment Projects.** The Proposed Project is one of several subsequent activities that are part of a series of actions specifically named in the cumulative setting for the 2011 Redevelopment Plan Amendments EIR. The analysis in the 2011 Redevelopment EIR and in this CEQA Analysis demonstrates that the Proposed Project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR, per CEQA Guidelines Section 15162.

Overall, based on an examination of the analysis, findings, and conclusions of the 2000 EIR, as well as those of the 1998 LUTE EIR and the 2011 Redevelopment Plan Amendments EIR – all of which are as summarized in the CEQA Checklist in Section VI of this document – the potential environmental impacts associated with the Proposed Project have been adequately analyzed and covered in prior Program EIRs. Therefore, no further review or analysis under CEQA is required.

IV. Project Description

Project Location

Block T12 (**"project site"**) is located in downtown Oakland at 601 12th Street. It is 1.37 acres comprised of one parcel (Assessor's Parcel Number 002-0027-00700). The project site is bounded by 11th Street to the south, 12th Street to the north, Martin Luther King Jr Way to the west, and Jefferson Street to the east, as shown previously in **Figure 2**.

Existing Site Conditions

Existing conditions for Block T12 have changed from those described in the 2000 EIR, at which time the project site was being used as a surface parking lot. The project site has been partially excavated for a previously approved development and has no building development. It is surrounded on all bordering streets by concrete sidewalks and an eight-foot high plywood-clad chain link fence; murals cover the plywood on all four sides of the project site. A gated entry to the project site is provided on the 11th Street frontage and is accessed via a ten-foot-wide curb cut.

Surrounding Context

The area surrounding Block T12 is primarily commercial land uses as part of the City Center development.

- To the east of Block T12, across Jefferson Street, is 555 12th Street or Block T9 which contains an approximately 20-story high-rise office tower with some ground-floor commercial retail/restaurant space.
- To the west of Block T12 is Landmark Place, a four-story, 93-unit, condominium complex.

- To the north of the project site, across 12th Street, is the City Center West Garage, which contains approximately 1460 parking spaces in a multi-level structure.
- To the south of Block 12, across 11th Street, is Lafayette Park.

An entrance to the Bay Area Rapid Transit District (BART) 12th Street City Center station entrance (11th and Broadway) is approximately three blocks from Block T12. Multiple transit routes serve the project site, including Alameda-Contra Costa County Transit District (AC Transit) that provides lines and major transfer points along Broadway three to five blocks of the project site. The Broadway Shuttle ("The Free B") that provides free service along Broadway from Jack London Square to approximately 20th Street also runs along Broadway. Access to and from ramps to I-980 is one block west (via 11th and 12th Streets) of the project site; access to I-880 South is approximately seven blocks southeast (at 5th Street and Broadway); access to I-880 North is approximately seven blocks southwest (at 6th and Brush Streets).

Project Characteristics

The Proposed Project's development plan for Block T12 is shown below in **Table 3**.

TABLE 3
PROPOSED BLOCK T12 DEVELOPMENT PROGRAM COMPARED TO ORIGINAL PROJECT

	Original Project Block T12 (also approved, Addendum #4)[a] 2000 and 2010	Proposed Project Block T12 2016	*Difference*
Total Floor Area (sq.ft.)	**584,000**	597,500	*+13,500*
Office	**584,000**	588,000	*+4,000*
Commercial (sq.ft.) (Ground Level Retail) [b]	**0**	9,500	*+10,000*
Parking Spaces[c]	**220 spaces**	205 spaces	*-15 spaces*
Parking access	**11th Street**	MLK Jr Way	
Loading Spaces	**3**	3	*0*
Loading access	**11th Street**	12th Street	
Hgt. (max stories)	**26 stories**	24 stories	*-2 stories*
Height (feet)	**390 feet**	367 feet	*-23 feet*

[a] Block T12 was subsequently modified from the Original Project in Addendum #2 and Addendum #3.
[b] Up to 200 additional spaces would be available in the adjacent City Center West Parking Garage through an optional lease agreement with the City of Oakland.
[c] In the 2000 EIR, all Blocks were modeled at 440 feet tall shadow and scenic resources, and at 425 feet for the wind analyses in the 2000 EIR.

SOURCE: Oakland City Center Project DEIR (2000), Shorenstein Properties LLC

The project sponsor, Shorenstein Properties LLC, is seeking a FDP to allow construction of the Proposed Project to move forward. A previous FDP was approved in 2007 for development of the project site with a development plan very similar to the current proposal. The City of Oakland issued building permits for the approved FDP and construction was initiated in 2008. However, the project sponsor ceased construction of the previously approved project and the associated FDP expired. For this reason, a new FDP is required to allow construction to move forward.

The current Proposed Project would introduce approximately 9,500 square feet of ground-level commercial (retail and/or restaurant) on the site previously considered for office only, and would reduce the square

footage of office space by approximately 4,000 square feet as compared with the uses previously considered by the 2000 EIR and approved addenda. The building height would be reduced from 390 feet to 367 feet, or 23 feet shorter than previously considered. Access to the parking garage, which would contain fewer parking spaces due to the reduced square footage of uses, would be accessed on Martin Luther King Jr Way instead of 11th Street as previously considered. The Proposed Project's three onsite loading spaces would be accessed via 12th Street instead of 11th Street as previously considered.

Figure 3 and Figure 4 show the ground floor plan and typical office floor plan for the Proposed Project; **Figure 5** shows a rendering comparing the north facade of the Original Project with the Proposed Project; **Figure 6** shows a representative elevation of the building (north elevation), providing an overall view of dimensional heights by floor and for the entire building; and **Figure 7** through **Figure 9** provide images of what the Proposed Project would look like in the context of downtown Oakland.[11]

Other 2016 Block T12 Project Characteristics

Plazas

The project site would include two public plazas, one located at the corner of Jefferson and 12th Streets (Entry Plaza) and the other located at the corner of Martin Luther King Jr Way and 11th Street (West Plaza). The plazas would serve the building's two proposed entrances to the office lobby. As shown in **Figure 10** and **Figure 11**, both pedestrian plazas would include both soft and hard landscaping.

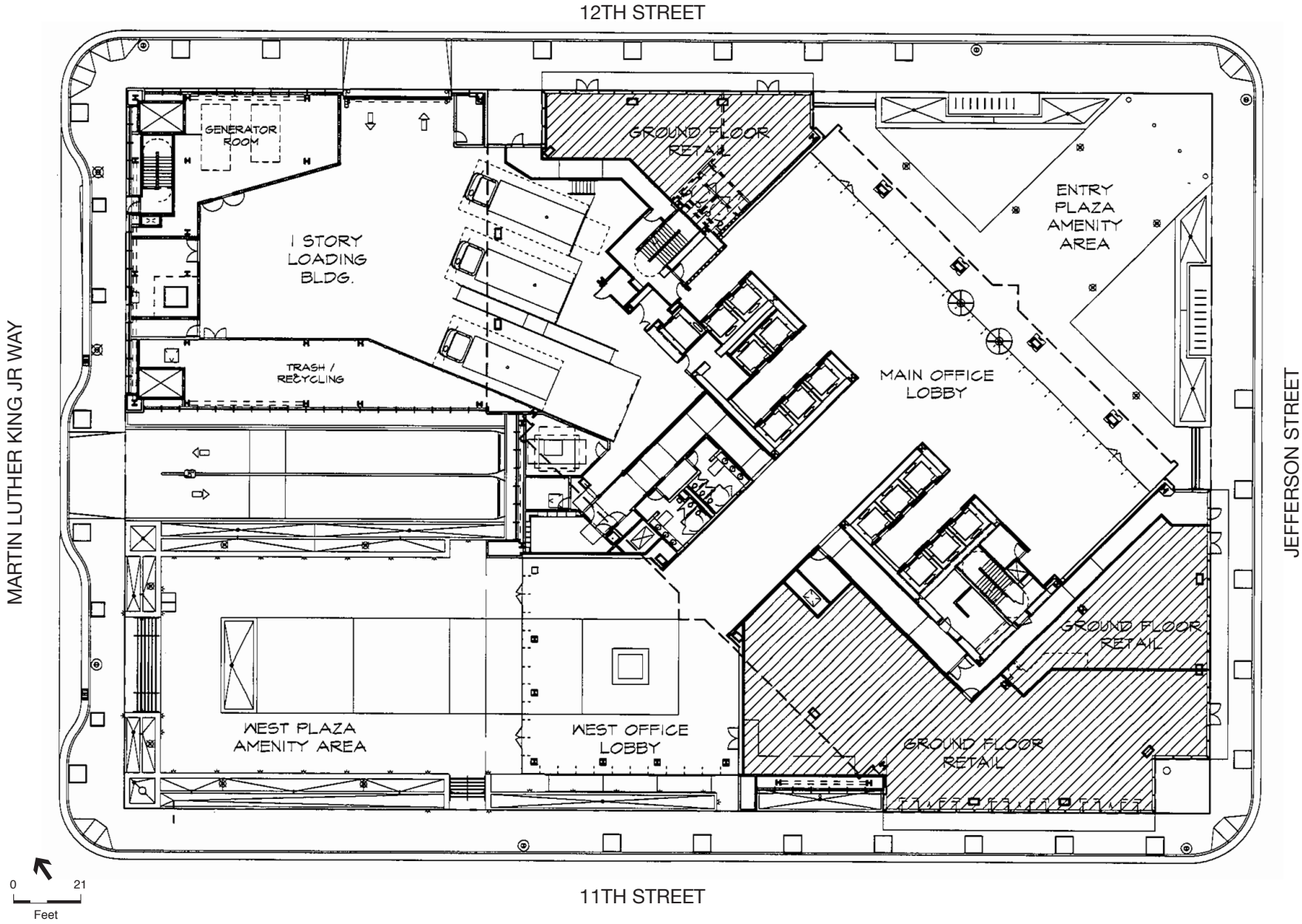
Parking and Circulation

Parking. Up to 200 parking spaces in the City Center West Garage could be utilized through an agreement with the City of Oakland. The project would also provide an underground parking garage with approximately 205 automobile spaces, 26 motorcycle spaces, and 61 bicycle spaces; it would be accessed through one full-access driveway on Martin Luther King Jr Way. The secured, long-term bicycle parking would be located on level P1 of the Proposed Project's on-site parking garage. Additional bicycle parking (short-term) would be provided in bicycle racks located in the Entry Plaza facing the sidewalks on 12th Street and Jefferson Street.

Vehicular Access. Vehicles would access the building garage from Martin Luther King Jr Way and loading/service areas from 12th Street.

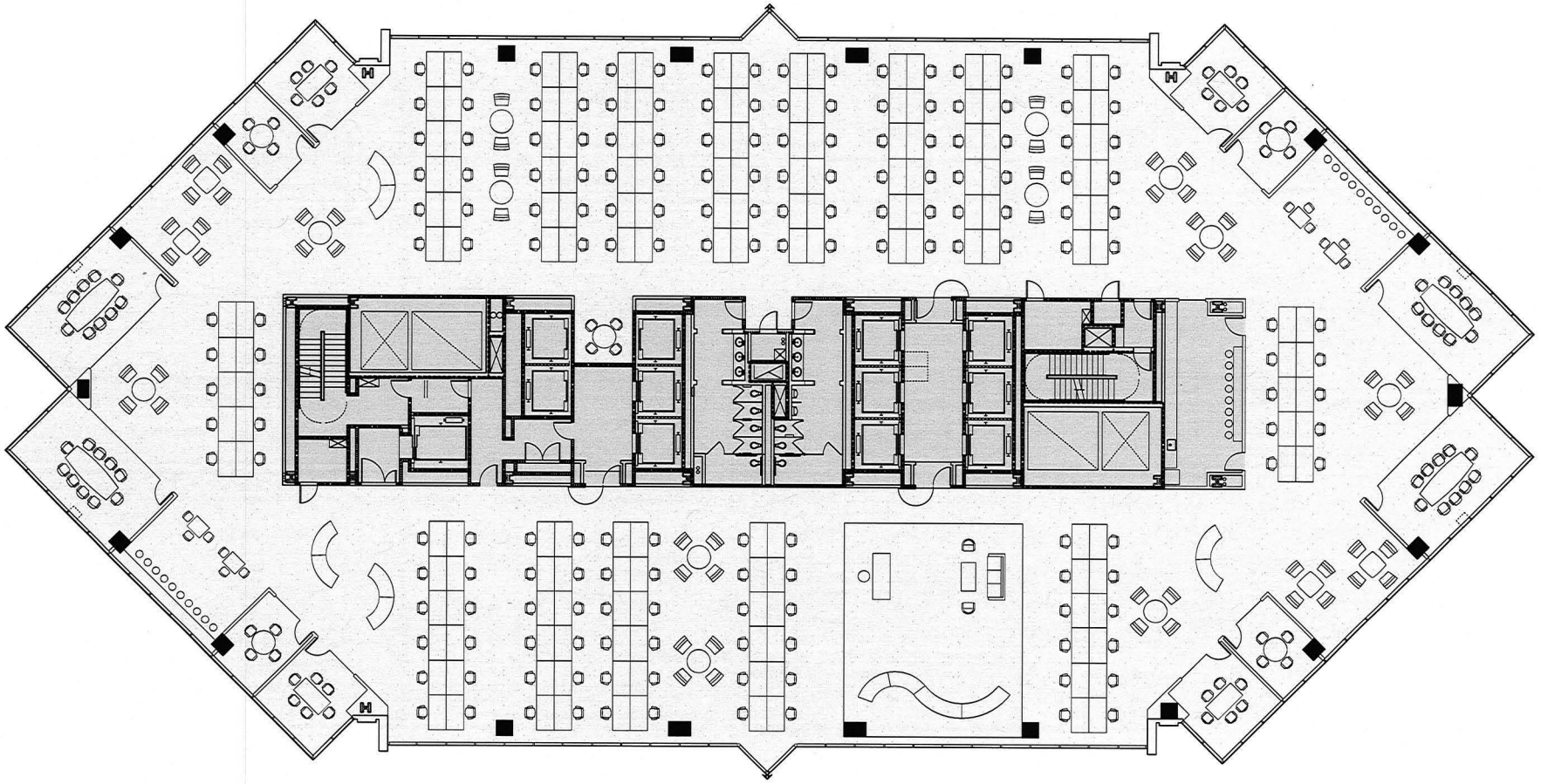
Pedestrian Access. Primary pedestrian access to the project site (Main Office Lobby) would be located off an entry plaza at the corner of Jefferson and 12th Streets. A secondary pedestrian access (West Office Lobby) would be provided on 11th Street. Ground-level retail would be directly accessed from the public right-of-way on mid-block 12th Street and on Jefferson Street near the 11th Street intersection.

[11] The aerial perspectives in Figures 7 through 9 are not intended as qualified photosimulations to depict views from public vantage points toward known visual resources. These sponsor-prepared exhibits depict views from above ground level and were selected for inclusion here specifically because they also show the project within the context of known visual resources (e.g., Oakland Hills, bodies of water).



SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 3
Ground Floor Plan



0 20
Feet

SOURCE: KSH Architects, Shorenstein Properties, LLC

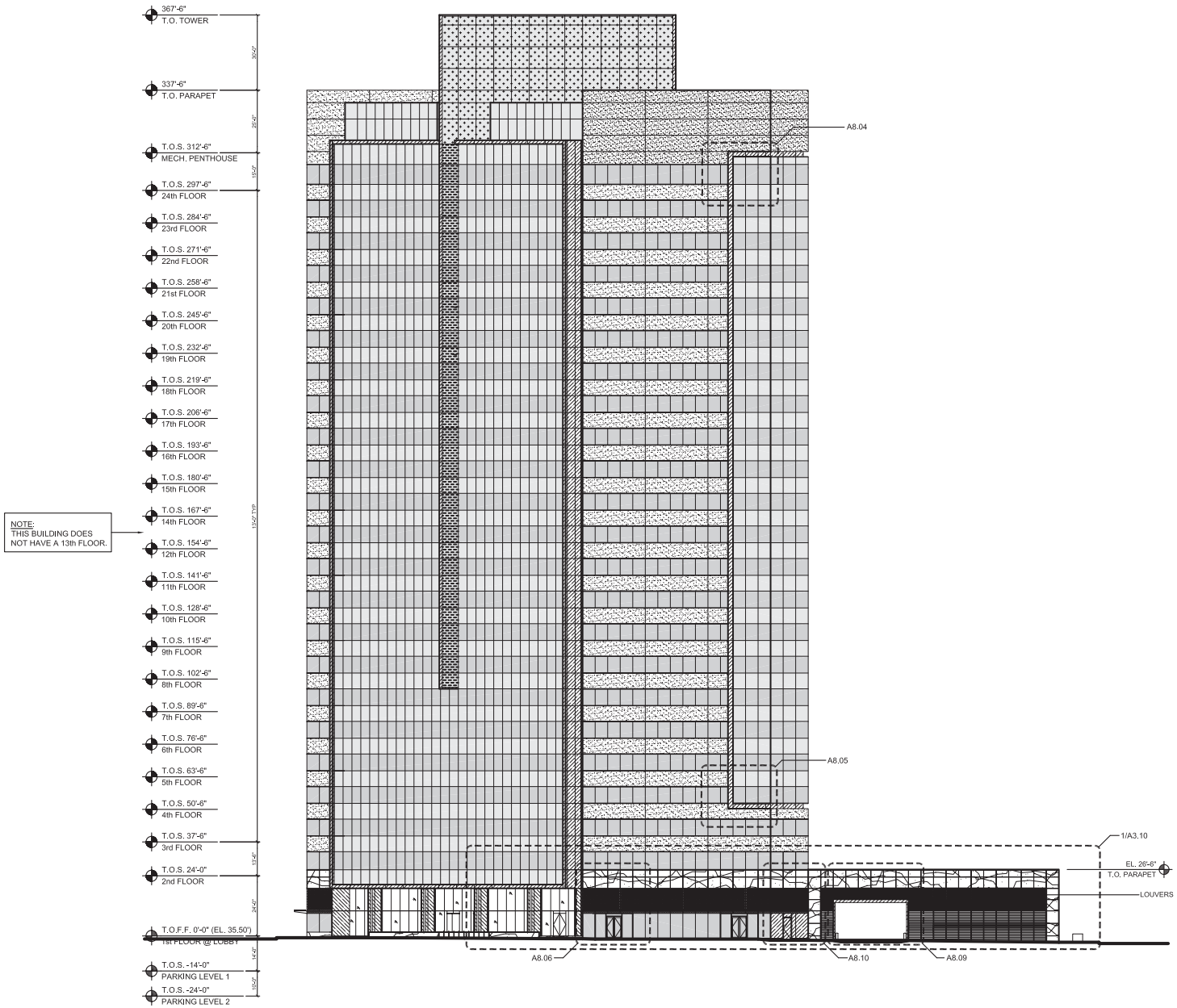
Figure 4
Typical Office Floor Plan

PREVIOUSLY APPROVED PROJECT

PROPOSED PROJECT

SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 5
Building Rendering - North Facade



SOURCE: KSH Architects, Shorenstein Properties, LLC

2015 Block T12 Project Addendum . ESA 150439

Figure 6
Building Elevation - North

SOURCE: KSH Architects, Shorenstein Properties, LLC

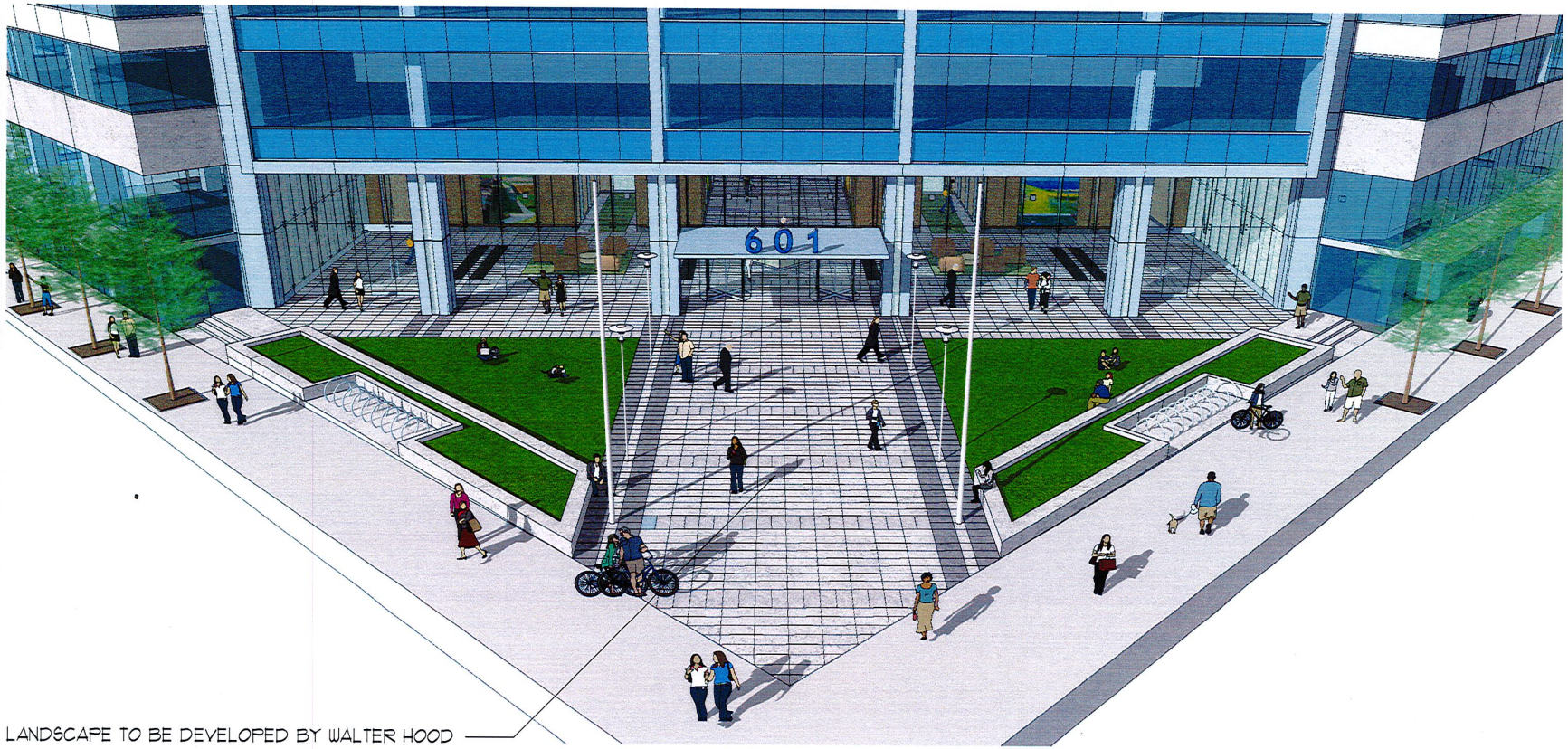
Figure 7
Aerial Perspective - View from East

SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 8
Aerial Perspective - View from West

SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 9
Aerial Perspective - View from South



SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 10
Entry Plaza/Amenity Area

SOURCE: KSH Architects, Shorenstein Properties, LLC

Figure 11
West Plaza/Amenity Area

Landscaping, Open Space and Tree Removal

As noted previously, there are currently no trees located on the project site. The Proposed Project would install 26 new street trees and bulb-out plantings along the street frontages the project site, spaced at up to approximately every 25 feet, as well as 14 new trees within the proposed West Plaza. Landscaping or other grass or planter areas would also be provided in the two plaza areas. In addition, the project may include green roofs on the northwest corner (above the one-story loading building) and a portion of the south side (above the West Office Lobby) of the project site. The project would include an efficient irrigation system. No uplighting would be included onsite.

Sustainability and Efficiency

The project sponsor intends to meet, at a minimum, LEED Silver standards and comply with the Green Building ordinance and requirements. The project would optimize the efficiency of its building envelope and through use of efficient lighting and HVAC systems to reduce domestic energy use. The project would meet the newly implemented Building Energy Efficiency Standards and would exceed these standards as prerequisite and additional points for LEED.[12]

Construction and Phasing

The Proposed Project is scheduled to commence construction as soon as possible after all project approvals are issued by the City of Oakland, which is estimated for Spring 2016. Construction activities are anticipated to last a period of approximately twenty-four months.

Construction activities on the project site would consist of excavation and shoring, foundation and below-grade construction, and construction of the building and finishing interiors. Excavation to depths of up to 35 feet below grade (as measured from existing sidewalks) would be needed to accommodate the development of Block T12 and would be required largely to accommodate the potential underground parking levels on the project site. The development of Block T12 would require a maximum total of approximately 64,000 cubic yards of excavation, of which approximately 25,000 cubic yards remain to be excavated.[13] The soil to be excavated consists predominately of sand, which can be excavated using conventional earth-moving equipment such as loaders and backhoes. No soils are anticipated to be imported to the site.

Groundwater depth across the site ranges from approximately five to nine feet below ground surface, and dewatering during excavation and construction would be required. Pile driving would not occur or be required; instead, a shallow foundation construction technique known as "mat foundations" would be used.

Discretionary Project Approvals Requested

The project sponsor requests, and the Proposed Project would require, a number of discretionary actions/ approvals, including without limitation.

[12] Pursuant to Oakland SCAs, a Greenhouse Gas Emissions Reduction Plan has been prepared for the Proposed Project which identifies additional sustainability and energy efficiency strategies that the Proposed Project will be required to implement – all or in part – to satisfy City conditions. (See Appendix A.)

[13] Excavation was initiated in previous years during initial development of the site under the previous Block T12 approval..

Actions by the City of Oakland

- **Final PUD and FDP**: A Final PUD approval of final development plans.
- **Building and other Discretionary Development Permits**: Grading and other related onsite and offsite work permits, and minor encroachment permits. This would be a Bureau of Building action.
- **Renewed Disposition and Development Agreement (DDA):** Specifying development obligations between the project sponsor and the City. This would be a City Council action.

Actions by Other Agencies

- **Bay Area Air Quality Management District (BAAQMD)**: Issuance of permits for installation and operation of the emergency generator.
- **Regional Water Quality Control Board**: Acceptance of a Notice of Intent to obtain coverage under the General Construction Activity Storm Water Permit, and Notice of Termination after construction is complete. Granting of required clearances to confirm that all applicable standards, regulations, and conditions for all previous contamination at the site have been met.
- **East Bay Municipal Utility District (EBMUD)**: Approval of new service requests and new water meter installations.

V. Summary of Findings

An evaluation of the Proposed Project is provided in the CEQA Checklist in Section VI that follows. This evaluation concludes that the Proposed Project qualifies for an addendum as well as an exemption from additional environmental review. It is consistent with the development density and land use characteristics established by the City of Oakland General Plan, and any potential environmental impacts associated with its development were adequately analyzed and covered by the analysis in the 2000 Oakland City Center EIR and its five addenda, and in the applicable Program EIRs: the 1998 LUTE EIR and the 2011 Redevelopment Plan Amendments EIR.

The Proposed Project would be required to comply with the applicable mitigation measures identified in the 2000 EIR, as updated and amended, and any applicable City of Oakland SCAs presented in Attachment A to this document.[14] With implementation of the applicable mitigation measures and SCAs, the Proposed Project would not result in a substantial increase in the severity of previously identified significant impacts in the 2000 EIR and its subsequent addenda, the applicable Program EIRs, or in any new significant impacts that were not previously identified in any of those CEQA documents.

In accordance with California Public Resources Code Sections 21083.3, 21094.5, and 21166; and CEQA Guidelines Sections 15183, 15183.3, 15162, 15164, 15168, and 15180, and as set forth in the CEQA Checklist below, the Proposed Project qualifies for an addendum and one or more exemptions because the following findings can be made:

- **Addendum.** The analyses conducted and the conclusions reached in the 2000 EIR certified by the Planning Commission on April 26, 2000, and last confirmed by the City Council in 2015 (EIR

[14] Throughout this document, except where necessary for clarity, "2000 EIR" encompasses the Initial Study, Draft EIR, Final EIR, and each addendum for the City Center Project.

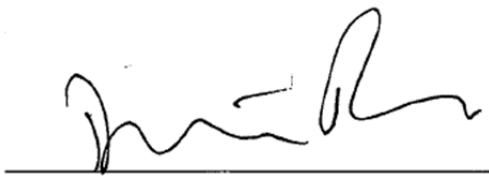
Addendum #5), remain valid. The Proposed Project would not cause new significant impacts not previously identified in the previously certified Program EIRs, or result in a substantial increase in the severity of previously identified significant impacts. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the Original Project that would cause significant environmental impacts to which the Proposed Project would contribute considerably, and no new information has been put forward that shows that the Proposed Project would cause significant environmental impacts. Therefore, no supplemental environmental review is required in accordance with Public Resources Code Section 21166, and CEQA Guidelines Sections 15162, 15164, as well as 15168 and 15180.

- **Community Plan Exemption.** The Proposed Project would not result in significant impacts that (1) are peculiar to the project or project site; (2) were not previously identified as significant project-level, cumulative, or offsite effects in the 2000 Oakland City Center EIR, its addenda, or in the applicable Program EIR: 1998 LUTE EIR; or (3) were previously identified as significant effects, but which—as a result of substantial new information not known at the time the 2000 EIR or its addenda were prepared, or when the Program EIRs were certified—would increase in severity beyond that described in those EIRs. Therefore, the Proposed Project would meet the criteria to be exempt from further environmental review in accordance with Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

- **Qualified Infill Exemption**. The Proposed Project would not cause any new specific effects on the environment that were not already analyzed in the 2000 Oakland City Center EIR, its addenda, or in the applicable Program EIR: the 1998 LUTE EIR. Further, the Proposed Project would not cause any new specific effects on the environment that are more significant than previously analyzed in the 2000 EIR, its addenda, or the aforementioned previously certified applicable Program EIRs. The effects of the Proposed Project have been addressed in the previous Program EIRs, and no further environmental documents are required in accordance with Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3.

- **Program EIRs and Redevelopment Projects.** The Proposed Project would not result in substantial changes or involve new information not already analyzed in the 2011 Redevelopment Plan Amendments EIR, in which the Proposed Project is identified as part of the series of actions named in the cumulative analysis of that EIR. The effects of the Proposed Project have been addressed in that EIR and no further environmental documents are required in accordance with CEQA Guidelines Sections CEQA Guidelines Sections 15168 and 15180.

Each of the above findings provides a separate and independent basis for CEQA compliance.



3/17/16

Darin Ranelletti
Environmental Review Officer

Date

VI. CEQA Checklist

Overview

The analysis in this CEQA Checklist provides a summary of the potential environmental impacts that may result from adoption and implementation of the Oakland City Center Project, specifically for Block T12, as evaluated in the certified 2000 Oakland City Center Project EIR.[15] The analysis in this CEQA Checklist also summarizes the impacts and findings of Program EIRs that covered, specifically or as part of the cumulative analyses, the environmental effects of the Oakland City Center Project encompassing the Proposed Project and that are still applicable for the Proposed Project. As previously indicated, the Program EIRs are referred to collectively throughout this CEQA Analysis as "Previous CEQA Documents" and include the 1998 Land Use and Transportation Element EIR and the 2011 Central District Urban Renewal Plan (or Redevelopment Plan) Amendments EIR. Given the timespan between the preparations of these EIRs, there are variations in the specific environmental topics addressed and significance criteria, however, as discussed above in Section II and throughout this Checklist, the overall environmental effects identified in each are largely the same; any notable differences are noted.

Several mitigation measures identified in the 2000 EIR have since been adopted by the City as SCAs for all projects. All mitigation measures, as modified herein, and SCAs identified for the Proposed Project are presented in Attachment A to this document, which is incorporated by reference into this CEQA Analysis. Because the SCAs are mandatory City requirements, the impact analysis for the Proposed Project assumes that they will be imposed and implemented, which the project sponsor has agreed to do or ensure as part of the Proposed Project. If this CEQA Checklist or its attachments inaccurately identifies or fails to list a mitigation measure or SCA, the applicability of that mitigation measure or SCA to the Proposed Project is not affected.

This CEQA Checklist hereby incorporates by reference the discussion and analysis of all potential environmental impact topics as presented in the certified 2000 Oakland City Center Project, its addenda, and the Program EIRs. The significance criteria from the 2000 EIR, have been consolidated and abbreviated in this CEQA Checklist for administrative purposes; where appropriated, the significance criteria are updated to reflect the current City of Oakland significance criteria that were established after the 2000 EIR and that now apply to the Proposed Project.

This CEQA Checklist provides a determination of whether the Proposed Project would result in:

- Equal or Less Severity of Impact Previously Identified in the Previous CEQA Documents;
- Substantial Increase in Severity of Previously Identified Significant Impact in the Previous CEQA Documents; or
- New Significant Impact.

Where the severity of the impacts of the Proposed Project would be the same as or less than the severity of the impacts described in the Previous CEQA Documents, the checkbox for "Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents" is checked.

[15] Reference to the "Oakland City Center Project EIR" or the "2000 EIR" encompasses the Initial Study, Draft EIR, Final EIR, and each of four subsequent addendum for the City Center Project.

If the checkbox for "Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents" or "New Significant Impact" were checked, there would be significant impacts that are:

- Peculiar to project or project site (per CEQA Guidelines Sections 15183 or 15183.3);
- Not identified in the previous 1998 LUTE EIR (per CEQA Guidelines Sections 15183 or 15183.3), including offsite and cumulative impacts (per CEQA Guidelines Section 15183);
- Due to substantial changes in the project (per CEQA Guidelines Section 15162 and 15168);
- Due to substantial changes in circumstances under which the project will be undertaken (per CEQA Guidelines Sections 15162 and 15168); or
- Due to substantial new information not known at the time the Previous CEQA Documents were certified (per CEQA Guidelines Sections 15162, 15168, 15183, or 15183.3).

None of the aforementioned conditions were found for the Proposed Project, as demonstrated throughout the following CEQA Checklist and in its supporting attachments (Attachments B through D) that specifically describe how the Proposed Project meets the criteria and standards specified in the CEQA Guidelines sections identified above.

1. **Aesthetics, Shadow, and Wind** Would the project:	**Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents**	**Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents**	**New Significant Impact**
a. Have a substantial adverse effect on a public scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, located within a state or locally designated scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area;	☒	☐	☐
b. Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code sections 25980-25986); or cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors;	☒	☐	☐
c. Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space; or, cast shadow on an historical resource, as defined by CEQA Guidelines Section 15064.5(a), such that the shadow would materially impair the resource's historic significance;	☒	☐	☐
d. Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses; or	☒	☐	☐
e. Create winds that exceed 36 mph for more than one hour during daylight hours during the year. The wind analysis only needs to be done if the project's height is 100 feet or greater (measured to the roof) and one of the following conditions exist: (a) the project is located adjacent to a substantial water body (i.e., Oakland Estuary, Lake Merritt or San Francisco Bay); or (b) the project is located in Downtown.	☒	☐	☐

SCENIC VISTAS, SCENIC RESOURCES, AND VISUAL CHARACTER (CRITERION 1A)

Previous Program EIR Findings

Visual quality (scenic vistas, scenic resources, visual character, and light and glare), was analyzed in each of the Program EIRs considered throughout this CEQA Analysis. The 1998 LUTE EIR and the 2011 Redevelopment Plan Amendments EIR found that the effects to visual quality would be less than significant. The Redevelopment Plan Amendments EIR cited applicable SCAs that would ensure the less-than-significant visual quality effects. The LUTE EIR identified mitigation measures that would reduce the potential effects to less than significant, which are functionally equivalent to the SCAs.

2000 EIR Findings

The 2000 City Center Project EIR determined that potential impacts of the Original Project to visual quality would be less than significant; no mitigation measures were necessary. The 2000 EIR analysis was based on the City Center Project's development of four high-rise buildings, ranging in maximum heights of 21 stories (306 feet) to 31 stories (440 feet), on four blocks that compose the Original Project. Two of the four City Center Project blocks have since been developed: Block T9 at 21 stories (approximately 306 feet) and Block T10 at 8 stories (approximately 80 feet), the latter being built at substantially lower height than originally analyzed. The two remaining City Center Project blocks remain undeveloped: Block T5/6 and Block T12.

Project Analysis

The existing conditions and immediate surroundings of Block T12 have remained unchanged since evaluation in the 2000 EIR and the subsequent approved addenda. Block T12 has no buildings and does not contain any pavement, grass, trees, or other landscaping.

When compared to the Original Project, the Proposed Project would develop a 367-foot tall building instead of a 390-foot tall building, or a reduction in height of approximately 23 feet. The location and orientation of the proposed buildings on the site would be diagonally toward the north (12th Street) and east (Jefferson Street), similar to that previously considered. The 2000 EIR presented a generalized massing model of the Original Project building analyzed for Block T12, which was a 390-foot tall rectangular building oriented, as described above. While not detailed in the 2000 EIR, all of the Original Project buildings would include street-level commercial uses. The building setbacks and street-level commercial uses throughout the developments would allow for landscaped plazas and "provide visual relief in scale, form, colors, and textures at street level from the height and mass of the structures," a pattern established by adjacent high-rise development, like 1111 Broadway (three blocks east of Block T12) and as developed with Block T9 (immediately east of Block T12, across Jefferson Street).

As shown in Figure 5, and Figure 7 through Figure 11 of this document, the project site building, site layout, and pedestrian plazas proposed by the Proposed Project would result in development compatible with the visual character and patterns in this portion of Downtown. The lower building height now proposed for Block T12 would result in less obstruction of views of the sky (from certain vantage points) than previously estimated, but would still contribute to the varied building heights in Downtown. The 2000 EIR acknowledged limited existing views in the area because of the dense, multi-story development covering most blocks; existing views across Block T12 are obstructed by the development on all adjacent

blocks, and effect to any views identified in the 2000 EIR would be less with the lower building height proposed for the site.[16]

While visual quality is inherently subjective, the visual impacts of the Proposed Project would be less severe than those discussed in the 2000 EIR (given the reduced height proposed) and would remain less than significant. The visual impacts of the project would also be similar to, or less severe than, those identified in the Program EIRs considered in this analysis.

Development on Block T12 would be required to comply with City of Oakland SCAs related to landscaping, street frontages, landscape maintenance, utility undergrounding, public right-of-way improvements, and lighting plans.

SHADOW (CRITERIA 1B THROUGH 1D)

Previous Program EIR Findings

Except for the LUTE EIR, each of the Program EIRs found less-than-significant shadow effects, assuming incorporation of applicable SCAs. The LUTE EIR identified mitigation measures to reduce potential shadow effects to less-than-significant levels.

2000 EIR Findings

The 2000 EIR determined that the Original Project would cast shadow to the west, north, and east of the four project blocks, and that potential shadow impacts would be less than significant; no mitigation measures were necessary. The shadow analysis of the Original Project evaluated development on all four blocks, each model with a 440-foot rectangular building, including on Block T12. A subsequent shadow analysis was conducted for Addendum #3, which shows the potential shadow effects of a conceptual building on Block T12 in context with the other City Center Project development and surroundings, in particular the buildings that were built since the 2000 EIR analysis on Block T9 and underway at the time on T10. [17]

Both the EIR and the Addendum #3 analyses focused on the Original Project's potential effects on nearby public open space. These include Lafayette Square Park located on the south side of Block T12 across 11th Street; and the historic Pardee Home and Garden and Preservation Park located to the northwest of Block T12 across the Martin Luther King Jr Way / 12th Street intersection. The previous analyses found that shadow from the modeled 440-foot tall building on Block T12 would cast shadow on Lafayette Square Park during the morning hours except in late spring and summer, general overlapping the shadow cast by the building on Block T9. However, neither building would substantially affect use of the park since neither building casts shadow on the park after mid-morning.

[16] The aerial perspectives in Figures 7 through 9 are not intended as qualified photosimulations to depict views from public vantage points toward known visual resources. These sponsor-prepared exhibits depict views from above ground level and were selected for inclusion here specifically because they also show the project within the context of known visual resources (e.g., Oakland Hills, bodies of water).

[17] Oakland City Center Project Addendum #3, Figures 3 through 8.

Project Analysis

The Proposed Project would continue to cast a shadow on Lafayette Square Park in the early morning in late spring and early summer and on Preservation Park. However, given the reduced building height proposed for Block T12 and no change in the building's orientation on the site, shadow that would be cast by the Proposed Project would be less than previously analyzed. At Lafayette Square Park, the shadow would likely be shortened on the northwest corner of the park; At Preservation Park, the shadow would likely be shortened at the southeast corner of the neighborhood. Also, the project sponsor has not requested approval of an exception (variance) for the Proposed Project.

Overall, the shadow effects of the 2016 Block 12 Project would be less severe than those discussed in the 2000 EIR and would remain less than significant. The shadow effects of the project would also be similar to, or less severe than, those identified in the Program EIRs considered in this analysis.

WIND (CRITERION 1E)

Previous Program EIR Findings

The Redevelopment Plan Amendments EIR cited applicable SCAs that would ensure the wind hazard effects would be less than significant, however, like the 2000 EIR discussed below, the LUTE EIR identified a significant wind hazards impact with mitigation measures that would not reduce the impact to less than significant.

2000 EIR Findings

The 2000 EIR concluded that the Original Project could result in exceedances of the 36-mph wind hazard speed and would therefore result in a significant impact. **Mitigation Measure AES-F.2** (designated added in this analysis for clarity) was identified and requires the project sponsor to incorporate specific design elements to reduce ground-level winds within the Downtown area, including placing tall buildings back from the sidewalk, using curved facades, incorporating facade articulation, and/or placing towers atop a podium to interrupt winds before they reach ground level. The design elements listed in **Mitigation Measure AES-F.2** could substantially reduce wind speeds, and eliminate the potential for new hazardous wind conditions. Nevertheless, the 2000 EIR determined that the impact after mitigation would be significant and unavoidable based on the possibility that design features could not fully mitigate hazardous ground-level winds.

Project Analysis

The Proposed Project includes at least two of the specific design elements recommended in the EIR mitigation measure, in that the proposed tower would sit atop a podium, and would be set back from the sidewalk along its wider southwest and northeast facades. Therefore, the project is generally consistent with EIR **Mitigation Measure AES -F.2**, which would remain applicable to the Proposed Project. However, the 2000 EIR concluded that it cannot be stated with certainty that incorporation of typically beneficial design features identified in **Mitigation Measure AES-F.2** would reduce ground-level winds (compared to conditions without such design features) to less-than-significant levels. The reduction of 23 feet in building height from the height analyzed in the 2000 EIR and approved addenda would not materially affect the conclusions of previous analyses. Therefore the impact would remain significant and unavoidable, as identified in the 2000 EIR, and previously identified in the LUTE EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the Program EIRs, nor would it result in new significant impacts related to aesthetics, shadow or wind that were not identified in the 2000 EIR or the Program EIRs. **Mitigation Measure AES-F.2** (regarding wind-reducing building design elements) from the 2000 EIR (as amended in Attachment A to this document) would continue to apply to the Proposed Project, which would also be required to implement City of Oakland SCAs related to graffiti control, landscaping, lighting, and utility undergrounding, as identified in Attachment A. For reference, these are **SCA AES-1, SCA AES-2, SCA AES-3, and SCA UTIL-2**.

2. Air Quality Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. During project construction result in average daily emissions of 54 pounds per day of ROG, NO_X, or $PM_{2.5}$ or 82 pounds per day of PM_{10}; during project operation result in average daily emissions of 54 pounds per day of ROG, NO_X, or $PM_{2.5}$, or 82 pounds per day of PM_{10}; result in maximum annual emissions of 10 tons per year of ROG, NO_X, or $PM_{2.5}$, or 15 tons per year of PM_{10}; or	☒	☐	☐
b. For new sources of Toxic Air Contaminants (TACs), during either project construction or project operation expose sensitive receptors to substantial levels of TACs under project conditions resulting in (a) an increase in cancer risk level greater than 10 in one million, (b) a noncancer risk (chronic or acute) hazard index greater than 1.0, or (c) an increase of annual average $PM_{2.5}$ of greater than 0.3 microgram per cubic meter; or, under cumulative conditions, resulting in (a) a cancer risk level greater than 100 in a million, (b) a noncancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average $PM_{2.5}$ of greater than 0.8 microgram per cubic meter; or expose new sensitive receptors to substantial ambient levels of Toxic Air Contaminants (TACs) resulting in (a) a cancer risk level greater than 100 in a million, (b) a noncancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average $PM_{2.5}$ of greater than 0.8 microgram per cubic meter.	☒	☐	☐

Since information on the above mentioned air quality issues was known, or could have been known, when the 2000 EIR or other the Program EIRs was being prepared, it is not legally "new information" as specifically defined under CEQA. However, an analysis of the Proposed Project relying on the previously recommended May 2011 Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and Thresholds, has nevertheless been conducted in order to provide more information to the public and decision-makers, and in the interest of being conservative, although the analysis in this Addendum evaluates air quality using both the 2000 EIR thresholds (based upon BAAQMD *1999 CEQA Air Quality Guidelines*) and the BAAQMD May 2011 CEQA Guidelines and Thresholds, significance determinations

are based on the thresholds from the 2000 EIR. Nevertheless, the City will impose its SCAs and previously approved mitigation measures from the 2000 EIR, as detailed below.

CONSTRUCTION AND OPERATIONAL EMISSIONS (CRITERION 2A)

Previous Program EIR Findings

The Redevelopment Plan Amendments EIR found that emissions associated with construction and operations resulting from increased criteria pollutants from resulting development would result in less-than-significant effects, including with adherence to mitigation measures or SCAs. Specifically, the Redevelopment Plan Amendments EIR cited applicable SCAs that would ensure these less-than-significant effects, including dust/PM_{10} and odors, as well as consistency with the applicable regional clean air plan. The LUTE EIR identified mitigation measures that would address operational emissions effects to less than significant, including specifically in the Downtown area. However, the LUTE EIR found significant cumulative effects regarding increased criteria pollutants from increased traffic regionally, and the identified mitigation measures would not reduce the effect, which would remain significant and unavoidable after implementation of the mitigation.

2000 EIR Findings

The 2000 EIR for the Original Project found that the potential impact of development of the Original Project (all blocks) would result in significant but mitigatable impacts to construction and operational air quality emissions (like the Redevelopment Plan Amendments EIR), as well as a significant cumulative air quality emissions impact (like the LUTE EIR).

Project Analysis

As analyzed below, the Proposed Project would result in similar impacts as those previously identified in the 2000 EIR.

Construction Air Emissions

Assumptions for Construction Emissions

The analysis below used the following assumptions to calculate average daily construction emissions associated with a worst-case construction scenario for the Proposed Project:

- Excavation totaling 25,000 cubic yards of exported soil;
- Construction phase (e.g., grading, building, etc.) length was provided by the applicant;
- The amount and types of construction equipment used for each construction phase and the number of off-road vehicle trips as provided by the applicant;
- The footprint lot size of the Proposed Project input into CalEEMod 1.35 acres;
- Construction of 588,000 square feet of office and 9,500 square feet of ground floor retail space.
- Two year construction period.

Analysis of Construction Emissions

The average daily construction-related emissions for the Proposed Project, based on the assumptions above, are presented in **Table AIR-1**. As shown in the table, annual average daily construction emissions for the Proposed Project would not exceed the City's Thresholds for ROG NO_X, PM_{10} or $PM_{2.5}$. These thresholds were developed to represent a cumulatively considerable contribution to regional air quality, and as such, represent not only a project level threshold but a cumulative threshold as well.

TABLE AIR-1
UNMITIGATED EMISSIONS FROM CONSTRUCTION (average lbs per day)[a]

Construction Year (phase)	ROG	NO_x	PM_{10}	$PM_{2.5}$
Project				
Average Daily Construction Emissions	12.1	42.4	1.4	1.3
City of Oakland Thresholds	54	54	82	54
Significant (Yes or No)?	**No**	**No**	**No**	**No**

[a] Project construction emissions estimates were made using CalEEMod, version 2013.2.2. Emissions are average daily pounds per day during the two year construction period.

SOURCE: ESA, 2016.

The 2000 EIR for the Original Project analyzed construction-related air emissions relative to the methodology and thresholds of the Bay Area Air Quality Management District (BAAQMD) contained in its *1999 CEQA Air Quality Guidelines* which did not require quantification of construction-related emissions or identify quantitative thresholds for assessing construction-related emissions. As previously stated, the 2000 EIR identified a less-than-significant impact with respect to construction-related emissions, after the inclusion of mitigation measures (Mitigation Measure C.1) to control fugitive dust and ensure equipment maintenance. These measures are now incorporated into current City of Oakland SCAs for all projects within the City of Oakland, and therefore would apply to the Proposed Project. Mitigation Measure C.1 is replaced with the current City of Oakland SCA (as shown in Attachment A to this document). Therefore, the Proposed Project would have an equal or less severe construction-related air quality impact compared to that previously identified in the 2000 EIR or the other the Program EIRs.

Operational Air Emissions

Assumptions for Operational Emissions

The analysis below used the following assumptions to calculate the daily operational emissions associated with a worst-case construction scenario for the Proposed Project:

- 588,000 square feet of general office building land use and 9,500 square feet of ground floor retail;
- The vehicle trip generation rates that were input into CalEEMod (Version 2013.2.2) account for the 2000 Bay Area Travel Survey (BATS) modal split adjustment factor that is required by the City of Oakland for near-transit developments;
- Energy demand based on compliance with 2013 Title 24 energy standards;
- All other inputs in CalEEMod were based on model default values.

- A backup diesel generator was assumed pursuant to California Building Code Requirements for buildings of this height. The generator was assumed to have a rating of 300 kW-hr, a Tier 2 engine and to be operated for maintenance purposes 50 hours per year or about 1 hour per test day.

Analysis of Operational Emissions

The daily operational emissions for the Proposed Project, based on the assumptions above, are presented in **Table AIR-2**. As shown in the table, annual average daily regional emissions for the Proposed Project would not exceed the City's thresholds for ROG, NO_x, PM_{10} or $PM_{2.5}$. As with the construction thresholds, these thresholds were developed to represent a cumulatively considerable contribution to regional air quality and as such, represent not only a project level threshold but a cumulative threshold as well.

TABLE AIR-2
UNMITIGATED EMISSIONS FROM OPERATION (lbs per day)[a]

	ROG	NO_x	PM_{10}	$PM_{2.5}$
Project				
Area Source Emissions	14.50	<0.01	<0.00	<0.00
Energy Emissions	0.27	2.45	0.19	0.19
Project Vehicle Emissions[b]	6.77	19.81	10.95	3.13
Backup Diesel Generator	0.14	1.70	0.12	0.12
Total Emissions	**21.68**	**23.96**	**11.26**	**3.43**
City of Oakland Thresholds	54	54	82	54
Significant (Yes or No)?	**No**	**No**	**No**	**No**

[a] Project operational emissions estimates were made using CalEEMod, version 2013.2.2.

[b] The vehicle trip rates used to calculate the emissions accounts for mode split and internal capture as recommended by the City of Oakland for projects located in dense, urban environments such as the project site.

SOURCE: ESA, 2016.

The 2000 EIR for the Original Project analyzed operational air emissions relative to the methodology and thresholds of the BAAQMD contained in its *1999 CEQA Air Quality Guidelines* which had less stringent thresholds for ROG and NO_x (80 pounds per day), a more stringent threshold for PM_{10} (80 pounds per day), and no threshold for $PM_{2.5}$.[18] The 2000 EIR identified a significant impact with respect to operational emissions of NO_x upon the completion of Block T12 as well as Blocks T9 and Block T5/6 (assumed 2005).[19] Block T12 alone in the 2000 EIR had emissions that were below the 1999 thresholds as well as under existing thresholds. The analysis in the 2000 EIR did not consider emissions from maintenance operation of generators, as is considered in the Proposed Project analysis reported in **Table AIR-2**.

The 2000 EIR identified mitigation measures (Mitigation Measures C.2a and C.2b) addressing Transportation Control Measures and 12th Street BART Station improvements to reduce emissions to a less-than-significant level. Mitigation Measure C.2a is replaced with the current City of Oakland SCA regarding Transportation Demand Management (TDM) (as shown in Attachment A to this document).

[18] The cited thresholds remained consistent across the addenda prepared to the 2000 EIR.

[19] The 2000 EIR analysis considered emissions from the then-anticipated year of completion of the first building, Block T9 (2001); the then-anticipated year of completion of Block T9 and T5/6 (2005); as well as emissions for all four City Center Project blocks at the time completion was initially estimated (2010).

The SCA regarding TDM applies to all projects within the City of Oakland, therefore it would still apply to the Proposed Project even though it would not have the significant operational emissions impact. Mitigation Measure C.2b would not apply to the Proposed Project. The Proposed Project would have an equal or less severe operational air quality impact than previously identified in the 2000 EIR or the Program EIRs.

Cumulative Air Emissions

The 2000 EIR also conservatively identified a significant cumulative air quality impact for the Original Project, presuming that its significant but mitigable project-levels of ROG and NOx (ozone precursor emissions) would be a "considerable" contribution to the region's nonattainment for ozone and state standard for PM_{10} (state standard only).

As shown in **Table AIR-2**, the Proposed Project would not result in project-level exceedances of criteria pollutants. Also, counter to the statement in the 2000 EIR that the Original Project would be fully developed by 2010, Blocks T5/6 and T12 remain undeveloped and would occur in years of improved background air conditions. Regardless, this analysis conservatively assumes that the development of all four City Center blocks considered in the 2000 EIR could still have a considerable contribution to regional conditions. The current City of Oakland SCA regarding TDM (which replaces Mitigation Measure C.2a from the 2000 EIR), applies to the Proposed Project's conservatively-assessed contribution to the cumulative impact, which would remain significant and unavoidable. (The TDM Plan has been prepared and is included in Appendix C to this document and it focuses on measures to reduced peak-hour vehicle trips and thus parking demand; the effectiveness of the TDM Plan is not factored into the air quality analysis in this section.)

TOXIC AIR CONTAMINANTS (CRITERION 2B)

Previous Program EIR Findings

Emissions associated with construction and operations resulting from increased criteria pollutants from development that could occur under each of the Program EIRs considered throughout this analysis were found to result in less-than-significant effects, either with adherence to mitigation measures or SCAs. The Redevelopment Plan Amendments EIR cited applicable SCAs that would ensure these less-than-significant effects, including dust/PM10 and odors, as well as consistency with the applicable regional clean air plan. The LUTE EIR identified mitigation measures that would address each of these topics and reduce the effect to less than significant, including specifically in the Downtown area. The LUTE EIR also identified mitigation measures to address increased regional emissions of criteria air pollutants, but determined that the effect would remain significant and unavoidable after consideration of the mitigation.

2000 EIR Findings

The 2000 EIR for the Original Project analyzed air emissions relative to the methodology and thresholds of the BAAQMD contained in its *1999 CEQA Air Quality Guidelines* which did not require quantification of cumulative health risks and screening tools for analyzing such cumulative risks were not available from BAAQMD at that time. As presented in the analysis below, the Proposed Project would not result in a new significant impact with respect to cumulative toxic air contaminants (TACs) impacts.

The LUTE EIR (1998) did not quantify or address cumulative health risks, as such analysis was not required when that EIR was prepared. The Redevelopment Plan Amendments EIR (2011) did conduct cumulative health risk assessments and, as identified for the Proposed Project, identified significant and unavoidable impacts, after the consideration of SCAs.

Project Analysis

Assumptions and Area Sources for Health Risk

Since the previous analysis in the 2000 EIR did not address health risk associated with TACs, this following background is provided. TACs are types of air pollutants that can cause health risks. TACs do not have ambient air quality standards, but are regulated using a risk-based approach. This approach uses a health risk assessment to determine what sources and pollutants to control as well as the degree of control. The health risk assessment, presented in the analysis below, considers exposure to toxic substances and human health risks from exposure to toxic substances is estimated, based on the potency of the toxic substances. Such an assessment evaluates chronic, long-term effects, calculating the increased risk of cancer as a result of exposure to one or more TACs.

The City's CEQA significance thresholds require that new projects containing sensitive receptors (such as residences) be evaluated to determine whether those receptors would be exposed to health risks from existing nearby sources of TACs, but the proposed commercial building would not be considered a sensitive receptor. Consequently health risk impacts of surrounding sources on the project need not be evaluated.

Analysis of Health Risk

Construction Impact. Construction-related activities over the 24-month construction period could result in the generation of TACs, specifically diesel PM, from on-road haul trucks and off-road equipment including a tower crane, a mobile crane, two backhoes, a fork lift, a manlift and a generator, some of which would operate up to 10 hours per day.

Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (ARB 2005).

Regarding construction TACs emissions, BAAQMD developed screening tables for commercial and residential land use development projects that estimate screening distances from sensitive receptors sufficient to avoid exposure to substantial construction-related health risks. For development sites of less than 3 acres in area, a screening distance of 100 meters (328) feet is identified as sufficient to avoid a construction-related TAC impact. Block T12 is approximately 1.35 acres in area and is located about 60 feet from the nearest sensitive receptor (655 12th street residential complex across MLK Way). Consequently a Health Risk Assessment[20] (HRA) was conducted (RCH, 2016) to determine the level of risk at these and other nearby receptors generated by construction-related TACs. In accordance with OEHHA's 2015 *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments*, the

[20] RCG Group, Oakland T12 Office Building Health Risk Assessment, January 15, 2016.

HRA applied the highest estimated concentrations of TACs at the receptors analyzed to established cancer potency factors and acceptable reference concentrations for non-cancer health effects. The maximum DPM concentrations occurred at a residential receptor within Landmark Place to the west of the Proposed Project. Increased cancer risks were calculated using the modeled DPM concentrations and OEHHA-recommended methodologies for both a child exposure (3rd trimester through 2 years of age) and adult exposure. The cancer risk calculations were based on applying the OEHHA-recommended age sensitivity factors and breathing rates, as well as fraction of time at home and an exposure duration of 30 years, to the DPM concentration exposures.

As shown in **Table AIR-3** the maximum cancer risk from construction emissions for a residential-adult receptor would be 0.9 per million and for a residential-child receptor would be 29.2 per million. The maximum cancer risk from construction emissions for a school receptor would be 2.8 per million. The cancer risk from a 30 year exposure duration would be 29.2 per million. The maximum concentrations occurred at a residential receptor (also known as the MEI) within Landmark Place to the west of the Proposed Project. Thus, the cancer risk due to construction activities is potentially above the BAAQMD threshold of 10 per million and would be potentially significant. This finding is consistent with the Redevelopment Plan Amendments EIR (2011), which conducted cumulative health risk assessments and identified significant and unavoidable impacts, after the consideration of SCAs.

However, the Proposed Project would involve excavation of more than 10,000 cubic yards of material and construct more than 277,000 square feet of office use, thus requiring implementation of enhanced construction-related air pollution controls pursuant to SCA AIR-1 which would reduce diesel PM exhaust emissions by requiring best available control technology of diesel off-road equipment.

TABLE AIR-3
ESTIMATED UNMITIGATED AND MITIGATED PROPOSED PROJECT HEALTH IMPACTS

	Proposed Project		
Unmitigated Proposed Project	29.2/0.9	0.15/0.03	0.15
Significance Threshold	10	1.0	0.3
Significant (Yes or No)?	**Yes**	No	No
Mitigated Proposed Project	3.9/0.1	0.02/0.01	0.02
Significance Threshold	10	1.0	0.3
Significant (Yes or No)?	**No**	**No**	**No**

SOURCE: ESA, RCH Group, 2016.

The Proposed Project will implement the following additional measures that further refine SCA AIR-1 to ensure that the requirements of SCA AIR-1 are sufficient to reduce the unmitigated risks identified in Table AIR-3 to a less than significant level.

Additional Measures to Implement SCA AIR-1: *Implement Enhanced Exhaust Emissions Reduction Measures.* The construction contractor shall implement the following measures during construction to further reduce construction-related exhaust emissions:

All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:

1. Where access to alternative sources of power are available, portable diesel engines shall be prohibited; and

2. All off-road equipment shall have:
   a. Engines that meet or exceed either USEPA or CARB Tier 2 off-road emission standards, and
   b. Engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy. An acceptable alternative option for this strategy would be the use of late model Tier 4 engines.

Project-Level Operations Impact. The backup diesel generator assumed for the Proposed Project (given its high-rise height, as previously described under *Assumptions for Operational Emissions*), would be the only new operational source of TACs associated with the Proposed Project. The 2000 EIR did not envision the potential for back-up generators and no analysis was performed of health risk impacts associated with new sources of TACs. The BAAQMD would not issue a permit to operate to any new generators that would increase cancer risks at receptors in excess of 10 in one million after implementation of Best Available Control Technology for Toxics, so the Proposed Project's generators would not exceed acceptable risk levels. Therefore, the health risks impact of the Proposed Project on the environment would be less than significant.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs, as well as new analysis presented above per current thresholds, implementation of the Proposed Project would not result in a new significant impact regarding operational air quality emissions or, conservatively, a cumulative air quality impact identified in the 2000 EIR. The analysis above also determines that the Proposed Project would not result in a new significant impact regarding construction emissions, which was not addressed in the 2000 EIR or the Program EIRs. Also, based on the health risk analysis above, implementation of the Proposed Project would not result in a new significant impact related to construction, operational, or cumulative TAC emissions, which also were not addressed in the 2000 EIR, but were addressed in the subsequent Redevelopment Plan Amendments EIR and found to be significant and unavoidable.

Additional implementation measures to **SCA AIR-1** are identified to ensure the effectiveness of SCA AIR-1 to reduce significant health risk impacts to less than significant. **Mitigation Measure C.1** from the 2000 EIR is now replaced with current City of Oakland SCA regarding construction-related emissions controls, and **Mitigation Measure C.2a** from the 2000 EIR is now replaced with current City of Oakland SCA involving the preparation and implementation of TDM plans. Both current City of Oakland SCAs as well as two SCAs related to the control of toxic air contaminants are identified in Attachment A to this

document. For reference, the applicable SCAs are **SCA AIR-1, SCA AIR-2, SCA AIR-3, and SCA TRA-3** (previously Mitigation Measures C.1 and C.2a, respectively).

3. Biological Resources Would the project:	**Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents**	**Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents**	**New Significant Impact**
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or state protected wetlands, through direct removal, filling, hydrological interruption, or other means; Substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;	☒	☐	☐
b. Fundamentally conflict with the City of Oakland Tree Protection Ordinance (Oakland Municipal Code [OMC] Chapter 12.36) by removal of protected trees under certain circumstances; or Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.	☒	☐	☐

SPECIAL-STATUS SPECIES, WILDLIFE CORRIDORS, RIPARIAN AND SENSITIVE HABITAT, WETLANDS, TREE AND CREEK PROTECTION (CRITERIA 3A AND 3B)

Previous Program EIR Findings

Each of the Program EIRs considered in this analysis found that the effects to biological resources would be less than significant, specifically with the incorporation of City of Oakland SCAs identified in the Redevelopment Plan Amendments EIR. No mitigation measures were necessary.

2000 EIR Findings

The 2000 EIR found that the potential impact of the Original Project on biological resources would also be less than significant; no mitigation measures were necessary.

Project Analysis

The Oakland City Center Project blocks are located in the fully developed urban area of Downtown; this remains the existing condition for Block T12. Block T12 does not contain vegetation and hydrology conditions suitable for sustaining wetlands, nor are any known special status species or sensitive habitats, including those that could support migratory fish or birds, located on the site. There are no natural sensitive communities in the area.

However, although not considered in the 2000 EIR, the building proposed for Block T12 could cause harm to birds by increasing bird collisions with buildings. A City of Oakland SCA pertaining to reducing bird collisions with buildings would reduce potential impacts to birds by constructing features in compliance with Best Management Practice strategies to limit bird strikes.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs considered in this analysis, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the previously mentioned Program EIRs. Nor would the Proposed Project result in new significant impacts related to biological resources that were not identified in the 2000 EIR or the other Program EIRs. The 2000 EIR did not identify any mitigation measures related to biological resources, and none would be needed for the Proposed Project. City of Oakland SCAs related to bird protection, erosion control, stormwater management, and hazardous materials, identified in Attachment A to this document would apply to the Proposed Project. For reference, these are **SCA BIO-1, SCA HAZ-1, SCA HYD-1, SCA HYD-2, and SCA HYD-5**.

4. Cultural Resources Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5. Specifically, a substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be "materially impaired." The significance of an historical resource is "materially impaired" when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance **and** that justify its inclusion on, or eligibility for inclusion on an historical resource list (including the California Register of Historical Resources, the National Register of Historic Places, Local Register, or historical resources survey form (DPR Form 523) with a rating of 1-5);	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries.	☒	☐	☐

HISTORICAL RESOURCES (CRITERION 4A)

Previous Program EIR Findings

The Redevelopment Plan Amendments EIR, which addresses much of the oldest part of Downtown Oakland, identified a significant impact to historical resources that would occur with development anticipated in the Redevelopment Plan Amendments EIR, even with the implementation of mitigation measures identified in that Redevelopment Plan Amendments EIR. Therefore, the impact to historic resources would be significant and unavoidable. The LUTE EIR also identified mitigation measures to address the potentially significant impacts to historic resources, however, the identified mitigation measures, which included amending the Zoning Regulations to incorporate new preservation regulations

and incentives, as well as developing and adopting design guidelines for Landmarks and Preservation Districts, would reduce the impact to less than significant.

2000 EIR Findings

The 2000 EIR also found that the potential impact of development of the Original Project on historical resources would be less than significant. There are three historic districts in the area of the Original Project; these include the Grove Street-Lafayette Square Residential District, the Old Oakland District, and the Downtown District. In addition to the historic districts, two designations of the S-7 Preservation Combining Zones generally overlap with each of the nearby districts.

Project Analysis

Block T12 does not have existing structures, nor is it located near the historic resources identified in the 2000 EIR that could potentially be affected by the City Center Project. Previous analysis discussed that "the nearby historic districts are identified as isolated remnants of what was once greater Downtown Oakland, defined by their isolation from the remainder of the historic Downtown. Additionally, these districts are isolated by existing land use patterns." Development of Block T12, like the Original Project, would neither alter the character-defining elements of the historic districts, nor impair the physical characteristics that convey the significance of the districts.

Changes in land use and design of the Proposed Project, compared to those discussed in the 2000 EIR or the Program EIRs considered in this analysis, would not result in new, or new or substantially more severe impacts, on historic resources than were identified in the 2000 EIR or the Program EIRs.

ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES AND HUMAN REMAINS (CRITERIA 4B THROUGH 4D)

Previous Program EIR Findings

Each of the Program EIRs considered in this analysis found that the effects to archaeological and paleontological resources and human remains would be less than significant, specifically with the incorporation of City of Oakland SCAs, except that the LUTE EIR (and the 2000 EIR, as discussed below) identified mitigation measures would reduce the effects to archaeological resources to less than significant.

2000 EIR Findings

The 2000 EIR found that the potential impact of development of the Original Project on archaeological and paleontological resources and human remains would be less than significant with the implementation of mitigation measures identified in the Initial Study.[21]

Project Analysis

The Proposed Project would involve grading and excavation activities up to depths of up to 35 feet below grade to construct the building and associated below-grade parking. Based on the results of the

[21] The Initial Study to the 2000 EIR did not identify designators for mitigation measures.

Geotechnical Report prepared in 2008 for the Proposed Project (prior to site excavation), the site was underlain with approximately four feet of fill materials, overlying dense to very dense Merritt Sand (dense to very dense silty sand), which extended to a depth of approximately 45 feet below ground. The Merritt Sand was underlain by stiff to very stiff, silty and sandy clay of the San Antonio Formation, to a depth reaching approximately 105 feet below ground. The Alameda Formation, consisting of very stiff to hard clays having moderate to high plasticity, was encountered underlying the San Antonio clay and extended to the bottom of the boring. Groundwater level readings indicated the presence of groundwater at approximately five to seven feet below ground surface at three monitoring well locations. The validity of all information contained within the 2008 Geotechnical Report was reaffirmed by AECOM/URS in 2015 at the initiation of the Proposed Project.

In addition, according to the Phase 1 Environmental Site Assessment, the project site was previously occupied by the old Oakland High School and, subsequently, a paved parking lot. Since the 2000 EIR and as a result of the initiation of project construction in 2008, the site has been partially excavated.

The previous analysis acknowledged the potential for discovery of archaeological and paleontological resources and/or human remains during construction and excavation on the project site. The mitigation measures identified in the 2000 EIR, including one pertaining to archaeological resources that was updated in subsequent addenda to the EIR, are now incorporated in current City of Oakland SCAs, as listed in Attachment A to this document. The applicable City of Oakland SCAs would ensure that archaeological resources are recovered and that appropriate procedures are followed in the event of accidental discovery; would require a qualified paleontologist to document a discovery, would require that appropriate procedures be followed in the event of a discovery, and would ensure that the appropriate procedures for handling and identifying human remains are followed. Adherence to the applicable City of Oakland SCAs would reduce potential risks of impact to these resources to less than significant.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs considered throughout this analysis, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the other Program EIRs, nor would it result in new significant impacts related to cultural resources that were not identified in the 2000 EIR or the other Program EIRs. The Proposed Project would not result in impacts to historical resources. Further, the Proposed Project would implement City of Oakland SCAs that apply pre-construction measures in archaeologically sensitive areas and replace the mitigation measures previously identified for the Original Project to address the accidental discovery of archeological and paleontological resources and human remains identified in Attachment A to this document. For reference, these are **SCA CUL-1, SCA CUL-2 and SCA CUL-3**.

5. Geology, Soils, and Geohazards Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Expose people or structures to substantial risk of loss, injury, or death involving: • Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or Seismic Hazards Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; • Strong seismic ground shaking; • Seismic-related ground failure, including liquefaction, lateral spreading, subsidence, collapse; or • Landslides;	☒	☐	☐
b. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007, as it may be revised), creating substantial risks to life or property; result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways.	☒	☐	☐

SEISMIC HAZARDS, EXPANSIVE SOILS, AND SOIL EROSION (CRITERION 5A AND 5B)

Previous Program EIR Findings

Each of the Program EIRs considered in this analysis found that the effects to geology, soils, and geohazards would be less than significant with the incorporation of City of Oakland SCAs. No mitigation measures were necessary.

2000 EIR Findings

The 2000 EIR found that the potential impact of development of the Original Project on geology, soils and geohazards would be less than significant, with the project sponsor's adherence to local and state regulations.

The Original Project site is located approximately 3.5 miles southwest of the Hayward Fault and is outside of the Alquist-Priolo Geologic Hazards Special Studies Zone. The 2000 EIR described that all of the City Center blocks were located in soil zone II which may experience a variety of types of ground failure due to ground motion, particularly if there is strong seismic activity. However, the 2000 EIR also determined that development of the Original Project would not result in any significant impacts with

respect to rupture of a known earthquake fault, ground shaking, or seismic-related ground failure because development would adhere to standard City practices employed to ensure that all buildings are designed and built in conformance with state and local seismic requirements.

Project Analysis

Current City of Oakland SCAs now incorporate these requirements and would ensure that development of the Proposed Project on Block T12 would avoid and minimize potential geologic impacts through compliance specifically with local and state regulations governing design and construction practices, including the California Building Code. Implementation of City of Oakland SCAs that require the preparation of soils and geotechnical reports specifying generally accepted and appropriate engineering techniques would reduce potential impacts to less-than-significant levels.

As reported in the 2000 EIR, the Original Project sites are located in an area designated as least susceptible to landslides; they do not have contributing factors such as slopes over 15 percent or a history of landslide problems. Moreover, the sites are relatively flat and developed in the Downtown urban area that is built-out or paved, landscaped, and served by an existing storm drain system. Block T12 continues to have these characteristics and therefore would not result in significant impacts with respect to landslides. The Proposed Project would not result in substantial risks to life or property.

The 2000 EIR determined that development of the Original Project would result in less-than-significant impacts regarding substantial soil erosion or loss of topsoil because of the project applicant's required compliance with standard City practices. These practices are now incorporated in current City of Oakland SCAs requiring the project applicant's preparation and submittal of an erosion control plan and landscaping plans to address erosion during and after construction. As described in the Project Description (Section IV of this document), the Proposed Project on Block T12 would require excavation of up to approximately 64,000 cubic yards of excavation, of which approximately 25,000 cubic yards remain to be excavated.[22] Therefore, a grading permit would be required from the City. In addition to the requirements of the grading permit, adherence to existing City of Oakland SCAs would ensure that development of the Proposed Project on Block T12 would minimize erosion and sedimentation during all phases of the project through installation of project landscaping and storm drainage facilities, both of which shall be designed to meet applicable regulations.

The soil characterization of Block T12 has not changed since the 2000 EIR. As reported for the Original Project, and in the Geotechnical Report prepared for the Proposed Project in 2008, the site is in an area characterized as Urban Land-Danville complex, which have some development limitations.[23] These limitations would be addressed pursuant to requirements specified in the site-specific Geotechnical Report for the Proposed Project, and measures discussed in the previous analysis are now incorporated into current City of Oakland SCAs that would minimize potential geohazards impacts and require the preparation of soils and geotechnical reports specifying generally accepted and appropriate engineering techniques and compliance with local and state regulations and codes.

[22] Excavation was initiated in previous years prior to site during initial development of the site under the previous Block T12 approval.

[23] The geotechnical evaluation and recommendations in the 2008 Geotechnical Report were re-affirmed in the Geotechnical Report Reliance Letter (AECOM, September 2015).

As discussed in the 2000 EIR, development of the Original Project would occur on sites served by the existing sewer system; development of Block T12 would not involve septic tanks or alternative wastewater disposal.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs considered in this analysis, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the other Program EIRs, nor would it result in new significant impacts related to geology, soils, and geohazards that were not identified in the 2000 EIR or the other Program EIRs. The Proposed Project would implement City of Oakland SCAs that incorporate the regulatory requirements addressed in the Original Project to address soil erosion and sedimentation control in particular, as well as City of Oakland SCAs to address other potential seismic and geotechnical hazards, as identified in Attachment A to this document. For reference, these are **SCA GEO-1, SCA GEO-2, and SCA HYD-1**.

6. Greenhouse Gas and Climate Change Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, specifically: • For a project involving a land use development, produce total emissions of more than 1,100 metric tons of CO_2e annually AND more than 4.64 metric tons of CO_2e per service population annually. The service population includes both the residents and the employees of the project. The project's impact would be considered significant if the emissions exceed BOTH the 1,100 metric tons threshold and the 4.6 metric tons threshold. Accordingly, the impact would be considered less than significant if the project's emissions are below EITHER of these thresholds.	☒	☐	☐
b. Fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions.	☒		

Climate change and greenhouse gas emissions were not expressly addressed in the 2000 EIR, nor in the 1998 LUTE EIR, for reasons described below. However, since information on climate change and greenhouse gas emissions was known, or could have been known, in 2000, it is not legally "new information" as specifically defined under CEQA and thus is not legally required to be analyzed as a part of this Addendum. However, an analysis of the Proposed Project using the previously recommended May 2011 BAAQMD CEQA Guidelines and Thresholds has been conducted to provide more information to the public and decision-makers, and in the interest of being conservative. Thus, although the analysis in this CEQA Checklist evaluates climate change and greenhouse gas emissions, there is no resulting significant CEQA impact. Nevertheless, the City will impose its SCAs.

GREENHOUSE GAS EMISSIONS (CRITERION 6A)

Previous Program EIR Findings

The 2011 Redevelopment Plan Amendments EIR included GHG emissions and impacts analyses, as this document was prepared after former Governor Schwarzenegger's 2005 Executive Order S-3-05 that sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as well as California's landmark Assembly Bill 32 in 2006. This Program EIR identified less-than-significant impacts with the incorporation of numerous applicable City of Oakland SCAs. No mitigation measures were necessary.

2000 EIR Findings

As noted above, climate change and greenhouse gas emissions were not expressly addressed in the 2000 EIR.

Project Analysis

The Proposed Project would not result in a significant effect (cumulative) relating to GHG emissions, as analyzed below. Both BAAQMD and the California Air Pollution Control Officers Association (CAPCOA) consider GHG impacts to be exclusively cumulative impacts, in that no single project could, by itself, result in a substantial change in climate. Therefore, the evaluation of GHG emissions impacts evaluates whether the Proposed Project would make a considerable contribution to cumulative climate change effects.

Construction GHG Emissions

The CalEEMod model run for the construction emissions associated with the Proposed Project (under *2. Air Quality,* above) also calculated the GHG emissions that would be generated by construction activities of the Proposed Project. As shown in **Table GHG-1**, construction-related emissions would total 1,983 metric tons of CO_2 equivalents (CO_2e) over all construction years. Annualized over an assumed project life of 40 years, construction-related GHG emissions would be 49.3 metric tons per year of CO_2e. These emissions are factored into the total operational GHG emissions calculation below to determine significance.

TABLE GHG-1
GHG EMISSIONS FROM CONSTRUCTION AND OPERATION (metric tons per year)[a]

Project Component	CO_2e
Project	
Area Source Emissions (Landscape Maintenance)	0.01
Energy Emissions (Natural Gas and Grid Electricity)	2,060
Mobile Emissions (No TDM)	2,198
Backup Generator [b]	2.10
Solid Waste	253
Water and Wastewater Treatment & Conveyance	231
Annualized Construction Emissions (Over 40 Years)	49.6
Total Increase	**4,791** [c]
City of Oakland Threshold	1,100
Exceedance of Project Threshold?	Yes
Total Emissions per Service Population (1,960 employees)	2.44
City Emissions per Service Population Threshold	4.6
Exceedance of Service Population (Efficiency) Threshold?	No
Significant?	**No**

[a] Project operational emissions estimates were made using CalEEMod, version 2013.2.2.

[b] Generator is a stationary source and is assessed separately against a threshold of 10,000 MT CO2e per year. Therefore its emissions are not considered in the total with respect to other sources.

[c] These estimated emissions are greater than those estimated as part of the 2019 Adjusted GHG Project Inventory presented in the GHG Emissions Reduction Plan in Appendix A to this CEQA Checklist primarily because of the 2005.

SOURCE: ESA, 2016

Operational GHG Emissions

The Proposed Project would generate GHG emissions from many of the same sources as presented in air quality **Tables AIR-1** and **AIR-2** (under *2. Air Quality*, above). Additionally, GHGs would be generated indirectly by increased electrical demand, increased water and wastewater demand, and increased solid waste generation.

The total operational GHG emissions for the Proposed Project are presented in previous **Table GHG-1**. This table presents the project-related GHG emissions from all sources and assesses the impact relative to City thresholds.

As shown in Table GHG-1, while the Proposed Project would exceed the threshold of 1,100 metric tons of CO_2e per year, it would not exceed the City's 4.6 metric tons of CO_2e per service population threshold. Therefore, the GHG emission impact would be less than significant. However, the City's GHG Emissions Reduction Plan SCA GHG-1 is triggered since the Proposed Project is considered a very large project[24] and one of the significance thresholds is exceeded. (See *Implementation of SCA GHG-1,* below.) Numerous other City of Oakland SCAs that would contribute to minimizing potential GHG emissions from construction and operations of development projects would apply to the Proposed Project; they pertain to alternative transportation facilities (bicycles and BART), construction equipment emissions, transportation demand management, construction waste reduction and recycling, as well as California Green Building Standards. In particular, pursuant to SCA TRA-4, a TDM Plan has been prepared and is included in Appendix C to this document. The TDM Plan focuses on measures to reduced peak-hour vehicle trips and thus parking demand. The effectiveness of the TDM Plan is not factored into the GHG emissions analysis in this section and summarized in Table GHG-1; it is factored into the emissions analysis in the "GHG Emissions Reduction Plan (GHG Plan)" required by SCA GHG-1 and presented in Appendix A to this document.

CONSISTENCY WITH GHG EMISSIONS PLANS AND POLICIES (CRITERION 6B)

Previous Program EIR Findings

As noted above, GHG Emissions Plans and Policies had not been established at the time the Program EIRs were prepared; therefore, consistency with such plans and policies were not addressed.

2000 EIR Findings

As noted above, climate change and greenhouse gas emissions were not expressly addressed in the 2000 EIR.

Project Analysis

The Proposed Project would comply with the Oakland Energy and Climate Action Plan, current City Sustainability Programs, and General Plan policies and regulations regarding GHG reductions and other local, regional and statewide plans, policies and regulations that are related to the reduction of GHG emissions and relevant to the Proposed Project.

24 One definition of a "Very Large Project" includes commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.

Specifically, the Proposed Project would also be consistent with the State's Updated Climate Change Scoping Plan and the City of Oakland's Energy and Climate Action Plan in that it will include a number of sustainability design features. The Proposed Project intends to meet, at a minimum, LEED Silver standards and comply with the Green Building ordinance and requirements. It will optimize the efficiency of the building envelopes and, through use of efficient heating, ventilation, and air conditioning (HVAC) and lighting systems, reduce domestic energy use compared to traditional development. The Proposed Project will also meet the newly implemented Building Energy Efficiency Standards and will exceed these standards as a prerequisite of attaining additional points for LEED certification.

Conclusion

Based on the analysis above, implementation of the Proposed Project would not result in a significant impact regarding GHG emissions or compliance with applicable plans, policies, or regulations adopted for the purposes of reducing greenhouse gas emission. No mitigation measures are necessary to ensure a less-than-significant impact with the Proposed Project. However, City of Oakland **SCA GHG-1** to reduce GHG emissions, as well as the implementation of other mitigation measures and City of Oakland SCAs that apply to the construction and operation of the Proposed Project, would help minimize GHG emissions. For reference, these are **Mitigation Measure TRA-B.5** and applicable SCAs **SCA AES-2, SCA AIR-1, SCA TRA-4, SCA UTIL-1, SCA UTIL-3 and SCA UTIL-4**.

IMPLEMENTATION OF SCA GHG-1

Pursuant to SCA GHG-1 (listed in Attachment A to this document), a project-specific GHG Plan has been prepared for the Proposed Project and is included in Appendix A to this document. As detailed in the GHG Plan, feasible measures are identified for the Proposed Project to implement that would achieve estimated emissions reductions sufficient to achieve the 36 percent reduction goal of Oakland's ECAP. (See Appendix A.)

7. Hazards and Hazardous Materials Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors; Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;	☒	☐	☐
b. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;	☒	☐	☐
c. Result in less than two emergency access routes for streets exceeding 600 feet in length unless otherwise determined to be acceptable by the Fire Chief, or his/her designee, in specific instances due to climatic, geographic, topographic, or other conditions; or Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	☒	☐	☐

EXPOSURE TO HAZARDS, HAZARDOUS MATERIALS USE, STORAGE AND DISPOSAL (CRITERION 7A)

Previous Program EIR Findings

Each of the Program EIRs considered in this analysis found less-than-significant effects regarding hazards and hazardous materials with the incorporation of applicable City of Oakland SCAs. No mitigation measures were identified by the Redevelopment Plan Amendments EIR. However, the LUTE EIR

included mitigation measures specifically to address exposure to workers and the public during construction.

2000 EIR Findings

The 2000 EIR determined that development of the Original Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. None of the blocks of the Original Project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

Project Analysis

The Proposed Project would involve similar activities as evaluated in the 2000 EIR. The Phase 1 Environmental Site Assessment prepared for the Proposed Project indicated that the project site was previously occupied by the previous Oakland High School and, subsequently, a paved parking lot. No buildings currently exist on the site, and it has been partially excavated to remove all concrete and/or asphalt pavement associated with the previous parking lot. Because the subject property was not a modern building, materials used in that building may have included heating oil, lead-based paint, and/or asbestos. The fill materials may contain remnants of these materials and will need to be addressed if encountered during further excavation activities for the Proposed Project. A recognized environmental conditions (REC) was noted due to concentrations of soluble lead in the fill materials. Six underground storage tanks (USTs) were removed from within one block of the site between 1973 and 1989; an investigation of these removals did not reveal any association of soil or groundwater contamination at Block T12.

The transportation, use, and storage of all hazardous materials involved with the Proposed Project would be required to follow the applicable laws and regulations adopted to safeguard workers and the general public. In addition, development of the Proposed Project would be subject to the City of Oakland's SCAs pertaining to best management practices for hazardous materials; removal of asbestos and lead-based paint; and other hazardous materials and wastes, including those found in the soil and groundwater, which would reduce impacts to less-than-significant levels.

HAZARDOUS MATERIALS WITHIN A QUARTER MILE OF A SCHOOL (CRITERION 7B)

Previous Program EIR Findings

The Program EIRs all reported potential development in proximity to schools, which could create potential risk of upset conditions, and development that would occur under the Program EIRs will adhere to all City of Oakland SCAs and the effect will be less than significant. No mitigation measures were warranted.

2000 EIR Findings

The 2000 EIR reported that development of the Original Project would have a less-than-significant impact regarding the emissions or handle of hazardous or acutely hazardous materials, substances, or waste near a school.

Project Analysis

Lincoln Elementary School (225 11th Street), Martin Luther King Jr Elementary School (960 10th Street), and the West Oakland Middle School (991 14th Street) are the nearest schools to Block T12, all located at a distance of approximately one-half mile. Development of the Proposed Project would be required to comply with existing local regulations that require hazardous material handlers within 1,000 feet of a school or other sensitive receptor to prepare a Hazardous Materials Assessment Report and Remediation Plan. Additionally, those handling or storing hazardous materials would be required to prepare a Hazardous Materials Management Plan and Hazardous Materials Business Plan, as required by Alameda County and a City of Oakland SCA; preparation of these plans would reduce impacts to less-than-significant levels.

EMERGENCY ACCESS ROUTES (CRITERIA 7C)

Previous Program EIR Findings

Each of the Program EIRs found less-than-significant effects regarding the potential for interference with emergency response plans or evacuation plans. No mitigation measures were necessary.

2000 EIR Findings

The 2000 EIR similarly determined that construction of the Original Project would not significantly interfere with emergency response plans or evacuation plans; no impact was identified.

Project Analysis

The 2000 EIR finding continues to be the case for development of Block T12. Construction in the urban Downtown setting may result in temporary road closures, which would require traffic control plans to ensure at least two emergency access routes are available for streets exceeding 600 feet in length, per the City of Oakland's Ordinances and General Plan Policies. However, the Proposed Project would not permanently change the surrounding streets or roadways. The requirement in Mitigation Measure B.7 from the 2000 EIR will continue to apply, but as an applicable City of Oakland SCA, as updated in Attachment A in this CEQA Checklist. The SCAs address construction traffic and parking (see *13. Traffic and Circulation*) and include requirements that would ensure emergency routes are not obstructed during construction. The Proposed Project's compliance with all applicable requirements would reduce potential impacts to a less-than-significant level, as identified in the 2000 EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the other applicable Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR and the other Program EIRs, nor would it result in new significant impacts related to hazards and hazardous materials that were not identified in the 2000 EIR or the other Program EIRs. Mitigation measures identified in the 2000 EIR are replaced as City of Oakland SCAs. The Proposed Project will adhere to the requirements of previous Mitigation Measure B.7 (construction traffic and parking) and City of Oakland SCAs which relate to the management of hazardous materials used or encountered during construction and the hazardous materials business plan as identified in Attachment A to this document. For reference, these are **SCA HAZ-1 and SCA HAZ-2**.

8. **Hydrology and Water Quality** Would the project:	**Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents**	**Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents**	**New Significant Impact**
a. Violate any water quality standards or waste discharge requirements; Result in substantial erosion or siltation on- or off-site that would affect the quality of receiving waters; Create or contribute substantial runoff which would be an additional source of polluted runoff; Otherwise substantially degrade water quality; Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect hydrologic resources.	☒	☐	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or proposed uses for which permits have been granted);	☒	☐	☐
c. Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems; Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course, or increasing the rate or amount of flow, of a creek, river, or stream in a manner that would result in substantial erosion, siltation, or flooding, both on- or off-site	☒	☐	☐
d. Result in substantial flooding on- or off-site; Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, that would impede or redirect flood flows; Place within a 100-year flood hazard area structures which would impede or redirect flood flows; or Expose people or structures to a substantial risk of loss, injury, or death involving flooding.	☒	☐	☐

WATER QUALITY, STORMWATER, AND DRAINAGES AND DRAINAGE PATTERNS (CRITERIA 8A AND 8C)

Previous Program EIR Findings

The Program EIRs considered in this analysis all found less-than-significant impacts related to hydrology or water quality, primarily given required adherence to existing regulatory requirements, many of which are incorporated in the City of Oakland's SCAs. No mitigation measures were warranted.

2000 EIR Findings

The 2000 EIR also determined that development of the Original Project would not result in any significant impacts related to hydrology or water quality given required adherence to existing regulatory requirements. Development on each of the blocks of the Original Project would involve ground disturbance and increase the amount of impervious surface area on the sites, thereby increasing the amount of runoff to the City's stormwater drainage system. The analysis discussed measures that pertained to erosion and sedimentation control, the preparation of storm water pollution prevention plans (SWPPP), post construction stormwater management and treatment measures and associated maintenance agreements. These measures are now incorporated in several City of Oakland SCAs that would ensure impacts to a less-than-significant level by minimizing runoff and erosion, as well as sedimentation and contamination to stormwater and surface water during and after construction activities.

Project Analysis

The Proposed Project would involve the same construction activities described in the 2000 EIR and the Program EIRs and would adhere to the existing City of Oakland SCAs.

USE OF GROUNDWATER (CRITERION 8B)

Previous Program EIR Findings

The Program EIRs identified less-than-significant effects regarding use of groundwater, and recognized that subsequent development could involve dewatering. Compliance with existing City requirements and practices imbedded in the City of Oakland SCAs were cited to ensure such activities do not substantially deplete groundwater resources, which is not anticipated since groundwater in the area is not a potable water source. No mitigation measures were warranted.

As also described in the 2000 EIR for the Original Project, some dewatering may be required for construction of the Proposed Project, but the dewatering is not anticipated to substantially lower the groundwater level. Potable water is supplied to the Original Project area through imported surface water by EBMUD, and groundwater is generally not considered potable and is not utilized in the public drinking water supply. The 2000 EIR also assumed project compliance with existing City practices, which are now City of Oakland SCAs that address all applicable regulatory standards and regulations pertaining to remediation and grading and excavation activities.

Project Analysis

The Proposed Project would adhere to the SCAs described above and therefore would have a less-than-significant impact on water quality or groundwater supplies, as identified in the 2000 EIR and the Program EIRs.

FLOODING AND SUBSTANTIAL RISKS FROM FLOODING (CRITERIA 8D)

Previous Program EIR Findings

The Program EIRs found less-than-significant impacts related to flooding and risks from flooding. The LUTE EIR acknowledged that areas considered under that Program EIR could potentially occur within a 100-year flood boundary. Adherence to existing regulatory requirements that are incorporated in the City of Oakland's SCAs would address potentially significant effects regarding flooding. No mitigation measures were warranted.

2000 EIR Findings

As reported in the 2000 EIR, the Original Project is located in Zone C, which is not located in either a 100-year or 500-year flood boundary. In addition, the Original Project blocks are not located near a levee or a dam. Therefore, the 2000 EIR found that development of the Original Project would not result in a significant impact, with respect to flood-related risks.

Project Analysis

The location of the Proposed Project with respect to flood zone risks remains unchanged. Therefore, the impact would be the same with the Proposed Project.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the Program EIRs, nor would it result in new significant impacts related to hydrology and water quality that were not identified in the 2000 EIR or those other Program EIRs. The 2000 EIR identified measures in its Initial Study related to hydrology and water quality and that would be required for the Proposed Project. The Proposed Project would be required to implement SCAs related to stormwater, drainages and drainage patterns, and water quality, as identified in the Attachment A to this document. For reference, these are **SCA HYD-1, SCA HYD-2, SCA HYD-3, SCA HYD-4, SCA GEO-1, SCA GEO-2, and SCA UTIL-6.**

9. Land Use, Plans, and Policies Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Physically divide an established community;	☒	☐	☐
b. Result in a fundamental conflict between adjacent or nearby land uses; or	☒	☐	☐
c. Fundamentally conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment.	☒	☐	☐

DIVISION OF EXISTING COMMUNITY, CONFLICT WITH LAND USES, OR LAND USE PLANS (CRITERIA 9A THROUGH 9C)

Previous Program EIR Findings

The Program EIRs considered in this analysis all found less-than-significant impacts related to land use, plans, and policies, and no mitigation measures were warranted. The LUTE EIR, however, identified a significant and unavoidable effect associated with inconsistencies with policies in the Clean Air Plan (resulting from significant and unavoidable increases in criteria pollutants from increased traffic regionally). It identified mitigation measures, which largely align with current City of Oakland SCAs involving TDM and which apply to all projects within the City of Oakland.

2000 EIR Findings

The 2000 EIR determined that the Original Project would have less-than-significant land use impacts related to the division of an established community, or potential conflicts with nearby land uses or applicable land use plans, policies, and regulations. Block T12 is part of the existing urban grid of Downtown, and its development would be of similar and compatible scale and use to its surroundings; it would not create a division of the community. As discussed in the Project Description (Section VI of this document), surrounding uses to Block T12 are primarily commercial land uses.

Block T12 is in Oakland's Downtown Showcase District, an area intended to promote a mixture of vibrant and unique uses with around-the-clock activity, continued expansion of job opportunities, and growing residential population. The development of Block T12 would be consistent with this intent, with the development of residential and potentially hotel or office uses that would support job opportunities. Moreover, the 2000 EIR described how all four blocks of the Original Project are located on land designated

by the Oakland General Plan, the Central District Urban Renewal Plan, and the Zoning Regulations for the most intense development in Oakland.

Project Analysis

The Proposed Project would not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The Proposed Project does not include or require a request for variance, the approval of which would potentially affect the environment. The floor area ratio (FAR) of the Proposed Project would total approximately 597,500 square feet of gross floor area on the 1.37-acre site, or 10.1 FAR. A maximum 20.0 FAR is allowed on Block T12, pursuant to the CBD-C Zoning and CBD General Plan designations.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or those Program EIRs, nor would it result in new significant impacts related to land use, plans, and policies that were not identified in the 2000 EIR or the other Program EIRs. The 2000 EIR did not identify any mitigation measures related to land use, and no City of Oakland SCAs directly addressing land use and planning apply to the Proposed Project.

10. Noise Would the project:	**Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents**	**Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents**	**New Significant Impact**
a. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding construction noise, except if an acoustical analysis is performed that identifies recommend measures to reduce potential impacts. During the hours of 7 p.m. to 7 a.m. on weekdays and 8 p.m. to 9 a.m. on weekends and federal holidays, noise levels received by any land use from construction or demolition shall not exceed the applicable nighttime operational noise level standard; Generate noise in violation of the City of Oakland nuisance standards (Oakland Municipal Code Section 8.18.020) regarding persistent construction-related noise;	☒	☐	☐
b. Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise;	☒	☐	☐
c. Generate noise resulting in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or, if under a cumulative scenario where the cumulative increase results in a 5 dBA permanent increase in ambient noise levels in the project vicinity without the project (i.e., the cumulative condition including the project compared to the existing conditions) and a 3-dBA permanent increase is attributable to the project (i.e., the cumulative condition including the project compared to the cumulative baseline condition without the project);	☒	☐	☐
d. Expose persons to interior L_{dn} or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories and long-term care facilities (and may be extended by local legislative action to include single-family dwellings) per California Noise Insulation Standards (CCR Part 2, Title 24); Expose the project to community noise in conflict with the land use compatibility guidelines of the Oakland General Plan after incorporation of all applicable Standard Conditions of Approval (see Figure 1); Expose persons to or generate noise levels in	☒	☐	☐

10. Noise Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
excess of applicable standards established by a regulatory agency (e.g., occupational noise standards of the Occupational Safety and Health Administration [OSHA]); or			
e. During either project construction or project operation expose persons to or generate groundborne vibration that exceeds the criteria established by the Federal Transit Administration (FTA).	☒	☐	☐

CONSTRUCTION AND OPERATIONAL NOISE AND VIBRATION, EXPOSURE OF RECEPTORS TO NOISE (CRITERIA 10A, 10B, 10D, AND 10E)

Previous Program EIR Findings

The Program EIRs considered in this analysis all found less-than-significant impacts related to operational noise, primarily from roadway traffic, as well as noise compatibility. The LUTE EIR identified mitigation measures to address potential noise conflicts between different land uses.[25] Regarding construction noise, most of the Program EIRs found less-than-significant impacts, primarily with adherence to City of Oakland SCAs; the LUTE EIR identified a significant construction noise and vibration impact in Downtown, even after the incorporation of mitigation measures. The impact regarding construction noise and vibration in the LUTE EIR was significant and unavoidable.

Construction Noise

2000 EIR Findings

The 2000 EIR determined that noise impacts related to construction of the Original Project would be significant but that mitigation measures, which are now City of Oakland SCAs, would reduce the severity of the construction noise impacts to a less than significant level.

Project Analysis

Construction activities for the Proposed Project are expected to occur over approximately 24 months, and would entail excavation and shoring; foundation and below-grade construction; and construction of the

[25] The 2011 Redevelopment Plan EIR also identified significant and avoidable noise effects specifically associated with the potential development of a new baseball stadium at Victory Court, and multimodal safety at at-grade rail crossings, both near the Oakland Estuary. These effects would not pertain to the 2015 Block T12 Project given the distance and presumably minimal contribution of multimodal trips affecting these impacts.

building and finishing interiors. Implementation of applicable City of Oakland SCA NOI-1, NOI-2, NOI-3 and NOI-4 would minimize construction noise impacts by limiting hours of construction activities; requiring best available noise control technology; and requiring notification of any local residents of construction activities, and to track and respond to noise complaints. As a result, the construction noise impacts of the Proposed Project would less than significant, as identified for the Original Project in the 2000 EIR. Specifically in response to SCA NOI-4 (listed in Attachment A to this document), a project-specific "Construction Noise Management Plan" has been prepared and is included in Appendix B to this document. (See *Implementation of SCA NOI-4*, below.)

Operational Noise

2000 EIR Findings

The 2000 EIR disclosed that during operations of the Original Project buildings, mechanical equipment would generate noise; however, equipment would be standardized and would be required to comply with the City of Oakland Noise Ordinance.

Project Analysis

The measures discussed in the 2000 EIR are now incorporated in City of Oakland SCAs that would reduce operational noise impacts to less-than-significant levels through project designs that would achieve acceptable interior noise levels for buildings; limit groundborne vibration at the project site; and require mechanical equipment compliance with applicable noise performance standards. The Proposed Project would involve the same types of standardized mechanical equipment, as well as an emergency generator for each building, which were not previously considered in the 2000 EIR analysis. Development of the Proposed Project would incorporate all applicable SCAs to ensure the less-than-significant impact identified in the 2000 EIR.

TRAFFIC NOISE (CRITERION 10C)

2000 EIR Findings

The 2000 EIR determined that development of the Original Project would increase noise levels adjacent to nearby roads due to additional vehicles traveling on nearby streets. The analysis found that the increase in traffic noise from the Existing Plus Original Project scenario, as compared to existing conditions, would increase peak hour noise levels by less than 5 A-weighted decibels (dBA) at all studied roadway segments. However, the increase in traffic noise between Existing (2000) and the Cumulative Plus Original Project (2005) scenarios was identified as significant along Castro Street and 18th Street. The 2000 EIR noted that cumulative increases in traffic noise on these roadways may not be perceptible due to the noise contribution from traffic on the adjacent I-980 freeway. The EIR conservatively determined that no feasible mitigation measures were available, and that the impact would be significant and unavoidable.

Project Analysis

The Proposed Project would not be located on Castro Street or 18th Street (which are one and six blocks away, respectively), and therefore would not be anticipated to experience significant impacts related to traffic noise. However, given that 15 years have transpired between the 2000 EIR analysis and this analysis for the Proposed Project, a revised quantitative traffic noise analysis has been prepared for roadways used to access the project site: Martin Luther King Jr Way, Jefferson St, 11th Street, and 12th Street.

Additional vehicles traveling throughout the local roadway network as a result of the Proposed Project would increase noise levels adjacent to nearby roads. Noise levels were determined for this analysis using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model and the turning movements in the traffic section (see *13. Traffic and Circulation*) for Existing (2013), Existing plus Project, and Cumulative (2040) conditions.

Peak hour intersection turning data from the Proposed Project traffic study were analyzed to evaluate traffic volume increases and resulting traffic-generated noise increases on roadway links most affected by project-related traffic. The roadway segments analyzed and the results of the noise increases determined by modeling are shown in **Table NOI-1**, below.

TABLE NOI-1
PEAK-HOUR TRAFFIC NOISE LEVELS IN THE VICINITY OF THE PROJECT

Roadway Segment[a,b]	(A) Existing	(B) Existing Plus Project	(B-A) Difference between Existing Plus Project and Existing[c]	(C) Cumulative No Project (2040)	(D) Cumulative Plus Project (2040)	(D-A) Difference between Cumulative Plus Project and Existing	(D-C) Difference between Cumulative Plus Project and Cumulative No Project[d]
Martin Luther King Jr. Way south of 11th Street	60.3	61.1	0.8	62.7	63.2	2.9	0.5
Martin Luther King Jr. Way north of 11th Street	60.2	62.1	1.9	62.8	63.9	3.7	1.1
Martin Luther King Jr. Way north of 12th Street	60.7	61.1	0.4	63.2	63.4	2.7	0.2
11th Street west of Martin Luther King Jr. Way	65.8	66.1	0.3	66.7	66.9	1.1	0.3
12th Street west of Martin Luther King Jr. Way	66.8	67.9	1.1	68.1	68.9	2.1	0.8

[a] Road center to receptor distance is 10 meters (approximately 33 feet) for all roadway segments. Noise levels were determined using the Federal Highway Administration (FHWA) Traffic Noise Prediction Model.
[b] The analysis considered the vehicle mix based on – cars 95 percent, medium trucks three percent, and heavy trucks two percent for 11th and 12th Street and a traffic speeds for all vehicle classes of 30 mph. For MLK Way, the analysis considered the vehicle mix based on – cars 97 percent, medium trucks two percent, and heavy trucks one percent and a traffic speeds for all vehicle classes of 25 mph.
[c] Considered significant if the incremental increase in noise from traffic is greater than the existing ambient noise level by 5.0 dBA Leq, per City of Oakland, CEQA Thresholds/Criteria of Significance Guidelines.
[d] Considered a cumulatively considerable contribution to a significant noise increase if the incremental increase in noise is greater than 3 dBA.

SOURCE: ESA, 2016.

As shown in **Table NOI-1**, the increase in traffic noise from the Existing plus T12 Project scenario compared to the Existing scenario would increase peak hour noise levels by less than 5.0 dBA for all roadway segments. The roadway segment of Martin Luther King Jr. Way between 11th Street and 12th Street would experience the greatest increase in traffic noise, which would be 1.9 dBA above existing ambient noise levels. However, as the noise increase would not exceed 5.0 dBA, the noise impact on this roadway segment is not considered to be significant. Overall, traffic noise impacts associated with the Proposed Project at all analyzed roadway segments in the project vicinity would be less than significant at the project-level.

Table NOI-1 shows that the increase in traffic from between the Cumulative Plus Project (2040) scenario and Existing (2013) would increase peak hour noise levels by less than 5.0 dBA for all roadway segments. Thus, the cumulative roadway noise impact would be less than significant.

The Proposed Project would generate noise from heating, ventilating, and air conditioning (HVAC) mechanical equipment. HVAC equipment would operate within the restrictions of the City's Noise Ordinance. Chapter 17.120.050 of the City of Oakland Planning Code specifies the maximum sound level received at residential, public open spaces and commercial land uses. This restriction can be used in combination with the predicted roadway noise level increase presented in **Table NOI-1** to estimate a worst-case prediction of cumulative noise increase from both stationary and roadway noise sources. **Table NOI-2** presents the cumulative noise increase at the existing sensitive receptor across MLK Way from the project site from both roadway and stationary sources. These noise levels reflect evening peak hour conditions which are when peak traffic contributions would occur. Stationary source noise levels are considered in terms of the L_{33} (the noise levels exceeded 20 minutes of a one hour period) as this is the noise descriptor of the City's noise ordinance which best lends itself to addition to roadway noise estimates which are calculated in terms of a peak-hour hourly average. The roadway noise contribution is assumed to occur from the greatest cumulative increase analyzed in **Table NOI-1**. This analysis uses the existing monitored noise level as a baseline for comparison, unlike the analysis in **Table NOI-1**, which solely analyzes modeled traffic volumes, because this cumulative analysis considers multiple sources, not just vehicle traffic.

TABLE NOI-2
PEAK-HOUR CUMULATIVE NOISE LEVELS AT SENSITIVE RECEPTORS IN THE PROJECT AREA

Location	(A) Monitored Noise Level (Leq, dBA)	(B) Stationary Source Restriction (L_{33}, dBA)	(C) Cumulative Roadway only Noise Level Increase(Leq)	(D) (A+B)+C Resultant Cumulative Noise Level (Leq)	(D-A) Increase in Noise Level over Existing Monitored
655 12th Street[1]	66.1	60	3.7	70.8	4.7

[1] Monitoring was performed on MLK Way at the setback of Landmark Place, a four-story condominium complex. Existing monitored noise levels are greater than those predicted from roadway noise on MLK Way as a result of contributions from traffic on both 11th and 12th Streets.

SOURCE: ESA, 2015.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the other Program EIRs, nor would it result in new significant impacts related to noise that were not identified in the 2000 EIR or in the other Program EIRs. In fact, the significant **Impact D.4** regarding cumulative operational noise and for which no feasible mitigation measure was available, no longer results. **Mitigation Measures D.1a through D.1d** identified in the 2000 EIR to address construction noise impacts are now implemented as City of Oakland SCAs, and restated as such in Attachment A to this document. The Proposed Project would be required to implement the City of Oakland SCAs to reduce construction noise, as well as SCAs to achieve interior noise standards, and require mechanical equipment to meet applicable noise performance standards. All of the applicable City of Oakland SCAs are identified in Attachment A to this document. For reference, these are **SCA**

NOI-1, SCA NOI-2, SCA NOI-3, SCA NOI-4, SCA NOI-5, **SCA NOI-6, and SCA NOI-7**. **SCA NOI-3** and **SCA NOI-5** were previously identified in the 2000 EIR as Mitigation Measures D.1a through D.1d.

IMPLEMENTATION OF SCA NOI-4

Pursuant to SCA NOI-4 (listed in Attachment A to this document), a project-specific "Construction Noise Management Plan (CNMP)" has been prepared and is included in Appendix B to this document. As detailed in the CNMP, feasible construction noise measures include some that are tailored for the Proposed Project and others that are from several City of Oakland Noise SCAs that apply to the specific conditions of the T12 Project site and surrounding noise-sensitive receptors (i.e., residential uses west of MLK Jr. Way, immediately west of the Project site). The implementation of the measures in the CNMP will ensure the less-than-significant construction noise impact identified for the Project. (See Appendix B.)

11. Population and Housing Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Induce substantial population growth in a manner not contemplated in the General Plan, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extensions of roads or other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed;	☒	☐	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element; or Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element.	☒	☐	☐

POPULATION GROWTH AND DISPLACEMENT OF HOUSING AND PEOPLE (CRITERIA 11A AND 11B)

Previous Program EIR Findings

The Program EIRs considered in this analysis all found less-than-significant impacts related to population and housing; the LUTE EIR and Redevelopment Plan Amendments EIR also addressed employment. The impact identified in the LUTE EIR addressed unanticipated employment growth (compared to regional ABAG projections) which would create an increased demand for new housing. The effect was reduced to less than significant with identified mitigation measures. No other mitigation measures were warranted.

2000 EIR Findings

The 2000 EIR determined that impacts related to population growth and displacement of housing and people with the Original Project would be less than significant. No residential use existed at the Block 12 site nor was it proposed as part of the 2000 EIR.

Project Analysis

Similar to the Original Project, development of the Proposed Project would not result in the addition of any new residential units to the Downtown area nor would it displace any existing residential units. The Proposed Project would generate approximately 1,960 new employees at the project site, in addition to

temporary construction employees. Moreover, infill growth from development of Block T12, was anticipated in the Central District Urban Renewal Plan Amendment (2011) and the Oakland General Plan Land Use and Transportation Element (LUTE) (1998, as amended), and the CEQA documents to each of these policy documents. The Proposed Project's impacts to population and housing would be less than significant, as identified in the 2000 EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR and the other Program EIRs, nor would it result in new significant impacts related to population and housing that were not identified in the 2000P EIR and those Program EIRs. The 2000 EIR did not identify any mitigation measures related to population and housing, and none would be required for the Proposed Project. Also no SCAs would apply.

12. Public Services, Parks and Recreation Facilities Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: • Fire protection; • Police protection; • Schools; or • Other public facilities.	☒	☐	☐
b. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment.	☒	☐	☐

PUBLIC SERVICES AND PARKS AND RECREATION (CRITERIA 12A AND 12B)

Previous Program EIR Findings

The Program EIRs considered in this analysis all found less-than-significant impacts related to public services and recreational facilities; no mitigation measures were warranted nor City of Oakland SCAs identified. The LUTE EIR identified a significant effect regarding increased student enrollment, particularly in Downtown (and the Waterfront), and identified mitigation measures would not reduce the effect to less than significant. Thus the impact was significant and unavoidable.[26]

[26] The 1998 LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under *Public Services*. These topics are addressed in this document under *14. Utilities and Service Systems*, consistent with current City approach.

2000 EIR Findings

The 2000 EIR determined that the Original Project impacts related to fire and police protection, schools, and other public facilities would be less than significant. As discussed for the Original Project, although development would increase density and population in the area, this growth has been anticipated and factored into Oakland's General Plan, as previously discussed (see *11. Population and Housing*). The development would occur in an urban area already served by public services and recreation facilities, and recent plan amendments and corresponding CEQA analyses have consistently determined that the anticipated growth would not impose a burden on existing public services to create a significant impact. The 2000 EIR discussed that compliance with standard City practices would further ensure the less-than-significant impact. These included City practices and requirements, such as the Oakland Fire Services' review of project plans, and project applicants' required contribution amount to school impact fees to offset any impacts to school facilities from the development of the four City Center blocks considered in the 2000 EIR.

Project Analysis

City of Oakland SCAs now incorporate most of these standard practices and requirements to address potential public services and park and recreation facilities impacts. The Proposed Project would comply with City of Oakland SCAs related to the increased need for fire protection by requiring all projects to implement safety features, and to comply with all applicable codes and regulations. The Proposed Project proposes two pedestrian plazas as part of the development of the site (see Figure 9 and Figure 10 in Section IV of this document). The plaza/park will be available to the public and include a variety of spaces and treatments (sitting areas, paved areas natural and planter landscaping, lawn seating). Neither the development nor use of the plaza is expected to cause a significant impact, and any effects that could result are thoroughly addressed here and in other sections of this CEQA Checklist, with appropriate mitigation measures or SCAs identified.

Adherence to the General Plan's Open Space, Conservation and Recreation Element policies 3.1, 3.3, and 3.10 would reduce potential impacts to recreational facilities. In addition, any increases in need for police protection, fire protection, schools, or other public facilities would be mitigated by adherence to General Plan policies N.12.1, N.12.2, N.12.5, FI-1, and FI-2.

The Proposed Project would result in a less-than-significant public services, parks and recreation impact, as was identified in the 2000 EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the other Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the other Program EIRs, nor would it result in new significant impacts related to the provision of public services and parks and recreation facilities that were not identified in the 2000 EIR or the other Program EIRs. The 2000 EIR did not identify any mitigation measures related to public services, parks and recreation facilities, and none would be required for the Proposed Project.

13. Transportation and Circulation Would the project:	**Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents**	**Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents**	**New Significant Impact**
Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit, specifically:			
Traffic Load and Capacity Thresholds a. At a study, signalized intersection which is located **outside the Downtown area and that does not provide direct access to Downtown**, the project would cause the motor vehicle level of service (LOS) to degrade to worse than LOS D (i.e., LOS E or F) and cause the total intersection average vehicle delay to increase by four (4) or more seconds;	☒	☐	☐
b. At a study, signalized intersection which is located **within the Downtown area or that provides direct access to Downtown**, the project would cause the motor vehicle LOS to degrade to worse than LOS E (i.e., LOS F) and cause the total intersection average vehicle delay to increase by four (4) or more seconds;	☒	☐	☐
c. At a study, signalized intersection **outside the Downtown area and that does not provide direct access to Downtown** where the motor vehicle level of service is LOS E, the project would cause the total intersection average vehicle delay to increase by four (4) or more seconds;	☒	☐	☐
d. At a study, signalized intersection **outside the Downtown area and that does not provide direct access to Downtown** where the motor vehicle level of service is LOS E, the project would cause an increase in the average delay for any of the critical movements of six (6) seconds or more;	☒	☐	☐
e. At a study, signalized intersection for all areas where the level of service is LOS F, the project would cause (a) the overall volume-to-capacity ("V/C") ratio to increase 0.03 or more or (b) the critical movement V/C ratio to increase 0.05 or more;	☒	☐	☐

13. Transportation and Circulation Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
f. At a study, unsignalized intersection the project would add ten (10) or more vehicles to the critical movement and after project completion satisfy the California Manual on Uniform Traffic Control Devices (MUTCD) peak hour volume traffic signal warrant;	☒	☐	☐
g. For a roadway segment of the Congestion Management Program (CMP) Network, the project would cause (a) the LOS to degrade from LOS E or better to LOS F or (b) the V/C ratio to increase 0.03 or more for a roadway segment that would operate at LOS F without the project; or	☒	☐	☐
h. Cause congestion of regional significance on a roadway segment on the Metropolitan Transportation System (MTS) evaluated per the requirements of the Land Use Analysis Program of the CMP.	☒	☐	☐

This section of the CEQA Checklist summarizes the findings of the transportation analysis completed for the Proposed Project.[27]

CRITERIA 13A THROUGH 13H

Previous Program EIR Findings

The Program EIRs considered for this analysis identified significant and unavoidable impacts regarding intersection and/or roadway segment operations. Various mitigation measures and City of Oakland SCAs are identified (except in the LUTE EIR, which does not identify SCAs). Other transportation/circulation effects identified in each of the document are reduced to less than significant with adherence to City of Oakland SCAs or mitigation measure, as follows.

The LUTE EIR identified impacts regarding degradation of the level of service (LOS) for several roadway segments citywide. A mitigation measure was identified for one Downtown intersection (12th Street and Brush Street) to reduce the impact to intersection operations to less than significant. All other topics were found to have less-than- significant impacts. The LUTE EIR did not identify an impact at the intersection that would be adversely impacted to a significant and unavoidable level by the Proposed Project. The Redevelopment Plan Amendments EIR and Addendum identified significant and unavoidable effects to

[27] Fehr & Peers, November 20, 2015. Oakland City Center Development (T12) – Transportation Impact Analysis.

roadway segment operations as well as railroad crossing safety, after the implementation of identified mitigation measures.

2000 EIR Findings

The 2000 EIR for the Original Project analyzed transportation and circulation conditions in and around the project area and identified a significant and unavoidable impact that involved the *Brush Street/12th Street/I-980 Westbound Off-Ramp* intersection under cumulative buildout conditions (2010). **Mitigation Measure B.1a** was identified, but would not reduce the impact at this intersection to less than significant. The significant and unavoidable impact also affected the intersection of 12th and Broadway, for which Mitigation Measure B.1b was identified in the 2000 EIR and that would not reduce the impact at the 12th and Broadway intersection to less than significant. The 2000 EIR also identified significant but mitigable impacts regarding parking, ridership on BART, bicycle parking, and circulation during periods of construction.

Existing Setting

The existing setting and conditions in this document is an update to the 2000 EIR existing conditions and reflects conditions as of 2015. The study of the Proposed Project evaluates traffic operations at the following five intersections in the vicinity of the project site; four of these five intersections are signalized and are locations where the Proposed Project would add substantial traffic (generally 50 or more peak hour trips at signalized intersections operating at LOS E or better, or 25 or more peak hour trips at signalized intersections operating at LOS F per recent environmental documents in Oakland) to the intersection.[28] These intersections were either identified in the 2000 EIR and/or other recent environmental documents as operating at LOS F, or were not evaluated at all.

1. 12th Street/Brush Street/I-980 Westbound On-Ramp (signalized)
2. 12th Street/Martin Luther King Jr. Way (signalized)
3. 11th Street/Brush Street/I-980 Westbound On-Ramp (signalized)
4. 11th Street/Martin Luther King Jr. Way (signalized)
5. Project Driveway/Martin Luther King Jr. Way (unsignalized)

Existing intersection turning movement counts were collected at the above intersections in April 2015. As shown in **Table TRA-1**, all study intersections currently operate at LOS E or better during both weekday AM and PM peak hours.[29] The intersection of Project Driveway/Martin Luther King Jr. is analyzed only in the "Plus Project" scenarios, as it does not currently exist.

[28] The operations of roadway facilities are typically described with the term level of service (LOS), a qualitative description of traffic flow based on factors such as speed, travel time, delay, and freedom to maneuver. Six levels are defined from LOS A, which reflects free-flow conditions where there is very little interaction between vehicles, to LOS F, where the vehicle demand exceeds the capacity and high levels of vehicle delay result. LOS E represents "at-capacity" operations. When traffic volumes exceed the intersection capacity, stop-and-go conditions result and a vehicle may wait through multiple signal cycles before passing through the intersection; these operations are designated as LOS F.

[29] **Appendix D** to this document (provided on accompanying CD-ROM) includes detailed Existing Conditions LOS calculation sheets as well as the Traffic data, automobile turning movement, intersection lane configurations, traffic control devices, peak hour traffic volumes, and pedestrian and bicycle counts.

The City of Oakland considers LOS E as the threshold of significance for intersections located within Downtown or that provide direct access to Downtown[30], and LOS D for all other intersections. All study intersections are located within the Downtown where the threshold of significance is LOS E.

Table TRA-1 summarizes the existing intersection analysis results.

TABLE TRA-1
INTERSECTION LOS SUMMARY – EXISTING CONDITIONS

Intersection	Traffic Control[1]	Peak Hour	Delay[2] (seconds)	LOS
1. 12th Street/Brush Street/ I-980 Westbound Off-Ramp[3]	Signal	AM	59.4	E
		PM	27.5	C
2. 12th Street/Martin Luther King Jr. Way	Signal	AM	11.0	B
		PM	10.6	B
3. 11th Street/Brush Street/ I-980 Westbound On-Ramp[3]	Signal	AM	4.4	A
		PM	5.7	A
4. 11th Street/Martin Luther King Jr. Way	Signal	AM	8.9	A
		PM	10.3	B

1. Signal = intersection is controlled by a traffic signal
2. For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown, unless otherwise noted.
3. Average intersection delay and LOS estimated using the HCM 2000 method. The 2010 HCM methodology does not analyze intersections with more than four approaches or approaches with both shared and exclusive lanes. The 12th Street/Brush Street intersection has a fifth approach, and the 11th Street/Brush Street intersection has a shared and exclusive lane on the southbound approach.

SOURCE: Fehr & Peers, 2016.

[30] Intersections that provide direct access to downtown are generally defined as principal arterials within two miles of Downtown and minor arterials within one mile of Downtown, provided that the street connects directly to Downtown.

Trip Generation

Table **TRA-2** presents the vehicular trip generation estimates for the Proposed Project, with a comparison of the trip generation estimated in the 2000 EIR for Block T12 under the Original Project.

TABLE TRA-2
OAKLAND CITY CENTER DEVELOPMENT (T12)
AUTOMOBILE TRIP GENERATION SUMMARY

Land Use	Units[1]	ITE Code	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Office	588 KSF	710 [2]	5,050	694	95	789	125	612	737
Commercial (Retail/Restaurant) [3]	9.5 KSF								
Non-Auto Reduction (-43%) [4]			-2,170	-298	-41	-339	-54	-263	-317
Net New Project Trips			**2,880**	**396**	**54**	**450**	**71**	**349**	**420**
Approved Project [5]			3,100	402	55	457	87	426	514
Net Difference			-220	-6	-1	-7	-16	-77	-94

1. KSF = 1,000 square feet.
2. ITE Trip Generation (9th Edition) land use category 710 (Office Building):
   Daily: Ln(T) = 0.76*Ln(X) + 3.68
   AM Peak Hour: Ln(T) = 0.80*Ln(X) + 1.57 (88% in, 12% out)
   PM Peak Hour: T = 1.12*(X) + 78.45 (17% in, 83% out)
3. The commercial retail space is not included in the trip generation estimates because of its small size and the expected type of uses, which would be primarily local-serving retail and food-related uses and would primarily attract residents, workers, and visitors, who are already in the area, especially during the peak hours.
4. Reduction of 43.0% assumed. Based on City of Oakland Transportation Impact Study Guidelines using BATS 2000 data for development in an urban environment within 0.5 miles of a BART Station.
5. Oakland City Center Project Draft EIR, January 2000.

SOURCE: Fehr & Peers, 2016.

As detailed in the Project Description (Section IV of this document), the Proposed Project would include ground level commercial space. The commercial space is not included in the trip generation estimates because of its small size and the expected type of uses, which would be primarily local-serving retail and food-related uses and would primarily attract residents, workers, and visitors, who are already in the area, especially during the peak hours.

The Institute of Transportation Engineers (ITE) data on which the trip generation emerges is based on data collected at mostly single-use suburban sites where the automobile is often the only travel mode. However, Block T12 is in a mixed-use urban environment where many trips are walk, bike, or transit trips. Since the Proposed Project is within three blocks of the 12th Street BART Station, this analysis reduces the ITE based trip generation by 43 percent to account for the non-automobile trips. This reduction is consistent with City of Oakland Transportation Impact Study Guidelines and is based on the Bay Area Travel Survey (BATS) 2000 which shows that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent. A 2011 research study shows reducing ITE based trip generation using BATS data results in a more accurate estimation of trip generation for

mixed use developments than just using ITE based trip generation.[31] This reduction is somewhat conservative considering that the American Community Survey shows that about 40 percent of residents and 65 percent of workers in Downtown Oakland travel to work by non-automobile modes.[32]

As shown in **Table TRA-2** above, the Proposed Project would generate fewer automobile trips than estimated for Block T12 under the Original Project analyzed in the 2000 EIR.

Table TRA-3 presents the estimates of Proposed Project trip generation for all travel modes.

TABLE TRA-3
TRIP GENERATION BY TRAVEL MODE

Mode	Mode Share Adjustment Factors[1]	Daily	AM Peak Hour	PM Peak Hour
Automobile	57.0%	2,880	450	420
Transit	30.4%	1,540	240	224
Bike	3.9%	200	31	29
Walk	23.0%	1,160	182	169
Total Trips		**5,780**	**903**	**842**

[1] Based on *City of Oakland Transportation Impact Study Guidelines* for Projects located in an urban environment within 0.5 miles of a BART Station.

SOURCE: Fehr & Peers, 2016.

Trip Distribution and Assignment, and Study Intersections

The trip distribution and assignment process to estimate how the vehicle trips generated by the project site would distribute across the roadway network was conducted, and the trip distribution assumptions was generally based on that documented in the 2000 EIR. The distribution/assignment process also factored in existing and/or future (2040) conditions according to the recently published CEQA documents in the Downtown area to determine the level of LOS at intersections along the primary corridors that would be used by the project traffic from Block T12.[33]

This analysis evaluates the potential impacts of the Proposed Project at the following four intersections where it would cause an increase in peak hour volumes of more than 50 trips, and where previous documents identified an operating condition of LOS F or are adjacent to the project site:

1. 12th Street/Brush Street (191 AM and 78 PM peak hour trips added)
2. 12th Street/Martin Luther King Jr. Way (111 AM and 245 PM peak hour trips added)
3. 11th Street/Brush Street (191 AM and 78 PM peak hour trips added)

[31] *Evaluation of the Operation and Accuracy of Five Available Smart Growth Trip Generation Methodologies.* Institute of Transportation Studies, UC Davis, 2011.

[32] Based on ACS five-year averages: 2010-2014 for residents and 2006-2010 for workers.

[33] *Broadway Valdez District Specific Plan Draft EIR* (September 2013); *Lake Merritt Station Area Plan Draft EIR* (November 2013); *Jack London Square Redevelopment Project Addendum* (May 2014); and *19th and Broadway Mixed Use Project CEQA Exemption* (to be published)

4. 11th Street/Martin Luther King Jr. Way (338 AM and 175 PM peak hour trips added)

This analysis also evaluates the potential impacts of the Proposed Project at the following intersection that provides access to the project site:

5. Project Driveway/Martin Luther King Jr. Way (450 AM and 420 PM peak hour trips added)

Considering that the Proposed Project would provide 205 parking spaces and that the Proposed Project is estimated to generate 450 AM peak hour and 420 PM peak hour trips, it is likely that most of the Proposed Project generated traffic would use other parking facilities in the area. Since it is not known which parking facilities would be used, this analysis assumes that all traffic generated by the Proposed Project would use the Proposed Project parking garage through the driveway on Martin Luther King Jr. Way

The CEQA documents mentioned above did not analyze all intersections along the corridors that would be most used by project-generated traffic. Based on Fehr & Peers' observations in Downtown Oakland and as shown above in **Table TRA-1**, these intersections currently operate at acceptable conditions and are expected to continue operating at acceptable conditions in the future. Therefore, the Proposed Project is unlikely to cause a significant impact at these locations and their analysis is not necessary.

Traffic Load and Capacity Analysis

The analysis conducted for the Proposed Project complies with City of Oakland's Transportation Impact Study Guidelines and consider four analysis scenarios: Existing[34], Existing Plus Project, 2040 No Project, and 2040 Plus Project. This section discusses the impacts of the Proposed Project on traffic operations under Existing and 2040 conditions based on the City of Oakland's Thresholds of Significance (see Checklist above).

Existing Plus Project Intersection Analysis

Table TRA-4 summarizes the intersection operations results for the Existing No Project and Existing Plus Project conditions. All study intersections would continue to operate at an acceptable LOS. The Proposed Project would not cause a significant impact at the study intersections under Existing Plus Project conditions.

[34] Represents existing conditions based on data obtained from recently published *Broadway Valdez District Specific Plan Draft EIR* (September 2013) and *Lake Merritt Station Area Plan Draft EIR* (November 2013).

TABLE TRA-4
INTERSECTION LOS SUMMARY – EXISTING PLUS PROJECT

Intersection	Control[1]	Peak Hour	Existing No Project		Existing Plus Project		Signif. Impact?
			Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	
1. 12th Street/Brush Street/ I-980 Westbound Off-Ramp [3]	Signal	AM	59.4	E	78.6	E	No
		PM	27.5	C	29.4	C	No
2. 12th Street/Martin Luther King Jr. Way	Signal	AM	11.0	B	11.2	B	No
		PM	10.6	B	13.6	B	No
3. 11th Street/Brush Street/ I-980 Westbound On-Ramp [3]	Signal	AM	4.4	A	4.1	A	No
		PM	5.7	A	5.6	A	No
4. 11th Street/Martin Luther King Jr. Way	Signal	AM	8.9	A	9.5	A	No
		PM	10.3	B	9.5	A	No
5. Project Driveway/Martin Luther King Jr. Way	SSSC	AM	-	-	1.7 (11.4)	B	No
		PM	-	-	5.9 (12.3)	B	No

[1] Signal = intersection is controlled by a traffic signal; SSSC = intersection is controlled by a stop-sign on the side-street movement.

[2] For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown, unless otherwise noted.

[3] Average intersection delay and LOS estimated using the 2000 HCM. The 2010 HCM methodology does not analyze intersections with more than four approaches or approaches with both shared and exclusive lanes. The 12th Street/Brush Street intersection has a fifth approach, and the 11th Street/Brush Street intersection has a shared and exclusive lane on the southbound approach.

Source: Fehr & Peers, 2016.

2040 Intersection Analysis

Traffic Forecasts

Year 2040 traffic forecasts for all study intersections are from the environmental documents previously discussed. These forecasts are based on the version of Alameda County Transportation Commission Travel Demand Model released in 2015, which uses land use data consistent with Association of Bay Area Government (ABAG) *Projection 2013* (i.e., Sustainable Community Strategies*).* The Model land use database and roadway network were checked for accuracy in the vicinity of the Proposed Project. Consistent with the City of Oakland *Transportation Impact Study Guidelines*, the AM and PM peak hour roadway segment volumes forecasted by the ACTC Model for year 2040 were used to develop 2040 turning movement forecasts at the study intersections using the "Furness" process, which "adjusts" existing turning movement volumes to reflect changes in roadway segment volumes forecasted by the ACTC Model.[35]

2040 Roadway Network

The 2040 No Project and the 2040 Plus Project conditions reflect the following planned roadway network changes:

- City of Oakland is planning to install Class 2 bicycle lanes on Martin Luther King Jr. Way between 2nd and 20th Streets by eliminating one automobile lane in each direction of Martin Luther King Jr. Way. Specifically, the project would result in the following changes at the study intersections:
    - 12th Street/Martin Luther King Jr. Way (Intersection #2) - Eliminate one lane in each direction of Martin Luther King Jr. Way to provide one shared through/ right-turn lane on the southbound approach, and one exclusive left-turn lane and one through lane on the northbound approach.
    - 11th Street/Martin Luther King Jr. Way (Intersection #4) - Eliminate one lane in each direction of Martin Luther King Jr. Way to provide one exclusive left-turn lane and one through lane on the southbound approach, and one shared through/right turn lane on the northbound approach.

2040 Intersection Operations

Table TRA-5 summarizes intersection LOS calculations for 2040 No Project and 2040 Plus Project conditions.

[35] Outlined in NCHRP-255, the industry-standard Furness technique estimates projected (future) intersection turning movement volumes based on comparing existing traffic counts and the Model results. It uses mathematical formulae to balance roadway segment volumes approaching and departing from the intersection and thus balances turning volumes that make sense compared to the existing counts and Model results. This process improves the level of confidence in the forecasted future turning movement volumes.

TABLE TRA-5
INTERSECTION LOS SUMMARY – 2040 CONDITIONS

Intersection	Control[1]	Peak Hour	2040 No Project		2040 Plus Project		Signif. Impact?
			Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	
1. 12th Street/Brush Street/ I-980 Westbound Off-Ramp [3, 4]	Signal	AM	**>120 (v/c=1.13)**	**F**	**>120 (v/c=1.20)**	**F**	Yes[3]
		PM	45.4	D	45.3	D	No
2. 12th Street/Martin Luther King Jr. Way	Signal	AM	11.9	B	12.2	B	No
		PM	12.9	B	21.7	B	No
3. 11th Street/Brush Street/ I-980 Westbound On-Ramp [3]	Signal	AM	4.9	A	4.7	A	No
		PM	7.2	A	10.5	A	No
4. 11th Street/Martin Luther King Jr. Way	Signal	AM	9.8	A	10.5	B	No
		PM	11.3	B	12.3	B	No
5. Project Driveway/Martin Luther King Jr. Way	SSSC	AM	-	-	1.4 (14.5)	B	No
		PM	-	-	6.7 (19.0)	C	No

Intersections operating at unacceptable levels are shown in **bold.**
1. Signal = intersection is controlled by a traffic signal; SSSC = intersection is controlled by a stop-sign on the side-street movement.
2. For signalized intersections, average intersection delay and LOS based on the 2010 HCM method is shown, unless otherwise noted.
3. Average intersection delay and LOS estimated using the 2000 HCM.
4. The Proposed Project would cause an impact at this intersection because it would increase the overall intersection by 0.03 or more and a critical movement v/c ratio by 0.05 or more at an intersection already operating at LOS F.

SOURCE: Fehr & Peers, 2016.

The 12th Street/Brush Street/ I-980 Westbound Off-Ramp (Intersection #1) during the AM peak hour would operate at LOS F both with and without the trips generated by Proposed Project. The Proposed Project would cause a significant impact at this intersection. This impact is consistent with **Impact B.1a** identified in the 2000 EIR for the Brush Street/12th Street/I-980 Westbound Off-Ramp intersection, shown below as amended to specifically incorporate the Proposed Project:

> **Impact TRA-B.1:** The project would result in increases in traffic delay in the downtown. In particular, the project would result in a deteriorated level of service at the intersection of 12th and Brush Streets in the weekday ~~a.m.~~ peak hours. This would be a significant impact.

Traffic generated by the Proposed Project would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more (Significant Threshold #5) at an intersection operating at LOS F regardless of the project during the weekday AM peak hour at the *Brush Street/12th Street/I-980 Westbound Off-Ramp intersection* (Intersection #1) under 2040 conditions.

As identified in the 2000 EIR, no feasible mitigation measures are available that would mitigate the Proposed Project's impacts at 12th and Brush Streets, specifically the Brush Street/12th Street/I-980 Westbound Off-Ramp intersection. Traffic operations at the intersection can be improved by providing additional automobile travel lanes, such as a third lane on the I-980 Westbound Off-Ramp. However, these modifications cannot be accommodated within the existing automobile right-of-way and would require additional right-of-way, and is considered to be infeasible. Furthermore, the intersection is under

the jurisdiction of Caltrans and City of Oakland, as lead agency, does not have jurisdiction at this intersection, and the mitigation would need to be approved and implemented by Caltrans. The 2000 EIR mitigation measure is shown below for reference as it is determined infeasible; it is shown amended to be consistent with the references in this document:

> **Mitigation Measure TRA-B.1a:** ~~At 12th and Brush Streets, the Block T12 project sponsor, along with the developer of Block T5/6 (Shorenstein or its successor) shall work with Caltrans and coordinate with the City to consider various improvement options, which could include signal timing improvements or additional lanes on the ramp.~~
>
> **Significance after Mitigation:** Significant and Unavoidable.

The 2000 EIR proposed signal timing improvements and/or additional lanes on the off-ramp as potential mitigation measures at this intersection. The 2000 EIR identified the impact as significant and unavoidable because the proposed mitigations may not be feasible, intersection is under jurisdiction of Caltrans, and if the mitigation were feasible, it may not mitigate the impact and potentially cause secondary impacts. The mitigation measures proposed in the 2000 EIR are currently considered infeasible for the following reasons:

- City of Oakland no longer considers optimizing signal timing parameters as mitigation measure because they are assumed to occur as part of the City's routine maintenance of signal systems.
- Increasing the signal cycle length at the intersection may increase the queue length on the off-ramp, further extending the queues on the mainline freeway and causing safety issues.
- Providing additional travel lanes on the off-ramp or other intersection approaches cannot be accommodated within the current automobile right-of-way and would require additional automobile right-of-way which may require acquisition of additional right-of-way, eliminating pedestrian facilities, and/or reconstructing the freeway overcrossing, which can be costly.
- If addition of travel lanes were feasible, they would not be desirable because they may result in longer pedestrian crossings at the intersection, degrade pedestrian and bicycle safety by exposing crossing pedestrians and cyclists to additional automobile lanes, and be in conflict with the City's Public Transit and Alternative Modes Policy and Complete Streets Policy which state a strong preference for encouraging the use of non-automobile transportation modes.

Furthermore, the intersection continues to be under the jurisdiction of Caltrans and City of Oakland, as lead agency, does not have jurisdiction at this intersection, and the mitigation measure would need to be approved and implemented by Caltrans. Therefore, no feasible mitigation measures are available at this intersection and the impact would remain significant and unavoidable. This finding is consistent with that identified in the 2000 EIR, which also identified a significant and unavoidable impact at the Brush Street/12th Street/I-980 Westbound Off-Ramp intersection. The impact is considered equal to or less severe than that previously identified in the 2000 EIR for the Original Project. Mitigating Measure TRA-B.1a is not considered feasible and is no longer needed as explained above.

Site Plan Review

This section evaluates access, circulation, and safety for all travel modes for the Proposed Project depicted in Figure 3 in the Project Description (Section IV of this document).

Automobile Access and Safety

All motorized access to and from the project site will be through the proposed driveway on the west side of the site along Martin Luther King Jr. Way. The site will provide two levels of underground parking. The upper level (P1) would provide 88 parking spaces and the lower level (P2) would provide 117 parking spaces. An internal ramp would connect the two parking levels. Access to the garage would be restricted by gates at the top of the ramp between the project driveway and the upper parking level. Both parking levels would provide one-way automobile circulation through the level.

The garage driveway on Martin Luther King Jr. Way and the loading driveway on 12th Street would provide adequate sight distance between exiting vehicles and pedestrians on the adjacent sidewalk and automobiles and bicycles on the street. The project proposes a mechanical gate on the inbound direction of the garage driveway on Martin Luther King Jr. Way about 20 feet from the sidewalk, which can accommodate one inbound motor vehicle and may result in inbound queues blocking the sidewalk. Final design of the Proposed Project should consider these queues.

While not required to reduce or eliminate a CEQA impact, the following **Recommendation TRA-1** details improvements to automobile access and safety concerning these queues, should be considered as part of the final design for the Proposed Project.

> **Recommendation TRA-1:** Relocate the entrance gate from the top of the entrance ramp adjacent to the sidewalk to the bottom of the ramp in order to provide adequate automobile queuing space and ensure that queues would not block the adjacent sidewalk.

Pedestrian Access and Safety

Primary pedestrian access to the office tower would be through a main lobby on the northeast corner of the site, along Jefferson and 12th Streets. Secondary access would be on the southwest side of the building, near 11th Street. The two commercial components would be accessed from the ground level: on the north side of the building with access mid-block on 12th Street, and on the southeast corner of the building with access on Jefferson and 11th Streets.

Considering the location of the main building entrance and that the majority of pedestrian activity would be to and from the 12th Street BART Station, City Center, and/or other destinations to the east, it is expected that most pedestrians would access the site through the 12th Street/Jefferson Street intersection.

Currently the sidewalks adjacent to the site have clear zones ranging from 4.5 to nine feet. Based on the site plan, the Proposed Project would widen the sidewalks to provide clear zones from seven to ten feet. In addition, the Project proposes bulbouts at the crosswalks crossing Martin Luther King Jr. Way at 11th and 12th Streets.

The four intersections adjacent to the site are currently signalized and provide marked crosswalks across all approaches. Each of the four intersections provides one curb ramp per corner. Based on our preliminary evaluation, directional curb ramps may not be currently feasible at most of these intersections corners due to presence of signal equipment, fire hydrants, and/or storm drain inlets.

The signals along Martin Luther King Jr. Way at 11th and 12th Streets do not provide pedestrian signal heads for any of the crosswalks, while the signal at 12th Street/Jefferson Street intersection provides

pedestrian signal heads in the eastbound direction for the crosswalks on the north and south approaches and the signal at 11th Street/Jefferson Street intersection provides pedestrian signal heads in both directions of all crosswalks.

The Proposed Project driveway on Martin Luther King Jr. Way and loading driveway on 12th Street may not be readily visible to motorists, pedestrians, and bicyclists. Final design of the Proposed Project should consider these pedestrian and bicycle access and safety concerns. So, while not required to reduce or eliminate a CEQA impact, the following **Recommendation TRA-2** should be considered as part of the final design for the Proposed Project.

Recommendation TRA-2:

- Install directional curb ramps at the southwest, southeast, and the northwest corners of the 12th Street/Jefferson Street intersection, which would be the most heavily used intersection by pedestrians travelling to and from the Project. Considering that fire hydrants and/or signal poles are present at these locations, construction of bulbouts (curb extensions) may also be required.
- Explore the feasibility of installing directional curb ramps at the 12th Street/ Martin Luther King Jr. Way, 11th Street/Martin Luther King Jr. Way, and 11th Street/Jefferson Street intersections. Prepare and submit a feasibility report, prepared by a qualified transportation consultant, for City review. If the City determines feasible, implement the improvement.
- Install pedestrian signal heads at the following locations:
    - All corners at the intersections of Martin Luther King Jr Way at 12th Street and 11th Street (eight at each location)
    - At all corners of the 12th Street/Jefferson Street intersection for pedestrians crossing the west and east approaches, and the westbound direction of the north and south approaches (six total)
- Use different paving material, texture, and/or paint for the segment of sidewalk crossing the garage driveways on Martin Luther King Jr. Way and loading driveway on 12th Street to alert both motorists and pedestrians. Ensure the passage zone on the sidewalk is level and at the same grade as the adjacent sidewalk.

Transit Access

Transit service providers in the Project vicinity include Bay Area Rapid Transit (BART) and AC Transit. BART provides regional rail service throughout the East Bay and across the Bay. The nearest BART station to the project site is the 12th Street BART Station. The nearest portal to the site is on Broadway between 11th and 12th Streets, about two blocks east. The Proposed Project would not modify access between the project site and the BART Station. It is expected that most pedestrians would use the sidewalk on the south side of 12th Street to walk between the BART Station and the project site.

AC Transit is the primary bus service provider in the City of Oakland. AC Transit operates multiple major routes in the vicinity of the Proposed Project. The nearest stops to the project site are:

- On the north side of 12th Street, 300 feet east of Jefferson Street and 90 feet west of Clay Street. This stop can be accessed from the site by crossing the signalized 12th Street / Jefferson Street intersection. Currently, no amenities are provided at this stop. This stop is served by Routes 14, 20, 31, 40, 88 and 800.

- On the north side of 12th Street, 100 feet west of Martin Luther King Jr. Way. This stop can be accessed from the site by crossing the signalized 12th Street/Martin Luther King Jr. Way intersection. Currently, no amenities are provided at this stop. Typical amenities, such as shelters and benches, cannot be installed at this location due to the narrow width of the sidewalk. This stop is served by Routes 31 and 88.

- On the east side of Martin Luther King Jr. way, just south of 11th Street. This stop can be accessed from the site by crossing the signalized 11th Street/Martin Luther King Jr. Way intersection. Currently, no amenities are provided at this stop, but there are benches, seats, and tables in Lafayette Square Park, adjacent to the stop. This stop is served by Route 20.

- On the south side of 11th Street, just west of Jefferson Street. This stop can be accessed from the site by crossing the signalized 11th Street/Jefferson Street intersection. The bus stop provides a bench and shelter. This stop is served by Routes 14, 20, 31, and 40.

The Proposed Project would not modify access between the project site and the nearby bus stops, nor would it modify access between the project site and the BART Station. This would be a less-than-significant impact, and not new or more severe than transit-related impacts identified in the 2000 EIR.

While not required to reduce or eliminate a CEQA impact, the following **Recommendation TRA-3** should be considered as part of the final design for the Proposed Project.

> **Recommendation TRA-3:** Explore the feasibility of providing a bus shelter and other amenities at the bus stop on 12th Street between Clay and Jefferson Street. Prepare and submit a feasibility report, prepared by a qualified transportation consultant, for City review. If the City determines feasible, implement the improvement.

Additionally, the 2000 EIR and each of the subsequent EIR addenda identified a potentially significant transit impact regarding passenger wait times at the 12th Street BART Station exiting fare gates, Impact B.5 is shown below.

> **Impact TRA-B.5:** Project ridership on AC Transit could be accommodated. Project ridership on BART could be accommodated on the trains, but is likely to exceed the capacity of the 12th Street station at project buildout.

Mitigation Measure B.5 was identified to address the potential transit impact (BART). **Mitigation Measure B.5** identified the need for further observation and study of exit fare gates at the 11th Street exit of the 12th Street BART Station during the AM peak period to ensure that the maximum passenger wait would not exceed two minutes through the fare gates. The mitigation measure also required the addition of one or more new fare gates at the 11th Street exit to the station. The mitigation measure continues to be applicable. Therefore, the study required by this mitigation measure should be completed prior to development of the Proposed Project. **Mitigation Measure B.5** is modified as follows**:**

Mitigation Measure TRA-B.5: The project sponsor ~~of Block T12 (Shorenstein or its successor), if the Block T12 building includes office space~~, shall conduct a study ~~at each phase of project buildout subsequent to Building T12~~prior to the development of Block T-12, subject to the review and approval of the City ~~Traffic Engineering~~Transportation Services Division, to determine whether there is adequate exiting capacity at the 12th Street station. The Block T12 developer shall work with BART to assure that with buildout of the project (~~all four sites~~Block T12), adequate exit fare gates are available at the 11th Street exits in the a.m. peak hour so that the maximum passenger wait does not exceed two minutes to be processed through the fare gates. This may require the addition of one or more new fare gates at the 11th Street exit to the station.

Implementation of amended **Mitigation Measure TRA-B.5** would continue to reduce the potential impact to a less-than-significant level.

Consistency with Adopted Policies, Plans or Programs Supporting Alternative Transportation

The Proposed Project is consistent with policies, plans and programs, and would not cause a significant impact by conflicting with adopted policies, plans, or programs supporting public transit, bicycles, or pedestrians. The *City of Oakland General Plan LUTE*, as well as the City's Public Transit and Alternative Mode and Complete Streets policies, state a strong preference for encouraging the use of non-automobile transportation modes, such as transit, bicycling, and walking. The Proposed Project would encourage the use of non-automobile transportation modes by providing commercial uses in a dense walkable urban environment that is well-served by local and regional transit.

The Proposed Project is consistent with both the City's *Pedestrian Master Plan* (PMP) and *Bicycle Master Plan* by not making major modifications to existing pedestrian or bicycle facilities in the surrounding areas and would not adversely affect installation of future facilities. Further, the Proposed Project would adhere to City of Oakland SCAs that require the preparation and implementation of a TDM Plan because it would generate more than 50 peak hour trips (see SCA TRA-4 in Attachment A to this document; moreover the TDM Plan has been prepared and is included in Appendix C to this document; the effectiveness of the TDM Plan is not factored into the air quality analysis in this section).

Overall, the Proposed Project would not conflict with adopted City policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. This is a less than significant impact; no mitigation measures are required.

Parking Considerations

Although parking does not relate to environmental impacts required for evaluation under CEQA, this section summarizes parking supply and demand for automobiles and bicycles. Parking was addressed in the 2000 EIR as the City included it as a CEQA significance criterion at that time.

Parking Supply and Demand

As described in the Project Description (in Section IV of this document), the Proposed Project would provide two levels of below-grade parking including 205 vehicle parking spaces, 26 motorcycle spaces, and 61 bicycle spaces. In addition, the Proposed Project may lease up to 200 parking spaces at an off-site garage.

Currently, metered on-street parking is provided along the Project frontage on Martin Luther King Jr. Way, 12th Street, and Jefferson Street. The Project would make the following modifications to the on-street parking supply:

- The garage driveway on Martin Luther King Jr. Way would eliminate about three parking spaces.
- The loading access driveway on 12th Street would eliminate about two on-street parking spaces.

Table TRA-6 summarizes the parking supply and demand for the Proposed Project and shows that the demand would exceed the supply, resulting in a deficit of approximately 736 spaces. The Proposed Project may lease up to 200 off-site parking spaces to accommodate some of the expected parking deficit. The remaining parking deficit may be satisfied by parking available at other parking facilities in downtown Oakland. The estimated parking deficit would be consistent with the City's Transit First Policy as it would discourage project workers and visitors from driving to and from the site. A transportation demand management (TDM) plan, as required under SCA TRA-4 (see Attachment A), has been developed and includes measures to reduce parking demand by office and retail employees traveling to and from the project site. (See Appendix C and *Implementation of SCA TRA-4,* below).

The parking demand presented in **Table TRA-6** does not include parking demand generated by the commercial component of the Project. Similar to trip generation, this analysis assumes a reduced parking demand rate (-43 percent) to account for the non-auto trips resulting from the Proposed Project's location near the 12th Street BART Station. In addition, this evaluation assumes that the commercial component of the Project would generate very little parking demand because of its small size and the expected type of uses, which would be primarily local-serving retail and food-related uses and would primarily attract residents and visitors who are already in the area.

TABLE TRA-6
PROJECT PARKING SUPPLY AND DEMAND

Use	Units[1]	Parking Demand Rate	Parking Demand
Office	588 KSF	1.60 [2]	941
Commercial (Retail/Restaurant) [3]	9.5 KSF		
Parking Supply [4]			205
Parking Deficit			**-736**

[1] KSF = 1,000 square feet

[2] Parking demand rate from ULI Shared Parking (2nd Edition) reduced by 43 percent to account for non-auto travel (2.8 * 0.57 = 1.60). [3] The commercial component of the Project would generate very little parking demand because of its small size and the expected type of uses, which would be primarily local-serving retail and food-related uses and would primarily attract residents and visitors who are already in the area.

[4] Based on a site plan dated November 5, 2015, the Project would provide 205on-site parking spaces.

SOURCE: Fehr & Peers, 2016.

City Code Automobile Parking Requirements

Based on City of Oakland Municipal Code, the Proposed Project is not required to provide any off-street parking. Thus, the Project would meet Code requirements for parking. City of Oakland is currently updating off-street parking requirements. The proposed changes are not expected to change parking requirements for the Proposed Project.

The 2000 EIR and each of the subsequent EIR addenda identified **Mitigation Measure B.4** to address a parking deficit impact; Mitigation Measure B.4 identified various measures such as construction of additional parking and implementing various TDM strategies, to mitigate to a less-than-significant level the significant impact on parking. Although parking is no longer considered for evaluation under CEQA, the parking assessment presented above shows that the Proposed Project would meet City code requirements for parking, but it would provide adequate parking supply to meet the estimated parking demand. Strategies in the TDM are consistent with Mitigation Measure B.4 in the 2000 EIR. Therefore, other components of Mitigation Measure B.4 are no longer applicable.

Bicycle Parking Supply and City Code Bicycle Parking Requirements

Chapter 17.117 of the Oakland Municipal Code requires long-term and short-term bicycle parking for new buildings. Long-term bicycle parking includes lockers or locked enclosures and short-term bicycle parking includes bicycle racks. The Code requires one long-term space for each 10,000 square feet of floor area and one short-term space for each 20,000 square feet of floor area for offices. The Code requires the minimum level of bicycle parking, two long and short-term spaces, for the commercial component of the Proposed Project.

Table TRA-7 presents the City's bicycle parking requirement and supply for the Proposed Project. The project is required to provide 61 long-term parking spaces and 32 short-term spaces. The project would provide long-term bicycle parking for 61 bicycles on the upper parking level in three separate locations. In addition, the project would provide 32 short-term bicycle parking spaces along the sidewalks. Thus, the building would satisfy the City's bicycle parking requirements.

TABLE TRA-7
BICYCLE PARKING REQUIREMENTS

Land Use	Size[1]	Long-Term		Short-Term	
		Spaces per Unit[2]	Spaces	Spaces per Unit[2]	Spaces
Commercial (Office)	588 KSF	1:10 KSF	59	1:20 KSF	30
Commercial (Retail/Restaurant)	9.5 KSF	Min.	2	Min.	2
Total Required Bicycle Spaces			61		32
Total Bicycle Parking Provided			61		32
Bicycle Parking Surplus			**0**		**0**

1. KSF = 1,000 square feet
2. Based on Oakland Municipal Code Sections 17.117.090 and 17.117.110

SOURCE: Fehr & Peers, 2016.

The long-term bicycle parking would be accessed by stairs or elevators from the ground level or using the driveway on Martin Luther King Jr. Way to ride through the garage. Using stairs or elevators to access the underground bicycle parking maybe inconvenient for bicyclists, and riding through the driveway and garage may result in potential conflicts between cyclists and motorists. The location of the short-term bicycle parking spaces on the public right-of-way would be determined in coordination with City of Oakland Transportation Services Division and subject to City review and approval.

While not required to reduce or eliminate a CEQA impact, the following **Recommendation TRA-4** should be considered as part of the final design for the Proposed Project.

Recommendation TRA-4:

- Relocate the long-term bicycle parking from the underground parking level to a more convenient location on the ground level, subject to City review and approval.
- Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.

The 2000 EIR and each of the subsequent EIR addenda identified **Mitigation Measure B.6** to address a potential bicycle parking deficit impact. As discussed above, these requirements are now required by City Code and therefore the mitigation measure is no longer required. Also, the TDM Plan includes as a strategy that the Proposed Project should provide more than the minimum bicycle parking required by City of Oakland Planning Code. (See TDM Plan in Appendix C to this document.)

Loading Requirements

City Municipal Code Section 17.116.140 requires off-street loading facilities for commercial uses. The requirement for commercial facilities that have more than 300,000 square feet floor area is two off-street loading berths plus one additional berth for each additional 300,000 square feet or fraction of one-half or more thereof. The Code does not require loading berths for commercial uses with less than 10,000 square feet of floor area. Therefore, the building is required to provide three off-street loading berths for the office and retail/restaurant uses. The Project would provide three loading spaces that can be accessed through a driveway on 12th Street. Trucks would be required to enter the driveway and back into the loading space. Thus, the Proposed Project would satisfy the City's loading requirements.

Conclusion

The Proposed Project would not result in significant impacts to the project study intersections, either under Existing Plus Proposed Project conditions or Year 2040 Plus Proposed Project conditions.

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the other Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or the other Program EIRs, nor would it result in new significant

impacts related to transportation and circulation that were not identified in the 2000 EIR or the other Program EIR, as summarized below.

The Proposed Project would result in the significant and unavoidable impact involving the Brush Street/12th Street/I-980 Westbound Off-Ramp intersection under 2040 with Project conditions. The 2000 EIR previously identified a significant impact at this same intersection under cumulative buildout conditions (2010), and identified Mitigation Measure B.1a, now re-labled in this CEQA Checklist as **Mitigation Measure TRA-B.1a**, which would not reduce the impact to less than significant and that remain infeasible; the impact therefore remains significant and unavoidable.

The impact of the Proposed Project is considered equal to or less severe than that previously identified in the 2000 EIR for the Original Project or in the Program EIRs. The Proposed Project would not result in any other transportation related significant impacts.

The Proposed Project would implement recommended improvement measures identified in the transportation analysis completed for the Proposed Project and address automobile access and safety, directional curb ramps for pedestrians, and additional TDM strategies.

In addition, the Proposed Project will adhere to SCAs related to City review and approval of all improvements proposed in the public right-of-way, reduction of vehicle traffic and parking demand generated by development projects, and construction traffic and parking management, as identified in Attachment A, at the end of the CEQA Checklist. For reference, these are **SCA TRA-1, SCA TRA-2, SCA TRA-3, and SCA TRA-4 (previously Mitigation Measure B.7)**.

IMPLEMENTATION OF SCA TRA-4

Pursuant to SCA TRA-4 (listed in Attachment A to this document), a project-specific TDM Plan has been prepared for the Proposed Project and is included in Appendix C to this document. As detailed in the TDM Plan, feasible mandatory strategies are identified for the Proposed Project which would reduce the parking shortfall of the Proposed Project without TDM applied (presented above in Table TRA-6) from 736 to 548 spaces (see Appendix C).

14. Utilities and Service Systems Would the project:	Equal or Less Severity of Impact Previously Identified in Previous CEQA Documents	Substantial Increase in Severity of Previously Identified Significant Impact in Previous CEQA Documents	New Significant Impact
a. Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board; Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects; Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects;	☒	☐	☐
b. Exceed water supplies available to serve the project from existing entitlements and resources, and require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects;	☒	☐	☐
c. Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects; Violate applicable federal, state, and local statutes and regulations related to solid waste;	☒	☐	☐
d. Violate applicable federal, state and local statutes and regulations relating to energy standards; or Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects.	☒	☐	☐

WATER, WASTEWATER, AND STORMWATER (CRITERIA 14A AND 14B)

Previous Program EIR Findings

Most of the Program EIRs considered in this analysis found less-than-significant impacts related to water, wastewater, or stormwater facilities, finding no mitigation measures warranted but adhering to certain City of Oakland SCAs. The LUTE EIR identified a significant effect regarding these topics and identified mitigation measures that reduced the effects to less than significant.[36]

2000 EIR Findings

The water and sanitary sewer demand and stormwater facilities, as well as solid waste and energy associated with the Proposed Project, have been addressed in the 2000 EIR for the Original Project. Specifically, the 2000 EIR determined that development of the Original Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; would not require or result in the construction of new water or wastewater treatment or storm water drainage facilities or expansion of existing facilities; would not result in a shortfall in water supply or wastewater treatment capacity. The 2000 EIR also determined that development of the Original project would have less-than-significant impacts related to stormwater and wastewater facilities.

Project Analysis

Based on information provided by the Project Sponsor, the Proposed Project would result in an average water demand of approximately 50,188 gallons per day (gpd) and an average wastewater generation (sewer) of 26,968 gpd wastewater.

As previously described in this CEQA Checklist (see *11. Population and Housing*, and *12. Public Services, Parks and Recreation Facilities*), although development would increase density and population in the area, this growth has been anticipated and factored into Oakland's General Plan LUTE (1998, as amended) and the Central District Urban Renewal Plan Amendment (2011), and each of the CEQA documents prepared and approved/certified for each of these policy documents. Therefore, the Proposed Project has been accounted for in the water demand projections associated with development of the Original Project. Further, the development would occur in an urban area already served by public service utilities and infrastructure.

As previously discussed (see *8. Hydrology and Water Quality*), new development of the Proposed Project would likely decrease storm drain runoff through the Proposed Project's incorporation of City of Oakland SCAs intended to reduce runoff (and maintain stormwater quality). Development of the Proposed Project may increase sewer demand, and implementation of SCAs requiring stormwater control during and after construction would address potential impacts on stormwater treatment and sanitary sewer infrastructure. The impact of the Proposed Project regarding stormwater and sanitary sewer infrastructure would remain less than significant as identified in the 2000 EIR.

[36] The 1998 LUTE EIR addressed effects on solid waste demand and infrastructure facilities for water, sanitary sewer and stormwater drainage under *Public Services*. These topics are addressed in this document under *14. Utilities and Service Systems*, consistent with current City approach.

No changes with respect to the environmental issues listed above have occurred. The Proposed Project would not result in new significant impacts regarding the provision of or need for new or substantially expanded utilities and service systems, the construction of which could cause significant environmental effects. Therefore, the Proposed Project would not result in any new or more substantial effect on water and sewer services. The impact would remain less than significant.

SOLID WASTE SERVICES (CRITERION 14C)

Previous Program EIR Findings

Most of the Program EIRs considered in this analysis all found less-than-significant impacts related to solid waste, adhering to City of Oakland SCAs; no mitigation measures were warranted. The LUTE EIR identified a significant effect regarding solid waste and identified a mitigation measure that reduced the effect to less than significant.

2000 EIR Findings

As described in the 2000 EIR, impacts associated with solid waste would be less than significant; development of the Original Project would not overburden landfill(s); and would comply with federal, state, and local statutes related to solid waste. Nonhazardous solid waste from the project site would be ultimately hauled to the Altamont Landfill and Resource Facility. The Altamont Landfill would have sufficient capacity to accept waste generated by development of the four City Center blocks evaluated in the 2000 EIR.

Project Analysis

The Proposed Project would not result in any change to the conclusions or impact statements made in the 2000 EIR with regard to solid waste services. In addition, the Proposed Project will comply with a City of Oakland SCA pertaining to waste reduction and recycling and thereby reduce waste through compliance with the City of Oakland's Recycling Space Allocation Ordinance (Oakland Municipal Code, Chapter 17.118). The impact regarding solid waste services would remain less than significant as identified in the 2000 EIR.

ENERGY (CRITERION 14D)

Previous Program EIR Findings

The Program EIRs considered in this analysis all found less-than-significant impacts related to energy; with adherence to City of Oakland SCAs; no mitigation measures were warranted.

2000 EIR Findings

As reported in the 2000 EIR, development of the Original Project would result in less-than-significant impacts related to energy standards and use.

Project Analysis

The Proposed Project would result in the same impact as that stated above from the 2000 EIR and would comply with the standards of Title 24 of the California Code of Regulations. The City of Oakland SCAs pertaining to compliance with the green building ordinance would require construction projects to

incorporate energy-conserving design measures. (Also see discussion of *Renewable Energy* in Attachment D to this document). The Proposed Project's impact regarding solid waste services would remain less than significant as identified in the 2000 EIR.

Conclusion

Based on an examination of the analysis, findings, and conclusions of the 2000 EIR and the other Program EIRs, implementation of the Proposed Project would not substantially increase the severity of significant impacts identified in the 2000 EIR or other Program EIRs, nor would it result in new significant impacts related to utilities and service systems that were not identified in the 2000 EIR or the other Program EIRs. The 2000 EIR did not identify any mitigation measures related to utilities and service systems, and none would be required for the Proposed Project. The Proposed Project would be required to implement SCAs related to sewer capacity, stormwater drainage facilities, solid waste services, and energy, as identified in Attachment A to this document. For reference, these are **SCA UTIL-1, SCA UTIL-2, SCA UTIL-3, SCA UTIL-4, SCA UTIL-5, SCA UTIL-6, SCA HYD-1, and SCA HYD-3**.

Attachments

A. Standard Conditions of Approval and Mitigation Monitoring and Reporting Program
B. Criteria for Use of Addendum, Per CEQA Guidelines Sections 15162, 15164, and 15168
C. Project Consistency with Community Plan or Zoning, Per CEQA Guidelines Section 15183
D. Infill Performance Standards, Per CEQA Guidelines Section 15183.3

Appendices

A. GHG Reduction Plan (per SCA GHG-1)
B. Construction Noise Reduction Plan (per SCA NOI-4)
C. Transportation Demand Management Program (per SCA TRA-4)
D. Transportation Technical Detail (provided on CD-ROM included with this document)
E. Air Quality and GHG Emissions Technical Detail (provided on CD-ROM included with this document)
F. Roadway Noise Technical Detail (provided on CD-ROM included with this document)

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ATTACHMENT A: STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is based on the CEQA Analysis prepared for the Proposed Project.

This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects." The SCAMMRP lists mitigation measures recommended in the 2000 Oakland City Center EIR, as modified in the subsequent addenda to the 2000 EIR. The SCAMMRP also lists the City's Standard Conditions of Approval ("SCAs") identified and modified in the subsequent addenda to the 2000 EIR; the SCAs are measures that would minimize potential adverse effects that could result from implementation of the project, to ensure the conditions are implemented and monitored. The SCAMMRP also identifies the mitigation monitoring requirements for each mitigation measure and SCA.

This CEQA Analysis is also based on the analysis in the following Program EIRs that apply to the Proposed Project: Oakland's 1998 General Plan Land Use and Transportation Element (LUTE) EIR and the 2011 Central District Urban Renewal Plan Amendments EIR (or "Redevelopment Plan Amendments EIR"). However, none of the mitigation measures or SCAs from these EIRs are included in this SCAMMRP because an updated and equally effective mitigation measure or SCA, is identified in the 2000 EIR, its addenda, or in this CEQA Analysis for the Proposed Project. Thus, the revised/current SCA and/or mitigation measures are designed to and will reduce impacts to less-than-significant levels, where an environmental impact has been identified.

To the extent that there is any inconsistency between any mitigation measures and/or SCAs, the more restrictive conditions shall govern; to the extent any mitigation measure and/or SCA identified in the CEQA Analysis were inadvertently omitted, they are automatically incorporated herein by reference.

- The first column of the SCAMMRP table identifies the mitigation measure or SCA applicable to that topic in the CEQA Analysis. While a mitigation measure or SCA can apply to more than one topic, it is listed in its entirety only under its primary topic (as indicated in the mitigation or SCA designator). The SCAs are numbered to specifically apply to the Proposed Project and this CEQA Analysis; however, the SCAs as presented in the City's *Standard Conditions of Approval and Uniformly Applied Development Standards* document[37] are included in parenthesis for cross-reference purposes. All mitigation measures and SCAs are shown in their final format; changes to previously identified mitigation measures or SCAs are shown in <u>double underline</u> or ~~double strikethrough~~ format where they are discussed in the CEQA Checklist in Section VI only.
- The second column identifies the monitoring schedule or timing applicable the Project.
- The third column names the party responsible for monitoring the required action for the Project.

The project sponsor is responsible for compliance with any recommendations identified in City-approved technical reports and all applicable mitigation measures adopted, and with all SCAs set forth herein at its

[37] Dated September 5, 2007, as amended and/or supplemented through August 30, 2013.

sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the SCA and/or mitigation measures will be the responsibility of the Bureau or Planning, Zoning Inspections Division. Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
General		
SCA GEN-1 (Standard Condition Approval 15) *Regulatory Permits and Authorizations from Other Agencies* Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.	Prior to activity requiring permit/authorization from regulatory agency.	City of Oakland Bureau of Planning and Building
Aesthetics, Shadow and Wind		
Mitigation Measure AES-F.2: (amended per Addendum #5) The City shall require the project sponsors Shorenstein Properties LLC (or its successor, as applicable) to incorporate, to the maximum extent feasible, specific design elements in the final siting and designs for the high rises that would reduce ground-level winds within the Downtown Showcase District. Recommended modifications to the building masses as tested [i.e., 425-foot towers tested for the 1997 General Plan Land Use and Transportation Element EIR] to reduce winds would include some of the design features already included in the project, such as: • placing the buildings back from the sidewalk, which would likely reduce winds at the sidewalk itself; • the introduction of curved facades, which could reduce the tendency of the project structures to intercept upper-level winds and direct them down to ground level; and • placing the tower atop a lower podium level, which would serve to interrupt winds traveling down the tower before they reach ground level. In addition, the use of facade articulation, to break up winds along the building face, and horizontally projecting wind screens, to disturb the downward flow of wind, could further serve to reduce ground-level winds.	Prior to issuance of a building permit.	City of Oakland Bureau of Planning and Building
SCA AES-1 (Standard Condition of Approval 16) *Graffiti Control* 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: i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.	Ongoing.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
iii. Use of paint with anti-graffiti coating. 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). b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following: 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. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required).		
SCA AES-2 (Standard Condition of Approval 17) *Landscape Plan* a) Landscape Plan Required 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. b) Landscape Installation 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. c) Landscape Maintenance All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.	a. Prior to approval of construction-related permit. b. Prior to building permit final. c. Ongoing	a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA AES-3 (Standard Condition of Approval 18) *Lighting* Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.	Prior to building permit final.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Also **SCA UTIL-2**, **Underground Utilities.** See *Utilities and Service Systems*, below.		
Air Quality		
SCA AIR-1 (Standard Condition of Approval 19) *Construction-Related Air Pollution Controls (Dust and Equipment Emissions*) **(Previously Mitigation Measure AIR C.1)** The project applicant shall implement all of the following applicable air pollution control measures during construction of the project: a. Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible. b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer).	During construction.	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.		
d. Pave all roadways, driveways, sidewalks, etc., as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.		
e. Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).		
f. Limit vehicle speeds on unpaved roads to 15 miles per hour.		
g. Idling times on all diesel-fueled commercial vehicles over 10,000 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.		
h. 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").		
i. 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.		
j. 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.		
k. 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.		
l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.		
m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.		
n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).		
o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.		
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		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
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. 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. To further implement SCA AIR-1, the project applicant shall implement the following additional measures to *implement Enhanced Exhaust Emissions Reduction Measures* during construction to further reduce construction-related exhaust emissions: z. All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements: i. Where access to alternative sources of power are available, portable diesel engines shall be prohibited; and ii. All off-road equipment shall have: a) Engines that meet or exceed either USEPA or CARB Tier 2 off-road emission standards, and aa. Engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy. An acceptable alternative option for this strategy would be the use of late model Tier 4 engines.		
SCA AIR-2 (Standard Condition of Approval 21) *Stationary Sources of Air Pollution (Toxic Air Contaminants)* The project applicant shall incorporate appropriate 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 <u>one</u> of the following methods: a. 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. - or - b. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: i. Installation of non-diesel fueled generators, if feasible, or; ii. Installation of diesel generators with an EPA-certified Tier 4 engine or	Prior to approval of construction-related permit. An HRA was prepared and incorporated into this CEQA Analysis. Thus, this condition has been satisfied.	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy, if feasible.		
SCA AIR-3 (Standard Condition of Approval 22) *Truck-Related Risk Reduction Measures (Toxic Air Contaminants)* a. Truck Loading Docks The project applicant shall locate proposed truck loading docks as far from nearby sensitive receptors as feasible. b. Truck Fleet Emission Standards The project applicant shall comply with all applicable California Air Resources Board (CARB) requirements to control emissions from diesel engines and demonstrate compliance to the satisfaction of the City. Methods to comply include, but are not limited to, new clean diesel trucks, lower-tier diesel engine trucks with added Particulate Matter (PM) filters, hybrid trucks, alternative energy trucks, or other methods that achieve the applicable CARB emission standard. Compliance with this requirement shall be verified through CARB's Verification Procedures for In-Use Strategies to Control Emissions from Diesel Engines.	a. Prior to approval of construction-related permit. b. Prior to building permit final; ongoing	a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Planning and Building
Also **SCA TRA-4**, **Transportation and Parking Demand Management.** See *Transportation and Circulation*, below.		
Biological Resources		
SCA BIO-1 (Standard Condition of Approval 25) *Bird Collision Reduction Measures* The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following: a. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights. b. Minimize the number of and co-locate rooftop-antennas and other rooftop structures. c. Monopole structures or antennas shall not include guy wires. d. Avoid the use of mirrors in landscape design. e. Avoid placement of bird-friendly attractants (i.e., landscaped areas, vegetated roofs, water features) near glass unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below. f. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following: i. Use opaque glass in window panes instead of reflective glass. ii. Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). iii. Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or	Prior to approval of construction-related permit	City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
both (the "two-by-four" rule). iv. Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects. v. Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans. vi. Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). vii. Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides. viii. Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage. g. Reduce light pollution. Examples include the following: i. Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30). ii. Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise. iii. Reduce perimeter lighting whenever possible. iv. Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass. v. Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration. h. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following: i. Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws. ii. Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials. iii. Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day. iv. Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part of the construction contract, lease agreement, or CC&Rs. *v.* Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible.		
Also **SCA HAZ-1, Hazardous Materials Related to Construction.** See *Hazards and Hazardous Materials*, below.		
Also **SCAs HYD-1, Erosion and Sedimentation Control Plan for Construction; HYD-2**, **State Construction General Permit**; and **HYD-5, NPDES C.3 Stormwater Requirements for Regulated Projects**; and**.** See *Hydrology and Water Quality*, below.		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
Cultural Resources		
SCA CUL-1 (Standard Condition of Approval 29) *Archaeological and Paleontological Resources – Discovery During Construction* 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. 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 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. 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.	During construction	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA CUL-2 (Standard Condition of Approval 30) *Archaeologically Sensitive Areas – Pre-Construction Measures* The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources. **Provision A: Intensive Pre-Construction Study.** 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: a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources.	Prior to approval of construction-related permit; during construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

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	Schedule	Responsibility
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. 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. **Provision B: Construction ALERT Sheet.** 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. 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.		
SCA CUL-3 (Standard Condition of Approval SCA 31) *Human Remains – Discovery During Construction* 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), 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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

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Geology, Soils and Geohazards		
SCA GEO-1 (Standard Condition of Approval 33) *Construction-Related Permit(s)* 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 structural integrity and safe construction.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA GEO-2 (Standard Condition of Approval 34) *Soils Report* The project applicant shall submit a soils report prepared by a registered geotechnical engineer for City review and approval. The soils report shall contain, at a minimum, field test results and observations regarding the nature, distribution and strength of existing soils, and recommendations for appropriate grading practices and project design. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Also **SCA HYD-1, Erosion and Sedimentation Control Plan for Construction.** See *Hydrology and Water Quality*, below		
Greenhouse Gases and Climate Change		
SCA GHG-1 *Greenhouse Gas (GHG) Reduction Plan* a. ***Greenhouse Gas (GHG) Reduction Plan Required***. 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. 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 CO2e per year or 4.6 metric tons of CO2e per year per service population) AND to reduce GHG emissions by 36 percent below the project's "2005 business-as-usual" baseline GHG emissions (as explained below) to implement the City's Energy and Climate Action Plan (adopted in 2012) which calls for reducing GHG emissions by 36 percent below 2005 levels. 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), and additional GHG reduction measures available to further reduce GHG emissions, and (c) 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 emission scenarios by phase. 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.	a. The requirement to submit a GHG Reduction Plan has been satisfied (see Appendix B). b. Prior to approval of construction-related permit. c. Ongoing.	a. City of Oakland Bureau of Planning b. *Initial Approval :* City of Oakland Bureau of Planning *Monitoring/Inspection*: City of Oakland Bureau of Building c. *Initial Approval and Monitoring/Inspection*: City of Oakland Bureau of Planning

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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. 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 San Francisco Bay Area Air Basin; (4) off-site within the State of California; then (5) elsewhere in the United States. 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 San Francisco Bay Area Air Basin; (3) within the State of California; then (4) elsewhere in the United States. 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. 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. b. ***GHG Reduction Plan Implementation During Construction***. 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). c. ***GHG Reduction Plan Implementation After Construction***. 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 is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan. **Annual Report**. 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		

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("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. 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. 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. **Corrective Procedure.** 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 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. 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. 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. 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. 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. **Timeline Discretion and Summary**. The City shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicant, to coincide with other related monitoring and reporting required for the project.		

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Also **SCA AES-2, Landscape Plan.** See *Aesthetics, Wind, and Shadow*, above.		
Also **SCAs AIR-1, Construction-Related Air Pollution Controls (Dust and Equipment Emissions)**; **AIR-2, Stationary Sources of Air Pollution (Toxic Air Contaminants)**; and **AIR-3, Truck-Related Risk Reduction Measures (Toxic Air Contaminants).** See *Air Quality*, above.		
Also **SCA TRA-4, *Transportation and Parking Demand Management.*** See *Transportation and Circulation*, below.		
Also **SCAs UTIL-1, Sanitary Sewer System, UTIL-2, Storm Drain System**, and **SCA UTIL-4, Green Building Requirements**. See *Utilities and Service Systems*, below.		
Hazards and Hazardous Materials		
SCA HAZ-1 (Standard Condition of Approval 39) *Hazardous Materials Related to Construction* 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 manufacture's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. 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 f. 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.	During construction	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA HAZ-2 (Standard Condition of Approval 41): *Hazardous Materials Business Plan* The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following: a. The types of hazardous materials or chemicals stored and/or used on site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information.	Prior to building permit final	Oakland Fire Department

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d. A plan that describes the manner in which these materials are handled, transported and disposed.		
SCA HAZ-3 (Standard Condition of Approval 40) *Site Contamination* **a. Environmental Site Assessment Required** 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. **b. Health and Safety Plan Required** 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. **c. Best Management Practices (BMPs) Required for Contaminated Sites** The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following: 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. 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.	This condition is satisfied.	a. City of Oakland Fire Department b. City of Oakland Bureau of Building Services Division c. City of Oakland Bureau of Building Services Division
Hydrology and Water Quality		
SCA HYD-1 (Standard Condition of Approval 45) *Erosion and Sedimentation Control Plan for Construction* **a. Erosion and Sedimentation Control Plan Required** 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 on to lands of adjacent property owners, public streets, or to 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 may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the City. The Plan shall specify that, after construction is complete,	a. Prior to approval of construction-related permit. b. During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

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the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment. **b. Erosion and Sedimentation Control During Construction** 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.		
SCA HYD-2 (Standard Condition of Approval 46) *State Construction General Permit* The project applicant shall comply with the requirements of the Construction General Permit issued by the State Water Resources Control Board (SWRCB). The project applicant shall submit a Notice of Intent (NOI), Stormwater Pollution Prevention Plan (SWPPP), and other required Permit Registration Documents to SWRCB. The project applicant shall submit evidence of compliance with Permit requirements to the City.	Prior to approval of construction-related permit	State Water Resources Control Board; evidence of compliance submitted to Bureau of Building Services Division
SCA HYD-3 (Standard Condition of Approval 48): *Site Design Measures to Reduce Stormwater Runoff* Pursuant to Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES), the project applicant is encouraged to incorporate appropriate site design measures into the project to reduce the amount of stormwater runoff. These measures may include, but are not limited to, the following: a. Minimize impervious surfaces, especially directly connected impervious surfaces and surface parking areas; b. Utilize permeable paving in place of impervious paving where appropriate; c. Cluster structures; d. Direct roof runoff to vegetated areas; e. Preserve quality open space; and f. Establish vegetated buffer areas.	Ongoing	N/A
SCA HYD-4 (Standard Condition of Approval 50) *NPDES C.3 Stormwater Requirements for Regulated Projects* **a. Post-Construction Stormwater Management Plan Required** Requirement: The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (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: i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.	a. Prior to approval of construction-related permit b. Prior to building permit final	a. City of Oakland Bureau of Planning and Bureau of Building Services Division b. City of Oakland Bureau of Building Services Division

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b. Maintenance Agreement Required 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: 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; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.		
Also **SCAs GEO-1, Construction-Related Permit(s)** and **GEO-2, Soils Report.** See *Geology, Soils and Geohazards*, above.		
Also SCA **UTIL-6 Storm Drain System**. See *Utilities and Service Systems*, below.		
Noise		
SCA NOI-1 (Standard Condition of Approval 58) *Construction Days/Hours* **(Previously Mitigation Measure NOI D.1a)** The project applicant shall comply with the following restrictions concerning construction days and hours: 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. 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. c. No construction is allowed on Sunday or federal holidays. 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. 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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

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SCA NOI-2: (Standard Condition of Approval 59) *Construction Noise* **(Previously Mitigation Measure NOI D.1b)** 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**:** a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Applicant shall use temporary power poles instead of generators where feasible. 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. 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.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-3 (Standard Condition of Approval 60) *Extreme Construction Noise* **(Previously Mitigation Measure NOI D.1c)** ***a. Construction Noise Management Plan Required*** 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. ***b. Public Notification Required***	a. Prior to approval of construction-related permit. b. During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

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Requirement: 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.		
SCA NOI-4 (Standard Condition of Approval 61) *Project-Specific Construction Noise Reduction Measures* 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 noise impacts. The project applicant shall implement the approved Plan during construction	This condition is satisfied (see Appendix B).	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-5 (Standard Condition of Approval 62) *Construction Noise Complaints* **(Previously Mitigation Measure NOI D.1d)** 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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-6 (Standard Condition of Approval 63) *Exposure to Community Noise* 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: a. 45 dBA: Residential activities, civic activities, hotels b. 50 dBA: Administrative offices; group assembly activities c. 55 dBA: Commercial activities d. 65 dBA: Industrial activities	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA NOI-7 (Standard Condition of Approval 64) *Operational Noise* 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.	Ongoing.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
Transportation and Circulation		
Mitigation Measure TRA-B.5: (amended per 2016 CEQA Analysis) The project sponsor shall conduct a study prior to the development of Block T12, subject to the review and approval of the City Transportation Services Division, to determine whether there is adequate exiting capacity at the 12th Street station. The Block T12 developer shall work with BART to assure that with buildout of the project (Block T12), adequate exit fare gates are available at the 11th Street exits in the a.m. peak hour so that the maximum passenger wait does not exceed two minutes to be processed through the fare gates. This may require the addition of one or more new fare gates at the 11th Street exit to the station.	Prior to final inspection of the building permit. Implementation: Ongoing.	City of Oakland Bureau of Planning and Building City of Oakland Bureau of Building Services Division, Zoning Inspections City of Oakland Transportation Services Division BART
SCA TRA-1 (Standard Condition of Approval 68) *Construction Activity in the Public Right-of-Way* ***a. Obstruction Permit Required*** 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. ***b. Traffic Control Plan Required*** 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. ***c. Repair of City Streets*** The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project 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.	a. Prior to approval of construction-related permit. b. Prior to approval of construction-related permit. c. Prior to building permit final.	a. City of Oakland Bureau of Building Services Division, Zoning Inspections b. Public Works Department, Transportation Services Division c. City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA TRA-2 (Standard Condition of Approval 69) *Bicycle Parking* 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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA TRA-3 (Standard Condition of Approval 70) *Transportation Improvements* 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	Prior to building permit final or as otherwise specified	City of Oakland Bureau of Building Services

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
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&E) to the City for review and approval. All elements shall be designed to applicable City 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: a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group		
SCA TRA-4 (Standard Condition of Approval 71) *Transportation and Parking Demand Management* **(Previously Mitigation Measure B.7 and Mitigation Measure AIR C.2a)** a. ***Transportation and Parking Demand Management (TDM) Plan Required*** The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. i. The goals of the TDM Plan shall be the following: • 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. • Achieve the following project vehicle trip reductions (VTR): o Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR o Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs.	a. The requirement to submit a TDM Plan has been satisfied (see Appendix C). b. Prior to building permit final c. Ongoing	a. City of Oakland Bureau of Planning and Building b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
ii. TDM strategies to consider include, but are not limited to, the following: • Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. • 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. • Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. • Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. • 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). • 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. • 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). • Guaranteed ride home program for employees, either through 511.org or through separate program. • Pre-tax commuter benefits (commuter checks) for employees. • Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. • On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. • Distribution of information concerning alternative transportation options. • 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. • Parking management strategies including attendant/valet parking and shared parking spaces. • Requiring tenants to provide opportunities and the ability to work off-site. • Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).		

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
• Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. The TDM Plan shall indicate the estimated VTR for each strategy, 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. b. ***TDM Implementation – Physical Improvements*** 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. c. ***TDM Implementation – Operational Strategies*** For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR 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.		
Utilities and Service Systems		
SCA UTIL-1 (Standard Condition of Approval 74) *Construction and Demolition Waste Reduction and Recycling* 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 www.greenhalosystems.com 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.	Prior to approval of construction-related permit	City of Oakland Public Works Department, Environmental Services Division
SCA UTIL-2 (Standard Condition of Approval 75) *Underground Utilities* 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 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&E, shall be placed underground if feasible. All utilities shall be installed in accordance with standard specifications of the serving utilities.	During construction.	City of Oakland Bureau of Building Services Division, Zoning Inspections

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	**Responsibility**
SCA UTIL-3 (Standard Condition of Approval 76) *Recycling Collection and Storage Space* 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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
SCA UTIL-4 (Standard Condition of Approval 77) *Green Building Requirements* ***a. Compliance with Green Building Requirements During Plan-Check*** 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). i. The following information shall be submitted to the City for review and approval with the application for a building permit: • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • 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. • 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. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. ii. The set of plans in subsection (i) shall demonstrate compliance with the following: • CALGreen mandatory measures. • 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. • [INSERT: Green building point level/certification requirement: (See Green Building Summary Table; for New Construction of Residential or Non- residential projects that remove a Historic Resource (as defined by the Green Building Ordinance) the point level certification requirement is 53 points for residential and LEED Gold for non-residential)] per the appropriate checklist approved during the Planning entitlement process. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for	a. Prior to approval of construction-related permit. b. During construction. c. After project completion as specified.	a. City of Oakland Bureau of Building Services Division, Zoning Inspections b. City of Oakland Bureau of Building Services Division, Zoning Inspections c. City of Oakland Bureau of Planning and Building

Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring	
	Schedule	Responsibility
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. • The required green building point minimums in the appropriate credit categories. ***b. Compliance with Green Building Requirements During Construction*** The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval: i. Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. ii. Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. iii. Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance. ***c. Compliance with Green Building Requirements After Construction*** Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green or Green Building Certification Institute 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.		
SCA UTIL-5 (Standard Condition of Approval 79) *Sanitary Sewer System* 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.	Prior to approval of construction-related permit.	City of Oakland Public Works Department, Department of Engineering and Construction
SCA UTIL-6 (Standard Condition of Approval 80) *Storm Drain System* 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.	Prior to approval of construction-related permit.	City of Oakland Bureau of Building Services Division, Zoning Inspections
Also **SCAs HYD-1, Erosion and Sedimentation Control Plan for Construction** and **HYD-3, Site Design Measures to Reduce Stormwater Runoff.** See *Hydrology and Water Quality*, above.		

ATTACHMENT B: CRITERIA FOR USE OF ADDENDUM, PER CEQA GUIDELINES SECTIONS 15162, 15164 AND 15168

Section 15164(a) of the California Environmental Quality Act (CEQA) Guidelines states that "a lead agency or responsible agency shall prepare an addendum to a previously certified EIR [Environmental Impact Report] if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Section 15164(e) states that "a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR."

As discussed in detail in Section III.A of this document, the analysis in the 2000 Oakland City Center EIR is considered for this assessment under Sections 15162 and 15164. The 1998 LUTE EIR is a Program EIR considered for this assessment of an Addendum, pursuant to Section 15162 and 15164. The 2011 Redevelopment Plan Amendments EIR analysis is a Program EIR specifically considered for this assessment, pursuant to CEQA Guidelines Section 15168 and Section 15180.

Project Modifications

In April 2000, the Oakland Planning Commission certified the EIR and approved a Preliminary PUD for the Oakland City Center Project. The Original Project analyzed in the 2000 EIR consisted of Preliminary PUD program of approximately 2.2 million square feet (msf) of high-rise building development on each of the four city blocks: Blocks T5/6, T9, T10 and T12.

The Original Project analyzed in the 2000 EIR and its approved addenda considered the conceptual development of a 584,000 square-foot commercial office building up to 390 feet tall on Block T12. A total of 220 parking spaces would be provided. The Proposed Project now proposes a 597,500 square-foot commercial office building, including approximately 9,500 square feet of ground-floor retail/restaurant, with a maximum height of 367 feet and the provision of 205 parking spaces. Overall, the Proposed Project would develop approximately 13,500 more total building area and would introduce ground-floor retail/restaurant uses on the site where only commercial office use was previously considered.

The 2000 EIR anticipated that some of the Original Project development on the four blocks would occur in later phases, and be subject to further review of project specific proposals as they occur for any one of the blocks. The Original Project was analyzed in a highly conservative manner to ensure adequate parameters for future modifications or adjustment that may occur.

The Proposed Project would generate approximately 7 fewer a.m. peak hour vehicle trips compared to Block 12 under the Original Project analyzed in the 2000 EIR, and approximately 94 fewer p.m. peak hour vehicle trips. However, overall, compared to the Original Project for Block T12, the Proposed Project would introduce different or additional land uses on the site, and would result in more overall development that previously analyzed. The Proposed Project would represent a minor change in the Original Project, and such potential changes were anticipated in the 2000 EIR.

Conditions for Addendum

None of the following conditions for preparation of a subsequent EIR per Sections 15162(a) and 15168 apply to the Proposed Project:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Project Consistency with Sections 15162, 15164, and 15168 of the CEQA Guidelines

Since certification of the 2000 EIR, including its subsequent addenda, no changes have occurred in the circumstances under which the Proposed Project would be implemented, that would change the severity of the Proposed Project's physical impacts, as explained in the CEQA Checklist in Section VI of this document. No new information has emerged that would materially change the analyses or conclusions set forth in the Final EIR.

Furthermore, as demonstrated in the CEQA Checklist, the Proposed Project would not result in any new significant environmental impacts, result in any substantial increases in the significance of previously identified effects, or necessitate implementation of additional or considerably different mitigation measures than those identified in the 2000 EIR, nor render any mitigation measures or alternatives found not to be feasible, feasible. The effects of the Proposed Project would be substantially the same as those reported in the 2000 EIR.

The analysis presented in this CEQA Checklist, combined with the prior 2000 EIR analysis, demonstrates that the Proposed Project would not result in significant impacts that were not previously identified in the EIR. The Proposed Project would not result in a substantial increase in the significance of impacts, nor would the Proposed Project contribute considerably to cumulative effects that were not already accounted for in the certified 2000 EIR. Overall, the Proposed Project's impacts are similar to those identified and discussed in the 2000 EIR, as described in the CEQA Checklist, and the findings reached in the EIR are applicable.

ATTACHMENT C: PROJECT CONSISTENCY WITH COMMUNITY PLAN OR ZONING, PER CEQA GUIDELINES SECTION 15183

Section 15183(a) of the California Environmental Quality Act (CEQA) Guidelines states that "…projects which are consistent with the development density established by the existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

As discussed in detail in Section III.A of this document, the analysis in the 1998 LUTE EIR and the 2011 Redevelopment Plan Amendments EIR are considered the qualified planning level CEQA documents for this assessment, pursuant to CEQA Guidelines Section 15183.

Proposed Project

The Proposed Project would be located in developed urbanized Downtown Oakland. The Proposed Project would construct a new, 597,500 square-foot commercial building, including approximately 9,500 square feet of ground-floor retail. The building would be 367 feet tall and parking would be provided onsite in an underground garage and in an adjacent parking structure. The Proposed Project would also develop two new plazas and parking accessible by the public. The project site has been partially excavated and no buildings, trees, or other greenery currently exist on the project site.

Project Consistency

As determined by the City of Oakland Bureau of Planning, the proposed land uses are permitted in the zoning district in which the project is located, and is consistent with the bulk, density, and land uses envisioned for Block T12 and in Downtown Oakland, as outlined below.

- The General Plan land use designation for the site is Central Business District (CBD). This designation applies to areas suitable for high density mixed use urban center with a mix of large-scale offices, commercial, urban (high-rise) residential, and infill hotel uses, among many others, in the central Downtown core of the city. The proposed commercial use project would be consistent with this designation.
- The site is zoned Central Business District Central Commercial Zone (CBD-C). The Proposed Project would be consistent with the purposes of this district, which is generally intended to create, maintain, and enhance areas of the CBD appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities. The Proposed Project would develop ground-floor commercial retail/restaurant space with upper level office use.
- The Proposed Project would develop a 367-foot-tall building with a ground floor lobby of approximately 24 feet tall. This would be in compliance with the height limits for the site, which are a minimum of 15 feet for the ground floor, and no height limit above the base.
- The floor area ratio (FAR) of the Proposed Project would total approximately 597,500 square feet of gross floor area on the 1.37-acre site, or 10.1 FAR. A maximum 20.0 FAR is allowed on Block T12, pursuant to the CBD-C Zoning and CBD General Plan designations.

Therefore, the Proposed Project is eligible for consideration of an exemption under California Public Resources Code Section 21083.3, and Section 15183 of the CEQA Guidelines.

ATTACHMENT D: INFILL PERFORMANCE STANDARDS, PER CEQA GUIDELINES SECTION 15183.3

California Environmental Quality Act (CEQA) Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M establish eligibility requirements for projects to qualify as infill projects. Table D-1, below, shows how the Proposed Project satisfies each of the applicable requirements.

As discussed in detail in Section III.C of this document, the analysis in the 1998 LUTE EIR is considered the Program EIR for this assessment, pursuant to CEQA Guidelines Section 15183.3.

Table D-1
Project Infill Eligibility

CEQA Eligibility Criteria		Eligible?/Notes for Proposed Project
1.	Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter. For the purpose of this subdivision "adjoin" means the infill project is immediately adjacent to qualified urban uses or is only separated from such uses by an improved right-of-way. (CEQA Guidelines Section 15183.3[b][1])	Yes. The project site has been previously developed as a high school and a surface parking lot, with various surrounding uses, including a parking garage, a city park, residential townhomes, and commercial service uses.; it adjoins existing urban uses, including high-and mid-rise commercial office buildings, as described in the Project Description (Section IV).
2.	Satisfy the performance Standards provided in Appendix M (CEQA Guidelines Section 15183.3[b][2]) as presented in 2a and 2b below:	—
	2a. *Performance Standards Related to Project Design.* All projects must implement **all** of the following:	—
	Renewable Energy. *Non-Residential Projects.* All nonresidential projects shall include onsite renewable power generation, such as solar photovoltaic, solar thermal, and wind power generation, or clean back-up power supplies, where feasible. *Residential Projects.* Residential projects are also encouraged to include such on site renewable power generation.	Yes. According to Section IV (G) of CEQA Appendix M, for mixed-use projects "…the performance standards in this section that apply to the predominant use shall govern the entire project." The project site would be developed as a commercial office building (non-residential). The project sponsor shall prepare, for City review and approval, a feasibility assessment of onsite renewable power generation options. If determined feasible by the City, the project sponsor shall implement onsite renewable power generation. Also, the Proposed Project has indicated a minimum LEED silver standard goal.

Table D-1 Project Infill Eligibility		
	CEQA Eligibility Criteria	**Eligible?/Notes for Proposed Project**
	Soil and Water Remediation. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.	The project will complete all remaining remediation required for the uses proposed on the project site. Because the subject property was historically a school building, materials used in the previous building may have included heating oil, lead-based paint, and/or asbestos. The fill materials may contain remnants of these materials and will need to be addressed if encountered during further excavation activities for the Proposed Project. A recognized environmental conditions (REC) was noted due to concentrations of soluble lead in the fill materials.
	Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code, or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.	No. The project would not include any residential units.
	2b. *Additional Performance Standards by Project Type.* In addition to implementing all the features described in 2a above, the project must meet eligibility requirements provided below by project type.	—
	Residential. A residential project must meet **<u>one</u>** of the following: A. *Projects achieving below average regional per capita vehicle miles traveled (VMT).* A residential project is eligible if it is located in a "low vehicle travel area" within the region;	No. The project would not include any residential units.

Table D-1 Project Infill Eligibility		
	CEQA Eligibility Criteria	**Eligible?/Notes for Proposed Project**
	B. *Projects located within ½ mile of an Existing Major Transit Stop or High Quality Transit Corridor.* A residential project is eligible if it is located within ½ mile of an existing major transit stop or an existing stop along a high quality transit corridor; **or** C. *Low - Income Housing.* A residential or mixed-use project consisting of 300 or fewer residential units all of which are affordable to low income households is eligible if the developer of the development project provides sufficient legal commitments to the lead agency to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.	
	Commercial/Retail. A commercial/retail project must meet **one** of the following: A. *Regional Location.* A commercial project with no single-building floor-plate greater than 50,000 square feet is eligible if it locates in a "low vehicle travel area"; **or** B. *Proximity to Households.* A project with no single-building floor-plate greater than 50,000 square feet located within ½ mile of 1,800 households is eligible.	Yes. The commercial/retail building would be developed in downtown in proximity to households, including the newer and nearby Uptown project (1,270 units) , Landmark Place (92 units), Market Square Phase 1 (115 units), as well as other existing households within a one-half mile radius, generally I-980 to I-880 and Lake Merritt to Grand Avenue.
	Office Building. An office building project must meeting **one** of the following: A. *Regional Location.* Office buildings, both commercial and public, are eligible if they locate in a low vehicle travel area; **or** B. *Proximity to a Major Transit Stop.* Office buildings, both commercial and public, within ½ mile of an existing major transit stop, or ¼ mile of an existing stop along a high quality transit corridor, are eligible.	Yes. The office building would be located approximately three blocks from the nearest BART station entrance and multiple major bus routes, as described previously in this table.
	Schools. Elementary schools within 1 mile of 50 percent of the projected student population are eligible. Middle schools and high schools within 2 miles of 50 percent of the projected student population are eligible. Alternatively, any school within ½ mile of an existing major transit stop or an existing stop	Not Applicable.

Table D-1 Project Infill Eligibility		
CEQA Eligibility Criteria		**Eligible?/Notes for Proposed Project**
	along a high quality transit corridor is eligible. Additionally, to be eligible, all schools shall provide parking and storage for bicycles and scooters, and shall comply with the requirements of Sections 17213, 17213.1, and 17213.2 of the California Education Code.	
	Transit. Transit stations, as defined in Section 15183.3(e)(1), are eligible.	Not Applicable
	Small Walkable Community Projects. Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features in 2a above are eligible.	Not Applicable
3.	Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, **except** as provided in CEQA Guidelines Sections 15183.3(b)(3)(A) or (b)(3)(B) below: (b)(3)(A). Only where an infill project is proposed within the boundaries of a metropolitan planning organization for which a sustainable communities strategy or an alternative planning strategy will be, but is not yet in effect, a residential infill project must have a density of at least 20 units per acre, and a retail or commercial infill project must have a floor area ratio of at least 0.75; **or** (b)(3)(B). Where an infill project is proposed outside of the boundaries of a metropolitan planning organization, the infill project must meet the definition of a "small walkable community project" in CEQA Guidelines §15183.3(f)(5). (CEQA Guidelines Section 15183.3[b][3])	Yes (See explanation below table.)
	Note: [a] Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this section that apply to the predominant use shall govern the entire project.	

Explanation for Eligibility Criterion 3 (from Table D-1 above)

The adopted Plan Bay Area (2013) serves as the Sustainable Communities Strategy for the Bay Area, per Senate Bill 375. As defined by the Plan, Priority Development Areas (PDAs) are areas where new development will support the needs of residents and workers in a pedestrian-friendly environment

served by transit. The Oakland City Center Project and Block T12 is considered within the "Oakland Downtown & Jack London Square" PDA – the area bounded generally by 28th Street on the north, I-980 on the west, the Oakland Estuary on the south, and Lake Merritt on the east, excepting the Chinatown area between 6th and 11th Streets east of Franklin Street. The Proposed Project is consistent with the Oakland General Plan and the Planning Code, as discussed in Attachment C.

- The General Plan land use designation for the site is Central Business District (CBD). This designation applies to areas suitable for high density mixed use urban center with a mix of large-scale offices, commercial, urban (high-rise) residential, and infill hotel uses, among many others, in the central Downtown core of the city. The proposed commercial use project would be consistent with this designation.
- The site is zoned Central Business District Central Commercial Zone (CBD-C). The Proposed Project would be consistent with the purposes of this district, which is generally intended to create, maintain, and enhance areas of the CBD appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities. The Proposed Project would develop ground-floor commercial retail/restaurant space with upper level office use.
- The Proposed Project would develop a 367-foot-tall building with a ground floor lobby of approximately 24 feet tall. This would be in compliance with the height limits for the site, which are a minimum of 15 feet for the ground floor, and no height limit above the base.
- The floor area ratio (FAR) of the Proposed Project would total approximately 597,500 square feet of gross floor area on the 1.37-acre site, or 10.1 FAR. A maximum 20.0 FAR is allowed on Block T12, pursuant to the CBD-C Zoning and CBD General Plan designations.

VII. References

(All references cited below are available at the Oakland Bureau of Planning, Agency, 250 Frank Ogawa Plaza, Suite 2114, Oakland, California, unless specified otherwise.)

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Appendix A
GHG Reduction Plan (per SCA GHG-1)

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APPENDIX A

ESA Community Development

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Greenhouse Gas Emissions Reduction Plan

date March 2, 2016

to Catherine Payne, Project Planner, Oakland Planning Bureau

from Chris Sanchez, Senior Technical Associate
Crescentia Brown, AICP, Project Director

subject Oakland City Center T12 Office Project –GHG Emissions Reduction Plan

Introduction

This Greenhouse Gas (GHG) Emissions Reduction Plan ("GHG Plan") presents GHG emissions inventory estimates for the Oakland City Center T12 Office Project ("Project" or "Proposed Project") and identifies available GHG emissions reduction measures that the Project may implement to reduce GHG Emissions and Global Climate Change associated with the Proposed Project. This GHG Plan is prepared to comply with City of Oakland Standard Condition of Approval (SCA) "Greenhouse Gas Reduction Plan" (**GHG-1)** (as amended February 2016) identified in the 2016 Block T12 CEQA Analysis (CEQA Analysis) to which this GHG Plan is an appended.

This GHG Plan is required pursuant to SCA GHG-1 because the Project would exceed at least one of the BAAQMD Thresholds of Significance (specifically, more than 1,100 metric tons of CO_2e annually and is considered to be "Very Large Project[1] because it has over 250,000 square feet of floor space. The goal of the GHG Plan is to reduce GHG emissions by 36 percent below the Project's "2005 business-as-usual"

[1] A "Very Large Project" is defined as any of the following:
(A) Residential development of more than 500 dwelling units;
(B) Shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space;
(C) Commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space;
(D) Hotel/motel development of more than 500 rooms;
(E) Industrial, manufacturing, processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area; or
(F) Any combination of smaller versions of the above that when combined result in equivalent annual GHG emissions as the above.

baseline GHG emissions (as explained below) to help achieve the City's goal of reducing GHG emissions, consistent with the goal of the City's Energy and Climate Action Plan (ECAP adopted in 2012)

This GHG Reduction Plan includes, (a) a detailed GHG emissions inventory for the Project under a 2005 "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 (at Buildout year 2019), 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), and quantified additional GHG reduction measures available to further reduce GHG emissions beyond the adjusted GHG emissions; and (c) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented.

The incorporation of assumptions and transportation demand management (TDM) vehicle trip reduction measures from the Oakland City Center T12 TDM Plan (TDM Plan) prepared by Fehr & Peers (February 2016) and included in Appendix C to the CEQA Analysis to which this GHG Plan is also appended is assumed to be part of the Project under item (b) above. TDM trip reductions identified in the TDM Plan can substantially reduce mobile source emissions generated of the Project, which are the most significant contributor. As presented in this GHG Plan, GHG emissions from the Proposed Project with incorporation of the TDM Plan result in a less than significant impact compared to the City's significance thresholds for GHG emissions, which incorporate the Bay Area Air Quality Management District's (BAAQMD) adopted CEQA Thresholds. However, pursuant to SCA GHG-1, the Project must still demonstrate achievement of a 36 percent reduction of GHG emissions compared to the 2005 business-as-usual baseline.

This GHG Plan presents a specific, quantified GHG Reduction Plan Program that includes a menu of applicable GHG emissions reduction measures identified to reduce the Project's GHG emissions to the greatest extent practical and feasible. The GHG Plan will be implemented throughout the life of the Project in accordance with periodic compliance reporting, monitoring and funding requirements specified herein.

Summary of Impact Findings in this GHG Plan

Total adjusted GHG emissions resulting from the Proposed Project Buildout (2019) were estimated in this GHG Plan factoring in all emissions reduction components, including Project design features, applicable City SCAs (including TDM trip reduction measures), as well as applicable regulatory requirements. These emissions differ slightly from those presented in the CEQA Analysis to which this GHG Plan is appended (see Table GHG-1 in Section VI [CEQA Checklist] of the CEQA Analysis), predominantly because the emissions estimated herein assume implementation of these TDM trip reduction measures which were not assumed for the CEQA analysis. Assumptions from the TDM Plan and GHG Plan are considered part of the Proposed Project, since preparation and implementation of each Plan is required pursuant to the City SCAs. Therefore, this analysis assesses CEQA impact significance based on the Project's GHG emissions with TDM trip reduction measures and baseline GHG emissions reduction measures incorporated.

While total Project GHG emissions of 4,353 MT of CO_2e per year would exceed the BAAQMD CEQA threshold of 1,100 MT of CO_2e annually, the results of 2.2 MT of CO_2e per year per capital of service population would not exceed the BAAQMD efficiency-based CEQA threshold of 4.6 MT of CO_2e per year per capital of service population. A significant impact occurs only if *both* thresholds are met or exceeded, therefore, the Project would result in a **less than significant** cumulative GHG emissions impact at Buildout since only one threshold is exceeded. (This is the same impact identified for the unadjusted baseline Project analyzed in the CEQA Analysis, which did not factor the TDM Plan.) GHG emissions reduction measures are identified to meet the 36 percent GHG reduction over 2005 business-as-usual as identified in the ECAP and SCA GHG-1. This analysis identifies that the Project must reduce its emissions by the 653 MT of CO_2e per year to meet the 36 percent GHG reduction. (See Table 2 in Section 5.)

Organization of the Plan

This GHG Plan is organized as follows:

Part A: GHG Emissions Inventory and Impacts (p. 4)

1.0 Discussion of GHG emissions background and CEQA Context (p. 4)

2.0 Identifies and discusses the emission sources that are included in the inventory, as well as other sources that are not included. (p. 5)

3.0 Identifies and discusses Project design features, applicable City Standard Conditions of Approval (including TDM measures), regulatory requirements, and General Plan policies and programs that would reduce GHG emissions from the Project. (p. 7)

4.0 Estimates the Project's "business-as-usual" 2005 GHG emissions inventory (considering construction and operations) in carbon dioxide equivalents (CO_2e), generally *excluding* the emissions reductions resulting from the considerations in Section 3.0, above. (p. 10)

5.0 Estimates the Project's "adjusted" 2019 buildout year GHG emissions, which *include* the emissions reductions resulting from the considerations in Section 3.0 against the CEQA thresholds of significance for GHG impacts. (p. 12)

Part B: Available GHG Reduction Measures and Reduction Plan Program (p. 16)

6.0 Describes potential emission reduction measures from the State Of California's Scoping Plan. (p. 16)

7.0 Describes potential emission reduction measures published by the California Air Pollution Control Officer Association (CAPCOA). (p. 20)

8.0 Describes a set of additional GHG reduction measures that could be implemented by the Project to further reduce GHG emission beyond "adjusted" emissions (described in Section 5.0 above) to achieve the required 36 percent GHG reduction over 2005 business-as-usual. (p. 24)

9.0 Presents the GHG Reduction Plan Program.(p. 28)

The information and analysis presented herein has been prepared by Chris Sanchez, ESA Senior Technical Associate, Air Quality/GHG; and Jeff Caton, P.E., LEED AP, Director, ESA Renewable Resources.

Part A: GHG Emissions Inventory and Impacts

1.0 Background and CEQA Context

The analysis presented herein is prepared consistent with both statewide and local guidance on the estimation and evaluation of GHG emissions relative to CEQA. These specifically include amendments adopted on March 18, 2010 to the *CEQA Guidelines* regarding GHG emissions. No significance threshold is included in the amendments; the *CEQA Guidelines* afford the customary deference provided to lead agencies in their analysis and methodologies. The Governor's Office of Planning and Research (OPR) emphasizes the need for a consistent threshold to analyze projects, specifies that the analyses should be performed based on the best available information, and that if a lead agency determines that a project may generate GHGs, the agency is responsible for quantifying estimated GHG emissions by type and source. The analysis in this GHG Plan is consistent with this guidance.

Local guidance includes the Air Quality CEQA Thresholds of Significance from the Bay Area Air Quality Management District (BAAQMD). In May of 2011 the BAAQMD adopted new Thresholds of Significance (2011 Thresholds) for GHG impacts. Subsequently, the Alameda Superior Court issued a stay and required the BAAQMD to conduct additional environmental review in connection with its adoption of the thresholds. In August 2013 the State Court of Appeal issued a full reversal of the Superior Court ruling, and then the California Supreme Court granted review of a portion of the case pertaining to whether CEQA requires review of the effects of the existing environmental on future residents or uses of a project. Although the California Supreme Court issued a final ruling, at the time of this analysis, BAAQMD has not formally readopted its GHG thresholds. Notwithstanding formal adoption, the 2011 Thresholds are based on substantial evidence provided by BAAQMD[2], and have been accepted by the City of Oakland for use in CEQA review. These thresholds represent the only quantitative thresholds formally proposed by a regulatory agency with jurisdiction over the Project. Additionally, a recent California Supreme Court decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (November 30, 2015, Case No. 217763) found that a lead agency may rely on existing numerical thresholds of significance for greenhouse gas emissions and cited one of the BAAQMD thresholds as an example.

In its June 2012 *CEQA Air Quality Guidelines*, BAAQMD is specific as to what sources of emissions should be considered relative to proposed CEQA GHG thresholds[3] (Table 4-2: Guidance for estimating a

[2] Bay Area Air Quality Management District, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009.

[3] Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines*, Table 4-2: GHG Quantification Guidance Standard, page 4-6. http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Draft%20BAAQMD%20CEQA%20Guidelines_Dec%207%202009.ashx

Project's Operations GHG Emissions, page 4-6). In August of 2013, BAAQMD formally required that the CalEEMod model be used for all future CEQA analysis and no longer supported the use of the BAAQMD's Bay Area Greenhouse Gas Emissions Model (BGM) to estimate GHG emissions from land development of projects. As such, the Project's baseline GHG emissions inventory presented in this GHG Plan were calculated using the CalEEMod model and provides emissions data for the sources identified by BAAQMD in its most recent (2012) Guidelines and applies the significance thresholds developed by BAAQMD and adopted by the City of Oakland.

2.0 GHG Emission Sources

2.1 GHG Emission Sources Included in the Inventory

Emissions included in the updated BAAQMD Guidelines and therefore included in the baseline GHG emissions inventory for the Project, if applicable, are:

- Area Source Emissions. These are direct emissions from sources that include natural gas combustion for heating, cooking, fireplaces, or boilers, as well as emissions from landscape maintenance equipment.

- Transportation Emissions. These are direct emissions from mobile sources including automobiles, trucks, motorcycles, and busses.

- Operational Electricity Consumption. These are indirect emissions emitted off-site via non-renewable, non-nuclear electricity generators as a result of increased electrical demand.

- Solid Waste Disposal Emissions. These are indirect emissions associated with waste generation. The non-residential uses at the development would generate waste. A large percentage of this waste would be diverted from landfills by waste reduction, recycling, and composting. Oakland currently diverts a large portion of its waste and has goals to even further reduce the amount of waste sent to a landfill. The remainder of the waste not diverted would be disposed of at a landfill. Landfills emit anthropogenic methane from the anaerobic breakdown of material.

- Operational Water Emissions (embedded energy). These indirect emissions are associated with the electricity used to convey water, due to increased water demand from the Project.

- Operational Wastewater (non-biogenic). The updated Guidelines define indirect emissions from wastewater treatment as including the GHG emissions associated with the electricity use in wastewater treatment and not the biogenic CO_2 process emissions[4].

[4] Bay Area Air Quality Management District, *California Environmental Quality Act Air Quality Guidelines*, page 4-7. http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/Draft%20BAAQMD%20CEQA%20Guidelines_Dec%207%202009.ashx

2.2 GHG Emission Sources Not Included in the Inventory

Emissions not included in the BAAQMD Guidelines, and therefore not included in the baseline GHG emissions inventory for the Project, are discussed below. These emissions may be considered in addition to those incorporated into the Project's baseline GHG emissions inventory discussed below in Sections 6.0 through 9.0.

- Permitted Stationary Source Equipment. Per BAAQMD, GHG emissions from permitted stationary source equipment are not to be assessed as part of the operational emissions of a land development project, but are instead to be directly compared to BAAQMD's 10,000 metric ton per year threshold for such equipment for the purposes of impact assessment relative to CEQA. GHG emissions from permitted stationary source equipment are not to be included in the project inventory that is used for comparison to either the BAAQMD's proposed threshold of 1,100 MT of CO_2e per year or the efficiency-based threshold of 4.6 MT of CO_2e per year per service population. The GHG analysis for the Project would likely include a backup diesel generator that would be a permitted stationary source.

- Vegetation Sequestration Change. This is the net change in CO_2 emissions resulting from vegetation change and its associated carbon sequestration. Given the urban location and excavated condition of the Proposed Project, a significant change in sequestration of CO_2 from vegetative sources would not occur.

- Fugitive Refrigeration Emissions. Refrigerant gases such as CFCs, HFCs, and HCFCs have a high global warming potential. Leaks of refrigeration gases were not quantified for the Project. At the entitlement stage of development, data necessary to estimate emissions (the pounds of charge of refrigerant for all air handling units) is not readily available.

- Life Cycle Emissions. Although there is no regulatory definition for "lifecycle emissions," the term is generally used to refer to all emissions associated with the creation and existence of a project, including emissions from the manufacture and transportation of component materials, and even emissions from the manufacture of the machines required to produce those materials. However, since it is impossible to accurately estimate the entire chain of emissions associated with any given project, lifecycle analyses are limited in effectiveness and meaning (relative to assessing or reducing Project-specific emissions for the CEQA analysis). The California Natural Resources Agency (CNRA) has stated that lifecycle analyses are not required under CEQA,[5] and in December 2009 CNRA issued new energy conservation guidelines for EIRs that make no reference to lifecycle emissions.[6] The CNRA's explained that: (1) There exists no standard regulatory definition for lifecycle emissions, and (2) Even if a standard definition for 'lifecycle' existed, the term might be interpreted to refer to emissions "beyond those that could be considered 'indirect effects'" as defined by CEQA

5 California Natural Resources Agency, 2009. *Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97*, p. 71-72. http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf (accessed February 4, 2010).

6 State CEQA Guidelines, Appendix F. These new guidelines were part of amendments issued pursuant to SB97.

Guidelines, and therefore beyond what project managers are required to estimate and mitigate.[7]

- Agricultural Emissions. These are emissions from livestock, from fuel combustion associated with agricultural equipment operation, electricity use and fertilizer application. These sources were assumed not to be generated by the Proposed Project.

- Off Road Equipment Emissions. These are emissions from off-road equipment typically associated with equipment typically associated with industrial or large commercial land uses such as fork lifts, yard dogs and loaders. These sources were assumed not to be generated by the proposed office tower Project.

3.0 Project Design Features, City Standard Conditions of Approval, Regulatory Requirements, and General Plan Policies and Local Programs that Reduce GHG Emissions

There are many ways for a project to reduce its GHG emissions through its design, construction and operations. Local conditions of approval, policies, programs and regulatory requirements that apply to a project also combine to reduce project GHG emissions. Each of these components is considered part of the Proposed Project and is included in the estimate of the Project's baseline GHG emissions inventory as follows:

3.1 Project Design Features

- CALGreen – Energy Performance Standard. Required by the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code as well as per **SCA UTIL-4**), the project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable. Consequently, the Project will need to meet contemporary energy and design objectives by ensuring that the new building owners meet mandatory green building performance standard per CALGreen and provide the opportunity for the Project, as part of this GHG Plan, to exceed such standards where feasible. CALGreen requires that every new building constructed in California reduce water consumption by 20 percent, divert 50 percent of construction waste from landfills and install low pollutant-emitting materials. It also requires separate water meters for nonresidential buildings' indoor and outdoor water use, with a requirement for moisture-sensing irrigation systems for larger landscape projects and mandatory inspections of energy systems (e.g., heat furnace, air conditioner and mechanical equipment) for nonresidential buildings over 10,000 square feet to ensure that all are working at their maximum capacity and according to their design efficiencies. The effects of these energy and water saving features are incorporated into the baseline emission inventory for the Proposed Project.

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[7] California Natural Resources Agency, 2009. *Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97*, p. 71. http://ceres.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf (accessed February 4, 2010).

The Proposed Project intends to meet, at a minimum, LEED Silver standards and comply with the Green Building ordinance and requirements.

3.2 City Standard Conditions of Approval

City SCAs are incorporated and required as part of a proposed project and are adopted as conditions of approval and required of the project to help ensure less than significant impacts.

The following SCAs are required as part of a Proposed Project and adopted as conditions of approval to help reduce GHG emissions of the Project:

- SCA TRA-4 – Parking and Transportation Demand Management Plan. SCA TRA-4 requires the Project applicant to submit for review and approval by the City of Oakland Planning and Zoning Division a Transportation Demand Management (TDM) Plan containing strategies to reduce on-site parking demand and single occupancy vehicle (SOV) travel. In the GHG Plan, calculations of GHG reductions attributable to a TDM Plan) assumed 20 percent projected TDM trip reduction.

- SCA UTIL-1 – Waste Reduction and Recycling. SCA UTIL-1 requires the Project applicant to submit a Construction & Demolition Waste Reduction and Recycling Plan (WRRP) and an Operational Diversion Plan (ODP) for review and approval by the Oakland Public Works Agency. Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction and all demolition. This SCA essentially addresses reduction in construction–related emissions, which the City combines with the Project's operational emissions to assess against the significance thresholds for operational emissions, even though construction emissions are not a component of BAAQMD's Guidelines. Therefore, this SCA will contribute to reducing total emissions of the Project by reducing off-site disposal truck trips and/or trip lengths.

- SCA UTIL-3 – Recycling Collection and Storage Space. Requires the Project applicant to 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 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. Recycling and composting results in reduced GHG emissions from decomposition of wastes as well as reduces off-site disposal truck trips and/or trip lengths

- SCA UTIL-4 – Green Building Ordinance Requirements. Discussed above as a Project Design Feature.

- SCA AES-2 Landscape Requirements and Tree Replacement. SCAs address landscape requirements for frontages of commercial buildings and replacement of trees removed as part of a project. Projects are required to install one tree for every 25 feet of street frontage in cases sidewalks have adequate width. Additionally SCAs generally require the replacement

of native trees removed as part of a project. Together, these SCAs that maintain and increase landscaping and trees effect cooler climate, reduce excessive solar gain, and absorb CO2e emissions over the minimum 2 years to construct of the Project.

- SCA AIR-1 Construction Related Air Pollution Controls. This SCA includes many measures which will reduce or limit the amount of GHG emitted during the construction processes including limitations on vehicle idling, preference over electricity over petroleum-based combustion equipment, and accelerated use of off-road equipment with emissions control.

- SCA GHG-1- GHG Reduction Plan. As previously discussed as the subject of this GHG Plan, SCA GHG-1 applies to certain projects that produce total GHG emissions that exceed the BAAQMD CEQA Thresholds. SCA GHG-1 requires the Project applicant to prepare the GHG Reduction Plan, presented herein, to increase energy efficiency and reduce GHG emissions to the greatest extent practical and feasible, but in no event less than the amount required to be below the BAAQMD CEQA Thresholds. As summarized above, consistent with SCA GHG-1, this GHG Reduction Plan includes a set of quantified GHG emissions reduction measures in addition to energy efficiencies included as part of the Project (including the City's SCAs, proposed mitigation measures, project design features, and other City requirements). SCA GHG-1 is presented in the detailed Project GHG emissions impact analysis further below and will reduce the GHG emissions of the Project.

3.3 General Plan Policies and City Programs

- Oakland General Plan LUTE. The LUTE is aimed at promoting use of public transit, bicycles and pedestrian travel. Any reduction of transportation-related GHG emissions are captured in the trip reduction associated with the TDM Plan.

- Oakland General Plan Open Space, Conservation and Recreation (OSCAR) Element. The OSCAR contains policies that (a) encourage the provision of open space, which increases vegetation area (trees, grass, landscaping, etc.) to effect cooler climate, reduce excessive solar gain, and absorb CO_2; (b) encourage stormwater management, which relates to the maintenance of floodplains and infrastructure to accommodate potential increased storms and flooding; and (c) encourage energy efficiency and use of alternative energy sources. Policies that address vegetation area have no impact on the emissions inventory as vegetative sequestration is not a component of BAAQMD's Guidelines Other policies regarding energy efficiency encourage and support energy efficiency but are not requirements under any implementation mechanism via the General Plan. They have resulted, however, in the implementation of the City of Oakland sustainability program discussed below.

- ECAP. In 2012, the City developed an Oakland Energy and Climate Action Plan (ECAP) to identify, evaluate and recommend prioritized actions to reduce energy consumption and GHG emissions in Oakland. The ECAP identifies energy and climate goals, clarifies policy direction, and identifies priority actions for reducing energy use and GHG emissions. Oakland developed its ECAP using a GHG reduction target equivalent to 36 percent below 2005 GHG emissions by 2020 (City of Oakland, Resolution No. 82129 C.M.S., 2009). The ECAP outlines a ten year plan including more than 150 actions that will enable Oakland to

achieve its 2020 reduction target. It also recommends a Three Year Priority Implementation Plan; a prioritized subset of actions, some of which apply to the Project, intended to capitalize on near term opportunities and lay the groundwork for long term progress.

- City of Oakland Sustainability Programs. The City has proactively adopted a number of sustainability programs in an effort to reduce the City's impact on climate change. Oakland's sustainability efforts are managed by the Oakland Sustainability Community Development Initiative and there are two main categories that relate to reducing GHG emissions from a development project: renewable energy and green building.

  Renewable Energy. With regard to renewable energy, the City's Sustainability Program has set a priority of promoting renewable energy with a particular emphasis on solar generation. The Program's aggressive renewable energy goals include the following: 50 percent of city facilities entire electricity use from renewable sources by 2017; and 100 percent of the city's entire electricity use from renewable sources by 2030. The City has some control over renewable energy percentages for buildings it operates by contracting its energy needs directly with the local utility. However, private building operators generally receive a standard energy mix from PG&E, and would not be required to contract for a higher percentage of renewables under this program as it only targets City facilities. PG&E had a 22.5 percent renewable energy mix goal in 2013 (compared to a 12 percent mix in 2007).

  Green Building.(See CAL Green in Section 3.0, above.)

3.4 Regulatory Requirements

- *AB 1493 and Amended "Pavley" Regulations*. AB 1493 required the California Air Resources Board (CARB) to develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty trucks and other vehicles determined by CARB to be vehicles whose primary use is noncommercial personal transportation in the State. The CARB has adopted amendments to the Pavley regulations that reduce GHG emissions in new passenger vehicles from 2009 through 2016. The amendments, approved by CARB on September 24, 2009, are part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. The model used to estimate the Proposed Project's GHG emissions for this analysis accounts for reductions of GHG resulting from implementation of Pavley standards.

- *Low Carbon Fuel Standards (LCFS)*. On April 23, 2009 CARB approved the regulation to implement the LCFS. The LCFS will reduce GHG emissions from the transportation sector in California by about 16 million metric tons (MMT) in 2020. The model used to estimate the Proposed Project's GHG emissions for this analysis accounts for reductions of GHG resulting from implementation of LCFS.

4.0 Baseline 2005 GHG Business-as-Usual Emissions Inventory

4.1 Construction-Related GHGs

2005 Total and Annualized Construction-generated GHG Emissions

The construction-generated GHG emissions of the Project include emissions of the principal GHGs (CO_2, CH_4 and N_2O). Estimated total construction emissions of the Project under the 2005 business-as-usual scenario, assuming construction equipment and vehicles that would have been used during the two-year construction period, is 2,543 MT CO_2e. These estimated emissions are greater than those estimated as part of the 2019 Adjusted GHG Project Inventory (as well as those estimated in the CEQA Analysis to which this GHG Plan is appended), primarily because of the improvements to both the available fleet of off-road equipment as well as on-road motor vehicles used by construction workers and vendors which has occurred in the intervening years between 2005, 2012 and today.

Construction emissions are annualized because the proposed operational GHG emissions thresholds are analyzed in terms of metric tons "per year." Therefore, assuming a 40-year development life of the Project until it is demolished or remodeled for energy efficiency (which is the common standard currently used in practice) is approximately 64 MT CO_2e annually, over 40 years (see Table 1).

The BAAQMD Guidelines do not include a specific threshold or methodology for assessing construction-related GHG emissions for CEQA analysis. The City's methodology adds the 40-year annualized construction-related GHG emissions to the Project's total operational-related emissions, to assess construction-related GHG emissions against the BAAQMD thresholds. The 2005 business-as-usual scenario does not include characteristics that specifically contribute to it being consistent with AB 32 GHG reduction goals during construction.

4.2 Long-Term Operational GHGs

As introduced above, long-term operational GHG emissions associated with the Project include indirect emissions from mobile sources (motor vehicle trips), emissions from natural gas combustion used in non-residential buildings, emissions from electricity use in non-residential buildings (grid electricity), emissions from water conveyance and waste water treatment and conveyance, and emissions from area sources. Emissions from each of these sources, in addition to the construction-related emissions discussed above, are reported in Table 1, below.

2005 Business-as-Usual Operational GHG Emissions

Emissions calculated under the 2005 business-as-usual scenario do not factor in the Project's design features, applicable City SCAs (including TDM), or regulatory requirements that have occurred subsequent to 2005 base year of the ECAP, which is why it is considered a "business-as-usual" approach. This approach does, however, assume the same Project assumptions that are the same regardless of year, such as the vehicle trip generation. The business-as-usual emissions are considered to demonstrate the emissions reductions that are attributable to measures incorporated as part of the Project and implementation of AB32 and the ECAP. As shown in Table 1, the total 2005 business-as-usual annual GHG emissions generated by the Project would be approximately 5,782 MT CO_2e per year.

TABLE 1
2005 BUSINESS-AS-USUAL OPERATIONAL GHG EMISSIONS INVENTORY FROM THE PROPOSED PROJECT

	Project Buildout Total CO_2e
Emission Source	
Area Source (Landscape Maintenance)	0.01
Natural Gas	643
Grid Electricity	1,844
Mobile Emissions (No TDM)	2,777
Solid Waste	253
Water & Wastewater Treatment & Conveyance	242
Total Business-as-Usual Operational Project GHG Emissions without Construction Emissions	**5,718**
Construction Emissions per Year (2,543 MT CO_2e annualized over 40 years)	**63.6**
Total Business-as-Usual Operational Project GHG Emissions with Construction Emissions	**5,782**
Total Business-as-Usual Operational Project GHG Emissions by Service Population[a]	**3.0**[a]

[a] Total emissions divided by service population of 1,960 new employees for the Project at Buildout.

SOURCE: ESA, 2016

5.0 2019 Adjusted GHG Project Emissions Inventory

5.1 Construction-Related GHGs

Adjusted Total and Annualized Construction-generated GHG Emissions

The construction-generated GHG emissions of the Project include the principal GHGs (CO_2, CH_4 and N_2O) in metric tons of CO_2e, by construction year. An estimated total 1,983 MT CO_2e emissions from Project construction equipment and vehicles would have been be emitted over the two years to construct the Project for 2019 Buildout.

5.2 Long-Term Operational GHGs

As introduced above, long-term operational GHG emissions associated with the Project include indirect emissions from mobile sources (motor vehicle trips), emissions from natural gas combustion used in non-residential buildings, emissions from electricity use in non-residential buildings (grid electricity), emissions from water conveyance and waste water treatment and conveyance, and emissions from area sources. Emissions from each of these sources, in addition to the construction-related emissions discussed above, are reported in Table 2, below.

Adjusted Operational GHG Emissions

Adjusted emissions calculated under the 2019 Buildout year assumes the Project's design features, applicable City SCAs (including TDM), and regulatory requirements that have occurred subsequent to the 2005 base year of the ECAP. As previously mentioned, these emissions differ slightly from those presented in the CEQA Analysis, predominantly because the emissions estimated herein assume implementation of these TDM trip reduction measures which were not assumed for the CEQA analysis. The adjusted emissions are considered to demonstrate the emissions reductions that are attributable to measures incorporated as part of the Project and implementation of AB32 and the ECAP. As shown in Table 2, the total 2019 adjusted annual GHG emissions generated by the Project would be approximately 4,353 MT CO_2e per year at Project Buildout.

TABLE 2
UNADJUSTED 2019 OPERATIONAL GHG EMISSIONS INVENTORY FROM THE PROPOSED PROJECT

	Project Buildout Total CO_2e
Emission Source	
Area Source (Landscape Maintenance)	0.01
Natural Gas	490
Grid Electricity	1,569
Mobile Emissions (with TDM)	1,759
Solid Waste	253
Water & Wastewater Treatment & Conveyance	231
Total Adjusted Operational Project GHG Emissions without Construction Emissions	**4,303**
Construction Emissions per Year (1,983 MT CO_2e annualized over 40 years)	**49.6**
Total Adjusted Operational Project GHG Emissions with Construction Emissions	**4,353**
Total Adjusted Operational Project GHG Emissions by Service Population[a]	**2.2**[a]
Percent Reduction over 2005 Business-as-Usual Emissions	**24.7%**
Further Emission Reduction Required to Achieve 36% Reduction	**653**

[a] Total emissions divided by service population of 1,960 new employees for the Project at Buildout.

SOURCE: ESA, 2016

Assumptions and Estimated Adjusted Buildout 2019 Operational GHG Emissions, by Source

- Mobile Source (Motor Vehicle) Emissions. The Proposed Project consists of high-density commercial development located within walking distance of public transportation, designed to minimize the use and impacts of private automobiles. The Project mobile source emissions would result from the typical daily operation of motor vehicles by employees, customers and vendors.

Vehicle trip generation from the Proposed Project is based on information from the transportation analysis by Fehr & Peers. Trip reductions used to assess GHG emissions reflect a trip reduction of 43 percent based on City of Oakland Transportation Impact Study Guidelines for development in an urban environment within 0.5 miles of a BART station.

Total Buildout of the Proposed Project would result in a net increase of 5,046 standard vehicle trips per day over existing conditions without any vehicle trip reductions; which would reduce to 2,876 standard vehicle trips per day with adjustments recommended by City of Oakland Transportation Impact Study Guidelines. The proposed 20% reduction of vehicle trips estimated in the TDM Plan would further reduce these trips to 2,301 trips per day.

Emissions for vehicle trips were calculated using the CalEEMod computer model. Trip generation rates of the CalEEMod were adjusted to reflect the Project-specific vehicle trip generation presented in the Transportation analysis. The calculation used the model default vehicle trip lengths specific to urban areas of Alameda County in the San Francisco Bay Area Air Basin.

CO_2, CH_4 and N_2O emissions were calculated in CalEEMod from motor vehicle trips based on trip generation of the transportation analysis and trip lengths and other data in the CalEEMod model that has been vetted by BAAQMD. CalEEMod also calculates CH_4 and N_2O emissions in terms of CO2e by multiplying them by their respective global warming potential (GWP). CalEEMod also takes into account emissions reductions that would result from the implementation of Pavley GHG standards and the LCFS.

The resulting total Project mobile source emissions at total Project Buildout are estimated to be approximately **1,759 MT CO_2e per year at Buildout** with adjustments recommended by City of Oakland Transportation Impact Study Guidelines and implementation of the required TDM Plan.

- Project Natural Gas Combustion Emissions. GHG emission estimates from natural gas were calculated using CalEEMod. The Project-related natural gas GHG emissions are estimated to be 490 MT CO_2e per year.

- Indirect Project Electrical GHG Emissions. Non-residential buildings require electricity for space and water heating, air conditioning, lighting, and plug-in outlets. GHGs are indirectly emitted as a result of electrical service required for a Proposed Project. GHGs are emitted during the generation of electricity from fossil fuels. When electricity is used in a building, a portion of the electricity is typically generated off site at a power plant, while the remaining percentages are generated by renewable resources such as hydroelectric dams. The relative percentages of renewable and non-renewable resources vary from year-to-year based on the magnitude of available water flows at hydroelectric dams and other source variables. Currently, electricity provided by the standard PG&E grid invariably represents indirect emissions of GHGs from the combustion of fossil fuels. PG&E maintains annual records on the percentage of electricity from renewable and non-renewable resources and, using this data, calculates a 5-year rolling average annual emission factor (CO_2e emission rate per kilowatt of electricity generated) for its sources.

CalEEMod was used to calculate GHG emissions by inputting the most recent (November 2014) rolling five year average published by PG&E.

Project electrical GHG emissions were calculated based on energy demand estimates for commercial buildings contained in CalEEMod. The Proposed Project will construct the buildings to mandatory CALGreen standards as well as 2013 Title 24 standards. Because CalEEMod assumes compliance with 2008 Title 24 standards, Title 24 electricity demand was adjusted down 25% to reflect the increased efficiency from 2008 Title 24 to 2013 Title 24 requirements as estimated by the California Department of Energy The resulting net Project-related electrical GHG emissions are estimated to be **1,569 MT CO_2e per year at Buildout**.

- Water and Wastewater Treatment and Conveyance. The Project GHG inventory includes emissions associated with drinking water and wastewater supply and treatment. In general, the majority of these emissions are indirect emissions associated with the energy used to convey, treat, and distribute water and wastewater. Additional emissions from wastewater treatment include CH_4 and N_2O, which are emitted directly from wastewater treatment processes.

  The amount of electricity required to treat and supply water is a function of water use. CalEEMod estimates water use based on land use type.

  In total, all municipal of water and wastewater treatment and conveyance for the Project is expected to produce **231 MT CO_2e annually at Buildout**.

- Solid Waste. The updated BAAQMD Air Quality Guidelines specifically identify emissions from solid waste as an element to be included in a GHG inventory for comparison to their proposed GHG significance thresholds. For solid waste, CalEEMod uses the emission factors compiled by CALrecycle to estimate GHG emissions.

  CalEEMod uses the U.S. EPA WARM Model emission rates for mixed solid waste decomposition. CalEEMod calculates the net increase in GHG emissions from the increase in solid waste generation of the Proposed Project to be **253 MT CO_2e per year at Buildout**.

- Area Sources. Area source emissions stem from hearths (including gas fireplaces, wood-burning fireplaces, and wood-burning stoves) and small mobile fuel combustion sources such as lawnmowers and other landscape maintenance equipment. For commercial development with no hearth facilities, such as the Proposed Project, area source emissions of GHG would be entirely due to landscape maintenance equipment.

  For the Proposed Project, the CalEEMod model indicates practically no quantifiable change in GHG emissions from landscape equipment. The increase of area source emissions in the Project GHG inventory is approximately **0.01 MT CO_2e per year at Buildout**.

Comparison of 2005 Business-as-Usual Emissions and 2019 Adjusted Emissions

The difference in the 2005 business-as-usual GHG emissions (Table 1) and the 2019 adjusted GHG emissions (Table 2) of the Project generally demonstrates the extent of emissions reduction that is attributable to measures incorporated with the Project.

At Buildout, the total annual adjusted GHG emissions generated by the Project, assuming TDM reduction (4,353 MT CO_2e shown in Table 2), is approximately 1,429 MT CO_2e per year less than the Project's estimated 2005 business-as-usual emissions (5,782 MT CO_2e shown in Table 1). This is a reduction of approximately 25 percent.

The most substantial reductions achieved with the 2019 adjusted emissions are associated with motor vehicle emissions - primarily on implementation of Pavley GHG standards, the LCFS, and the TDM trip reductions - none of which are assumed in the 2005 business-as-usual emissions. Substantial reductions also occur for indirect electricity emissions given the Project's adherence to mandatory CALGreen and 2013 Title 24 standards, which is not assumed in the business-as-usual (as discussed in the assumptions above).

5.3 Impacts of Operational GHG Emissions

Based on the applicable significance thresholds, the Project would have a significant impact on the environment if it would produce total emissions more than 1,100 metric tons of CO_2e annually *and* more than 4.6 metric tons of CO_2e per service population annually, or conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions.

The impact are evaluated based on the Project assuming TDM trip reductions since implementation of the TDM Plan (per SCA TRA-4) is considered part of the Project.

To summarize from Table 2, assuming the 20 percent TDM reduction, the Project's total annual GHG emissions at Buildout is approximately 4,353 MT CO_2e, which exceeds the 1,100 MT CO_2e per year threshold. However, the resulting 2.2 MT CO_2e per year per capita of service population does not exceed the 4.6 MT CO per year threshold. Therefore, at Buildout, the Project would have a **less than significant** cumulative GHG impact because it would not meet or exceed both the 1,100 MT CO_2e per year threshold *and* the 4.6 MT CO_2e per year service population threshold.

For comparison, Table 1 shows that assuming no TDM reduction or other emissions reducing regulatory factors, total annual GHG emissions of the 2005 business-as-usual scenario would be approximately 5,782 MT CO_2e, which exceeds the 1,100 MT CO_2e per year threshold. However, the 3.0 MT CO_2e per year per capita of service population at Buildout of the 2005 business-as-usual scenario, assuming no TDM, also does not exceed the 4.6 MT CO per year threshold. Therefore, the GHG impact at Buildout, assuming no TDM reduction, would also be less than significant.

Part B: Available GHG Reduction Measures and Reduction Plan Program

This Part B of the GHG Plan identifies and assesses the feasibility of emissions reduction measures to identify "additional" measures that may be implemented to reduce GHG emissions beyond the adjusted Project's GHG emissions assessed in Section 5.0 of this document, pursuant to SCA GHG-1.

Multiple current sources were consulted for preparation of this GHG Plan, including the State of California's Climate Change Scoping Plan (December 2008) and first Update (May 2014), the State Attorney General's web site, and the California Air Pollution Control Officer Association's (CAPCOA) document on Quantifying Greenhouse Gas Mitigation Measures (August 2010). While each is discussed in the following sections, this analysis focuses on measures identified in the latest CAPCOA document and presents a best-professional effort to identify available emissions reduction strategies and does not assume to be exhaustive in its scope.

6.0 GHG Reduction Measures Identified in the Climate Change Scoping Plan of the California Air Resources Board

CARB's Scoping Plan includes 39 Recommended Actions (qualitative measures), some of which are considered to have potential application to the Proposed Project. These particular measures relate to transportation, electricity and natural gas use, and green building design. Each of these measures is evaluated below for its applicability to the Proposed Project, its emissions reduction potential, and for its inclusion in the Proposed Project as currently designed.

6.1 Transportation

CARB's Scoping Plan identifies nine transportation-related recommended actions. **Action T-1** concerns improvements to light-duty vehicle technology for the purposes of reducing GHG emissions (Pavley Standards). This action focuses on legislating improved controls for vehicle manufacturers and would not generally be considered applicable to the Proposed Project. However, it is reasonably anticipated that vehicles utilized by the Proposed Project would be subject to the new Pavley regulation. CalEEMod took into account emissions reductions that would result from the implementation of the Pavley Standards, therefore this action does not represent an additional reduction measure available to the City and Project applicant.

Action T-2 concerns implementation of a LCFS. To reduce the carbon intensity of transportation fuels, CARB is developing a LCFS, which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020 as called for by Governor Schwarzenegger in Executive Order S-01-07. LCFS will incorporate compliance mechanisms that provide flexibility to fuel providers in how they meet the requirements to reduce GHG emissions. Implementation of such a standard is not within the purview of a development project and this action does not represent an additional reduction measure available to the City and Project applicant. CalEEMod took into account emissions reductions that would result from the implementation of the LCFS.

Action T-3 addresses regional transportation targets for reducing GHG emissions. SB 375 requires CARB to develop, in consultation with MPOs, passenger vehicle GHG emissions reduction targets for 2020 and 2035 by September 30, 2010. It sets forth a collaborative process to establish these targets, including the appointment by CARB of a Regional Targets Advisory Committee to recommend factors to be considered and methodologies for setting GHG emissions reduction targets. SB 375 also provides incentives – relief from certain CEQA requirements for development projects that are consistent with regional plans that achieve the targets. The Proposed Project is within a priority development area identified in the Plan Bay Area, which is the Sustainable Communities Strategy developed pursuant to SB375. The Project contains no residential land uses and therefore does not qualify as a "transit priority project" under Section 15183.5(c) of CEQA. However, the Proposed Project has prepared and will implement measures to reduce VMT – measures that are part of the TDM Plan required by SCA TRA-4.

As indicated in the TDM Plan, in urban areas with high transit availability, robust TDM programs have been shown to reduce vehicle trips by as much as 80 percent and an average range of 20-50 percent.[8] The TDM Plan targets 20 percent trip reductions at Buildout. The TDM Plan specifies mandatory TDM measures to reach the 20% vehicle trip reduction target, further reducing GHG emissions from the Project. These mandatory measures and their estimated reduction are provided below in Table 3.

[8] CAPCOA, 2010. *Quantifying Greenhouse Gas Mitigation Measures*. Pages 58-60.

TABLE 3
MANDATORY TDM MEASURES ACHIEVING 20 PERCENT VEHICLE TRIP REDUCTION
(From Project TDM Plan)

Mandatory Measure	Estimated Trip Reduction
Provide Payment to AC Transit (Completed)	NA[2]
Infrastructure Improvements (Recommendations TRA-2 thru TRA-4)	NA[2]
Designate On-Site Car-Share Spaces	1%
Coordinate to Provide Bike-Share Station	NA[2]
Parking Management	5%
Alternative Work Schedule/Flexible Hours/ Telecommuting	<1%
Transit Fare Subsidy	10%[3]
Pre-tax Commuter Benefit	NA[1]
Carpool and Ride-Matching Assistance	2%
Preferential Parking for Carpoolers	
Bicycle Facility Monitoring	NA[2]
Guaranteed Ride Home	NA[2]
TDM Coordinator	NA[2]
TDM Marketing and Employee Education	2%
Total	**20%**

1. The focus of the CAPCOA document is reductions to VMT but the research used to generate the reductions also indicates vehicle trip reductions are applicable as well. For the purposes of this analysis the VT reduction is assumed to equal the VMT reduction. See the cited CAPCOA research for more information and related information on page 8 of the BAAQMD *Transportation Demand Management Tool User's Guide* (June 2012)
2. The effectiveness of this strategy cannot be quantified at this time. This does not necessarily imply that the strategy is ineffective. It only demonstrates that at the time of the CAPCOA report development, existing literature did not provide a robust methodology for calculating its effectiveness. In addition, many strategies are complementary to each other and isolating their specific effectiveness may not be feasible.
3. Assuming a subsidy of $3.00 per employee per day.

Sources: Fehr & Peers, 2016.

The TDM Plan also includes a Program for monitoring, evaluation, and enforcement.

Action T-4 is concerned with vehicle efficiency measures. The California Integrated Waste Management Board (CIWMB) with various partners continues to conduct a public awareness campaign to promote sustainable tire practices. CARB is pursuing a regulation to ensure that tires are properly inflated when vehicles are serviced. Because the Proposed Project would not involve the operation of fleet vehicles, this action does not represent an additional reduction measure available to the City and Project applicant.

Actions T-5 and T-6 addresses electrification of ships at ports and port operations and is not applicable to the Proposed Project. Therefore, this action does not represent an additional reduction measure available to the City and Project applicant.

Action T-7 requires addresses existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. This action does not represent an additional reduction measure available to the City and Project applicant.

Action T-8 focuses on hybridization of medium- and heavy-duty vehicles. The implementation approach to Action T-8 is to adopt a regulation and/or incentive program that reduces GHG emissions by encouraging hybrid technology as applied to vocational applications that have significant urban, stop-and-go driving, idling, and power take-off operations in their duty cycle. Such applications include parcel delivery trucks and vans. This action does not represent an additional reduction measure available to the City and Project applicant.

Action T-9 concerns implementation of a high speed rail (HSR) system. This action does not represent an additional reduction measure available to the City and Project applicant.

6.2 Electricity and Natural Gas

Action E-1, together **with Action GB-1** (Green Building), aims to reduce electricity demand by increased efficiency of Utility Energy Programs and adoption of more stringent building and appliance standards. Elements of this action include encouraging construction of zero net energy (ZNE) buildings and implementation of passive solar design. In addition to employing on-site electricity generation, a ZNE building must either replace natural gas with renewable energy for space and water heating, or compensate for natural gas use by generating surplus electricity for sale on the state's electricity grid. The Project proposes to construct the proposed towers consistent with the updated CALGreen building code standards which will become effective in January 2011. Compliance with mandatory CALGreen standards was accounted for in the inventory presented in Table 2. The Proposed Project also will meet a minimum of LEED Silver certification which will include many facets of the CalGreen requirements. The intent of compliance with mandatory CALGreen standards is generally consistent with the objectives of Action E-1 and GB-1. However, the Proposed Project does not currently include any form of on-site electricity generation. Consequently, on-site power generation represents a potential additional reduction measure.

Action E-2 encourages an increase in the use of combined heat and power (CHP) use, or co-generation, facilities. California has supported CHP for many years, but market and other barriers continue to keep CHP from reaching its full market potential. Increasing the deployment of efficient CHP will require a multi-pronged approach that includes addressing significant barriers and instituting incentives or mandates where appropriate. Co-generation would not be applicable to the Project site as it would require a constant need for steam that is absent. This action does not represent an additional reduction measure available to the City and Project applicant.

Action E-3 concerns Renewable Portfolio Standards for utilities and does not apply to development projects. Therefore, the Proposed Project would not conflict with the recommended measure.

Action E-4 strives to promote solar generated electricity. As discussed with respect to Action E-1, the proposed Project does not currently include any form of on-site electricity generation. Consequently, on-site power generation represents a potential additional reduction measure.

7.0 GHG Reduction Measures Identified in the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures Document

The Proposed Project's design elements, applicable SCAs, non-CEQA Recommendations, and CEQA mitigation measures, may be compared to the list of specific mitigation measures developed by the CAPCOA in its document, *Quantifying Greenhouse Gas Mitigation Measures* (CAPCOA, 2010). Table 4 presents an itemized list of the primary mitigation measures and potential trip reduction (in terms of vehicle miles traveled [VMT] identified in the CAPCOA document and identifies how each may relate to Proposed Project elements.[9] The State Attorney General has also published a list of various "measures that may reduce the global warming related impacts of a project." (California Dept. of Justice, 2009) These measures are generally included in CAPCOA's more extensive listing of GHG mitigations and are not repeated.

TABLE 4
CAPCOA-IDENTIFIED GHG REDUCTION MEASURES

Mitigation Measure	Description	Potential Reduction Estimate	Existing or proposed by the project?
MM BE-1	Exceed Title 24	0.2 to 10 percent	Yes – is indicated in the Project sponsor's LEED Silver Application to date.
MM BE-2	Install Programmable Thermostat Timers	Non-quantified BMP	**No – This measure represents a means by which further GHG emissions reductions may be realized.**
MM BE-3	Third Party HVAC Commissioning	No quantification – Enhances BE-1	Yes – Indicated in the Project sponsor's LEED Silver Application to date.
MM BE-4	Install Energy Efficient Appliances	Quantification for residential and grocery only	Yes – Assumed as part of CalGreen requirement
MM BE-5	Install Energy Efficient Boilers	1.2 to 18.4 percent	Possibly – Could be captured under Project sponsor's LEED Silver Application to date as part of basic commissioning and minimum energy performance requirements.
MM LE-1	Install Higher Efficiency Public Street and Area Lighting	16 to 40 percent of lighting energy	**No – This measure represents a means by which further GHG emissions reductions may be realized.**
MM LE-2	Limit Outdoor Lighting Requirements	Non-quantified BMP	**No – This measure represents a means by which further GHG emissions reductions may be realized.**
MM LE-3	Replace Traffic Lights with LED Traffic Lights	90 percent reduction in traffic light energy	Not applicable to commercial building.
MM AE-1	Establish Onsite Renewable or Carbon-Neutral Energy Systems-Generic	0 percent – 100 percent	**No – This measure represents a means by which further GHG emissions reductions may be realized.**

9 The focus of the CAPCOA document is reductions to VMT but the research used to generate the reductions also indicates vehicle trip reductions are applicable as well. The TDM Plan identified reductions in terms of "vehicle trip" (VT) reduction. For the purposes of both the GHG Plan and TDM Plan analyses, the VT reduction is assumed to equal the VMT reduction. (See the cited CAPCOA research for more information and related information on page 8 of the BAAQMD Transportation Demand Management Tool User's Guide, June 2012).

Mitigation Measure	Description	Potential Reduction Estimate	Existing or proposed by the project?
MM AE -2	Establish Onsite Renewable or Carbon-Neutral Energy Systems – Solar Power	0 percent – 100 percent	**No – This measure represents a means by which further GHG emissions reductions may be realized.**
MM AE-3	Establish Onsite Renewable or Carbon-Neutral Energy Systems – Wind Power	0 percent – 100 percent	Not Feasible for tower commercial building
MM AE-4	Combined Heat and Power System	0 percent – 46 percent of electrical power	**No – This measure represents a means by which further GHG emissions reductions may be realized.**
MM LUT-1	Increase Density	0.8 to 30 percent reduction in VMT	Yes – Project is high density commercial use proximate to major transit
MM LUT -2	Increase Location Efficiency	46 percent of trip generation	Yes – The Transportation Section in the CEQA Checklist states that the site is located approximately 0.25 mile of the 12th Street BART station. AC Transit provides bus service to the Project site.
MM LUT-3	Office/ Mixed Use Density	9 to 30 percent reduction in VMT	Yes – Project provides office and retail use proximate to transit with bicycle and pedestrian access.
MM LUT-4	Increase Destination Accessibility	0.5 percent – 5 percent	Yes - Operational features include retail space.
MM LUT-5	Increase Transit Accessibility	0.5 to 25 percent reduction in VMT	Yes ─ The location of the Project also increases the potential for pedestrians to walk and bike to nearby transit destinations and therefore reduces the VMT; trip reduction is incorporated in the transportation analysis (vehicle trip generation) in the CEQA Checklist.
MM LUT-6	Affordable Housing Component	0.04 percent –1.26 percent in VMT	Not Applicable – Project is not residential.
MM LUT-7	Orient toward non-Auto Corridor	0.25 to 0.5 percent reduction in VMT	Yes ─ Project is designed around an existing transit, bicycle, and pedestrian corridor encourages alternative mode use. Trip reduction is incorporated in transportation analysis in the CEQA Checklist.
MM LUT-8	Proximity to bike path/bike lanes	0.625 percent reduction in VMT	Yes – Per the City of Oakland Bicycle Master Plan there is one Class 2 and three Class 3 bike routes within one quarter mile of the Project site including MLK Jr. Way.
MM STD-1	Provide Pedestrian Network Improvements	0 to 2 percent reduction in VMT	Yes - The Project proposes bulbouts at the crosswalks crossing Martin Luther King Jr. Way at 11th and 12th Streets, as part of Recommendation TRA-2 identified in the TDM Plan and CEQA Checklist. [a]
MM STD-2	Provide Traffic Calming Measures	0.25 to 1 percent reduction in VMT	Not applicable to commercial office building located in an urban area.
MM STD-3	Implement Electric Vehicle Network	0.5 to 12.7 percent reduction in VMT	Not applicable to commercial office building located in an urban area.
MM STD-4	Create Urban Non-motorized Zones	None provided	Yes – Project is high density commercial use in a CBD proximate to major transit which is assumed in Project's trip generation in the CEQA Checklist.
MM STD-5	Incorporate Bike Lane Street Design	None provided	Not Applicable to commercial tower building

Mitigation Measure	Description	Potential Reduction Estimate	Existing or proposed by the project?
MM STD-6	Bike Parking Non-residential	None provided	Yes – Municipal Code Chapter 17.117 requires new development to provide both short-term (i.e., bicycle racks) and long-term bicycle parking (i.e., lockers or indoor storage) per SCA TRA-2 (as part of the final development permit) the applicant shall submit for review and approval of the Planning and Zoning Division, plans that show bicycle storage and parking. Also, the TDM Plan identifies "bicycle facilities" as a TDM measure to be implemented as part of the Project and contribute to a 20 percent trip reduction. [a]
MM STD-7	Bike Parking Residential	None provided	Not applicable to commercial building
MM STD-8	Preferential Parking for EVs/CNG Vehicles	Grouped Strategy with MM STD-3	Partially – Preferential parking is required by CALGreen section 5.106.5.2. **However, installation of electric vehicle charging stations represents a means by which further GHG emissions reductions may be realized.**
MM STD-9	Dedicate Land for Bike Trails	Grouped Strategy with MM LUT-9	Not applicable to commercial building
MM PDT-1	Minimum Parking	5 percent – 12.5 percent reduction in VMT	Yes – The Proposed Project would have a parking demand shortfall of 736 spaces at Buildout per the Transportation Section of the 2016 CEQA Checklist. With implementation of the TDM Plan, a combination of TDM measures to achieve a 20 percent trip reduction will reduce the parking demand shortfall to 548 spaces (188-space reduction) (as reported in the TDM Plan), since fewer cars will be coming to the Project site. The Project does not propose to reduce parking supply. No parking is required for the Project by Code.
MM PDT-2	Unbundle Parking Costs from Property Costs	2.6 percent – 13 percent reduction in VMT	Yes – Standard practice in CBD. Unbundling separates parking from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost from the property cost (commercial lease).
MM PDT-3	Implement Market Price Public Parking (on-street)	1 percent – 30 percent reduction in VMT	Not applicable to private project.
MM PDT-4	Require Residential Area Parking Permits	Grouped Strategy with MM PPT-1	Not applicable to non-residential project
MM TRT-1 through TRT-3	Implement Commute Trip Reduction Program	1 percent – 6.2 percent reduction in VMT	Yes – TDM Plan identifies "Carpool/Ride-Matching Assistance" and "Preferential Parking for Carpoolers" (combined, 2%), as well as "TDM Marketing and Education" (2%) as mandatory TDM measures.
MM TRT-4	Implement Subsidized or Discounted Transit Program	0.3 percent – 20 percent reduction in VMT	Yes – The TDM Plan identifies "Transit Fare Subsidy" as a mandatory measure (10%). **The TDM Plan also identifies "Increased Transit Subsidy" as an "additional strategy" that the Project could implement for possible further trip reduction.**
MM TRT-5	End of trip facilities (i.e., showers and lockers)	Grouped Strategy with MM TRT-1	Yes – The TDM Plan identifies "bicycle/shower facilities" as part of Recommendation TRA-4 to be implemented as part of the Project. [a]
MM TRT-6	Telecommuting and Alternative Work Schedules	0.7 percent –5.5 percent reduction in VMT	Yes – TDM Plan identifies alternative work schedule/flexible hours.

Mitigation Measure	Description	Potential Reduction Estimate	Existing or proposed by the project?
MM TRT-7	Implement Commute Trip reduction Marketing	0.8 percent –4.0 percent reduction in commute VMT	Yes – TDM Plan implements TDM outreach and education
MM TRT-8	Implement Preferential Parking Program	Low	Yes – This required by CALGreen section 5.106.5.2.
MM TRT-9	Implement Car-sharing Program	0.4 percent –0.7 percent reduction in commute VMT	Yes – TDM Plan implements on-site car-sharing
MM TRT-11	Employ Employer-Sponsored Vanpool/Shuttle	0.3 percent –13.4 percent reduction in commute VMT	No applicable to commercial site within 0.25 mile of BART station and multiple AC Transit lines
MM TRT-12	Implement Bike Sharing Programs	Grouped Strategy with MM STD-5 and Lut-9	Yes – TDM Plan implements BikeShare Station
MM TRT-14	Price Workplace Parking	0.1 percent –19.7 percent reduction in commute VMT	**Potential Measure: The** TDM Plan identifies "Parking Management" as a mandatory measure (5%). This includes charging for all parking spaces in the building unless noted in other strategies, removing the cost of parking from the lease agreements, and setting the fee for monthly, daily, and/or hourly parking the same as or higher than other nearby garages. **The TDM Plan also identifies "Increased Parking Fee" as an "additional strategy" that the Project could implement for possible further trip reduction.**
MM TRT-15	Implement Employee Parking "Cash-out"	0.6 percent –7.7 percent reduction in commute VMT	**No. The Project could require employers to offer employee parking "cash-out." The term "cashout" is used to describe the employer providing employees with a choice of forgoing their current subsidized/free parking for a cash payment equivalent to the cost of the parking space to the employer.**
MM TST-1 through MM TST-6	Transit System improvements	0.02 percent –8.2 percent reduction in commute VMT	Not applicable to commercial site within 0.25 mile of BART station and multiple AC Transit lines
MM RPT-1 through RPT-4	Road Pricing Management	7.9 percent –45 percent reduction in GHG	Not applicable to commercial building project
MM VT-1 through VT-3	Vehicles	Dependent	Not applicable to commercial building project with no significant fleet vehicles
MM WSW-1 and WSW-2	Use Reclaimed/Gray Water	Up to 100% of outdoor water	Yes – Per Project sponsor's LEED scorecard, purple pipe will be plumbed into building
MM WUW-1	Install Low Flow Water Fixtures	20 percent of indoor residential water use	Yes – Required by CalGreen,
MM WUW-2	Adopt a Water Conservation Strategy	Dependent	Yes – Water efficient landscaping is indicated in the Project sponsor's LEED Silver Application.
MM WUW-3	Design Water Efficient Landscapes	0 to 70 percent of outdoor water use	Yes – Water efficient landscaping is indicated in the Project sponsor's LEED Silver Application.
MM WUW-4	Use Water-Efficient Landscape Irrigation Systems	6.1 percent of outdoor water use	Yes – Water efficient landscaping is indicated in the Project sponsor's LEED Silver Application.
MM WUW-5	Reduce Turf and Landscapes in Lawns	Dependent	Yes – Water efficient landscaping is indicated in the Project sponsor's LEED Silver Application.
MM WUW-6	Plant Native or Drought-Resistant Trees and Vegetation	Dependent	Yes – Water efficient landscaping is indicated in the Project sponsor's LEED Silver Application.

Mitigation Measure	Description	Potential Reduction Estimate	Existing or proposed by the project?
MM A-1 Through MM A-3	Landscaping Equipment	1 percent	**No. Potential Measure by which further GHG emissions reductions may be realized**
MM SW-1	Institute or Extend Recycling and Composting Services	Dependent	**No - While LEED requires provision of an easily-accessible dedicated area or for the collection of storage materials for recycling for the entire building, there are no operational project recycling goals. Operational recycling goals represent a potential additional reduction measures.**
MM SW-2	Recycle Demolished Construction Material	Dependent	Not applicable – no structures on site
MM MISC-1	Off-Site Mitigation Fee Program/ Offset Purchase	Moderate	**No. A potential additional measure by which further GHG emissions reductions may be realized. The project sponsor may enter into one or more contracts to purchase voluntary carbon credits from a qualified GHG emissions broker.**

[a] Per the TDM Plan, the effectiveness of this strategy cannot be quantified at this time. This does not necessarily imply that the strategy is ineffective. It only demonstrates that at the time of the 2010 CAPCOA report development, existing literature did not provide a robust methodology for calculating its effectiveness; CAPCOA has not issued updates as of this GHG Plan. In addition, many strategies are complementary to each other and isolating their specific effectiveness may not be feasible.

SOURCE: CAPCOA, 2010.

8.0 Additional GHG Reduction Measures Available to Further Reduce GHG Emissions of the Proposed Project

As required by SCA GHG-1 (GHG Reduction Plan), Table 5 provides "additional GHG reduction measures available to further reduce GHG emissions" beyond the adjusted GHG emissions of the Project. Table 5 lists GHG reduction measures identified in Sections 6.0 and 7.0 (Table 4) that are not already fully assumed as part of the Project and that are therefore considered "additional" measures. "Additional Strategies" identified in the TDM Plan as those that the Project should consider necessary to meet the required trip reduction goal if necessary after implementation of the mandatory TDM measures (Table 3, above), are also identified; these strategies align with the CAPCOA mitigation measures. Each measure in Table 5 is described below in Section 8.1.

It is anticipated that further GHG emissions reduction than that quantified in Table 2 of this document could be achieved through implementing a combination of the available additional measures in Table 5. Possible additional and feasible reduction measures that could be considered for the Project are not limited to those listed in Table 5; given the evolving nature of GHG emissions reduction strategies and technologies. However, there is some uncertainty involved with the identification and effectiveness of available strategies. Further, additional measures may become feasible (or less so) as the Project is developed in greater detail.

An estimated range of possible emissions reduction is presented for some of the additional measures where it is meaningful. For other measures, a quantifiable emissions reduction cannot be reasonably estimated given the need for Project detail or programming that is not yet established, or because any quantifiable emissions reductions are so minimal (substantially less than zero) they are considered insubstantial. [10] However, the available additional measures are still identified for possible implementation by the Project to ensure emissions reduction to the greatest extent practical and feasible. Also, an individual assessment of the feasibility and applicability are also identified for each of the additional reduction measures in Table 5.

8.1 Summary Descriptions of Additional GHG Reduction Measures

TABLE 5
ADDITIONAL GHG REDUCTION MEASURES IDENTIFIED FOR POTENTIAL IMPLEMENTATION BY THE PROPOSED PROJECT

Mitigation Measure	Description	CO_2e Emissions Reduction Estimate Range
CAPCOA MM BE-2	Install Programmable Thermostat Timers	Insubstantial BMP
CAPCOA MM LE-1	Install higher efficiency public street and area lighting	16 to 40 percent of lighting energy
CAPCOA MM LE-2	Limit Outdoor Lighting Requirements	Non-quantified BMP
CAPCOA MM AE-1	Establish Onsite Renewable or Carbon-Neutral Energy Systems-Generic	0 percent – 100 percent
CAPCOA MM AE-2	Establish Onsite Renewable or Carbon-Neutral Energy Systems –solar power	0 percent – 100 percent
CAPCOA MM AE-4	Combined Heat and Power System	0 percent – 46 percent of electrical power
CAPCOA MM STD-8	**Installation of Electric Vehicle Charging Stations**	0.5 percent – 12.7 percent reduction in VMT
CAPCOA MM TRT-4	Subsidized or Discounted Transit Program (Increased) [a]	0.4 percent –0.7 percent reduction in commute VMT [b]
CAPCOA MM TRT-9	Implement Car-sharing Program (Expanded to Encourage/Subsidize Membership) [a]	0.4 percent –0.7 percent reduction in commute VMT [b]
CAPCOA MM TRT-12	Implement Bike Sharing Programs (Expanded to Implement/Subsidize Membership) [a]	[b]
CAPCOA MM TRT-14	Price Workplace Parking (Increased) [a]	0.1 percent –19.7 percent reduction in commute VMT [b]
CAPCOA MM TRT-15	Implement Employee Parking “Cash-out”	0.6 percent –7.7 percent reduction in commute VMT
CAPCOA MM A-1	Landscaping Equipment	1 percent
CAPCOA MM SW-1	Institute or Extend Recycling and Composting Services	Dependent
CAPCOA MM MISC-1	Off-Site Mitigation Fee Program/ Offset Purchase	Up to 100 percent of GHG

[a] Identified as an “Additional Strategy” that the Project should consider to achieve the required TDM goals.

[b] Per the TDM Plan, the effectiveness of this strategy cannot be quantified at this time. This does not necessarily imply that the strategy is ineffective. It only demonstrates that at the time of the 2010 CAPCOA report development, existing literature did not provide a robust methodology for calculating its effectiveness; CAPCOA has not issued updates as of this GHG Plan. In addition, many strategies are complementary to each other and isolating their specific effectiveness may not be feasible.

[10] Measures identified as “insubstantial” could still be implemented, even though the emissions reduction would be minimal and the reductions are not specified in the Final GHG Reduction Plan Program.

SOURCE: ESA, 2016

CAPCOA Mitigation Measure BE-2: Programmable Thermostats. Programmable thermostat timers allow users to easily control when the HVAC system will heat or cool a certain space, thereby saving energy. CAPCOA cites an estimate the savings of this measure to be $100 per year. Based on a commercial electrical rate of 0.18 dollars per kw-hr represents approximately 556 kw-hr per year or about 0.13 MT/year of CO_2e.

CAPCOA Mitigation Measure LE-1: Install Higher Efficiency Public Street and Area Lighting. Lighting sources contribute to GHG emissions indirectly, via the production of the electricity that powers these lights. Public street and area lighting includes streetlights, pedestrian pathway lights, area lighting for parks and parking lots, and outdoor lighting around public buildings. Lighting design should consider the amount of light required for the area intended to be lit. Lumens are the measure of the amount of light perceived by the human eye. Different light fixtures have different efficacies or the amount of lumens produced per watt of power supplied. This is different than efficiency, and it is important that lighting improvements are based on maintaining the appropriate lumens per area when applying this measure. Installing more efficacious lamps will use less electricity while producing the same amount of light, and therefore reduces the associated indirect GHG emissions.

CAPCOA Mitigation Measure AE-1: Establish Onsite Renewable or Carbon-Neutral Energy Systems-Generic. Using electricity generated from renewable or carbon-neutral power systems displaces electricity demand which would ordinarily be supplied by the local utility. Different sources of electricity generation that local utilities use have varying carbon intensities. Renewable energy systems such as fuel cells may have GHG emissions associated with them. Carbon-neutral power systems, such as photovoltaic panels, do not emit GHGs and will be less carbon intense than the local utility.

CAPCOA Mitigation Measure AE-2: Establish Onsite Renewable or Carbon-Neutral Energy Systems-Solar Power. Using electricity generated from photovoltaic (PV) systems displaces electricity demand which would ordinarily be supplied by the local utility. Since zero GHG emissions are associated with electricity generation from PV systems, the GHG emissions reductions from this mitigation measure are equivalent to the emissions that would have been produced had electricity been supplied by the local utility.

CAPCOA Mitigation Measure MM AE-4: Combined Heat and Power System. For the same level of power output, combined heat and power (CHP) systems utilize less input energy than traditional separate heat and power (SHP) generation, resulting in fewer CO2 emissions. In traditional SHP systems, heat created as a by-product is wasted by being released into the environment. In contrast, CHP systems harvest the thermal energy and use it to heat onsite or nearby processes, thus reducing the amount of natural gas or other fuel that would otherwise need to be combusted to heat those processes. In addition CHP systems lower the demand for grid electricity, thereby displacing the CO2 emissions associated with the production of grid electricity.

CAPCOA Mitigation Measure MM SDT-8: Installation of Electric Vehicle Charging Stations. To create an Neighborhood Electric Vehicle (NEV) network, the Project could implement the necessary infrastructure, including NEV parking, charging facilities, striping, signage, and educational tools.

CAPCOA Mitigation Measure MM E-4: Energy Star Roof. As more detail about the Project is developed, the Project could utilize energy efficient and/or light-colored roofing materials over substantial roof area for additional emissions reductions.

CAPCOA Mitigation Measure MM TRT-4: Implement Subsidized or Discounted Transit Program (Increased). At a level beyond that implemented as a mandatory measure in the TDM Plan, the Project's building management could encourage tenants to increase the transit subsidy provided to employees. Alternatively, the building management can include a specific number of transit passes with each lease agreement.

CAPCOA Mitigation Measure MM TRT-9: Implement Car-sharing Program (Expanded). In addition to the mandatory measure in the TDM Plan to designate on-site car-share spaces, the Project's building tenants could achieve increased usage of car-share by encouraging tenants to fully or partially pay for their employees' yearly membership fee and insurance associated with car-sharing.

CAPCOA Mitigation Measure MM TRT-12: Implement Bike-sharing Program (Expanded). In addition to the mandatory measure in the TDM Plan to coordinate the provision of a bike-share station, the Project's building tenants could achieve increased usage of bike-share by encouraging tenants to fully or partially pay for their employees' yearly membership fee and insurance associated with bike-sharing.

CAPCOA Mitigation Measure TRT-14: Price Workplace Parking. The Project could implement workplace parking pricing at its employment centers. This may include: explicitly charging for parking for its employees, implementing above market rate pricing, validating parking only for invited guests, not providing employee parking and transportation allowances, and educating employees about available alternatives. Though similar to the Employee Parking "Cash-Out" strategy below, this strategy focuses on implementing market rate and above market rate pricing to provide a price signal for employees to consider alternative modes for their work commute.

CAPCOA Mitigation Measure TRT-15: Implement Employee Parking "Cash-out". The project could require employers to offer employee parking "cash-out." The term "cashout" is used to describe the employer providing employees with a choice of forgoing their current subsidized/free parking for a cash payment equivalent to the cost of the parking space to the employer.

CAPCOA Mitigation Measure A-1: Electric Yard Equipment Compatibility. This measure would require provision of electrical outlets at building exterior areas. CAPCOA indicates that this measure has a low reduction score and does not quantify any emissions reduction related to this measure. Consequently, this measure is suggested to be implemented but no quantifiable reduction in GHG emissions can reliably be estimated.

CAPCOA Mitigation Measure SW-1: Institute or Extend Composting or Recycling Services. The transport and decomposition of landfill waste and the flaring of landfill gas all produce GHG emissions. Decomposition of waste produces methane, a GHG which has a global warming potential over 20 times that of CO2. The transport of waste from the site of generation to the landfill produces GHG emissions from the combustion of the fuel used to power the vehicle. Choosing waste management practices which reduce the amount of waste sent to landfills will reduce GHG emissions. Strategies to reduce landfill waste include increasing recycling, reuse, and composting, and encouraging lifestyle choices and office practices which reduce waste generation.

CAPCOA Mitigation Measure MISC-2: Offset Purchase. This analysis considers Offset Purchase (CAPCOA Mitigation Measures MISC-2) to be a potentially feasible measure within the timeframe of the Project, given (1) that the Project is anticipated to be operational in approximately 2019, given the potential for implementation of this measure to have a "Moderate/High" reduction estimate. The Project Sponsor may enter into one or more contracts to purchase voluntary carbon credits from a qualified GHG emissions broker. CEQA Guidelines Section 15126.4 (c), adopted March 18, 2010 expressly provides for this as mitigation to reduce GHG emissions.

9.0 GHG Reduction Plan Program

9.1 GHG Emissions Reduction Targets

The goal of the GHG Reduction Plan is to increase energy efficiency and reduce GHG emissions from the proposed Project to the greatest extent practical and feasible, but in no event less than the amount required to be less than the applicable significance threshold as adopted by the BAAQMD and consistent with the 36% reduction over the 2005 baseline goal of the ECAP. In other words, the GHG Plan is also intended to result in 100 percent emissions reduction of total operational GHG emissions over the threshold of significance. The target reduction in terms of MT CO_2e of are as follows:

For Buildout, GHG emissions reduction measures beyond those included as part of the Project (discussed in Section 3.0) are identified to be combined to reduce the Proposed Project's **653 MT CO_2e exceedance** of the ECAP reduction goal.[11]

9.2 Feasible Measures and Emissions Reductions for the Project

This GHG Plan Program is intended to ensure implementation of a set of emissions reduction measures by the Project Applicant (or other responsible party) during development and operation of the Project. This Program specifies performance measures that the Project shall meet by implementing any one or more of the measures discussed above that offer substantial, quantifiable emissions reductions.

The GHG reduction measures shown in Table 5 are identified as measures available for potential implementation by the Proposed Project. However, other measures may be identified and approved by the City over the life of the Project; those listed in Table 5 are not intended to preclude use of other measures.

[11] Total annual GHG emissions at Project Buildout is 12.030 MT CO_2e compared to the 1,100 MT CO_2e threshold (see Table 4).

GHG emissions reductions resulting from measures that the Project Applicant may implement at another offsite location, would also be credited to the Project's emissions reductions. Emissions reductions are estimated for each measure and a total provided based on reasonable operational assumptions about the Project. The Project Applicant, new employers of the Project after it is operational, shall implement a combination of the GHG reduction measures shown in Table 5, without limitation, except as limited in use of Offset Purchase (CAPCOA MM Misc-2) to preclude the Project Applicant from achieving the target reduction in GHG emissions solely through Offset Purchase.

For purposes of estimating, the minimum reduction for each measure that provides a quantifiable reduction range (in Table 5) is assumed, otherwise no estimate is reported. As a result, the potential reductions shown in Table 5 are expected to be less than what actual reductions could occur. The estimated emissions reduction that could be achieved by the GHG Plan Program in Table 5 would be sufficient to achieve the **653 MT CO_2e exceedance** of the ECAP's 36 percent reduction goal given that offsets could be acquired to achieve the calculated shortfall of the remaining measures.

9.3 Implementation, Reporting, Monitoring and Funding

To implement an approved GHG Reduction Plan for the City Center T-12 Office Project, the applicant/sponsor shall adhere to the following, in addition to the requirements of SCA GHG-1:

a) ***Refined GHG Reduction Measures Program.*** Prepare and submit to the City Planning Director or his/her designee for review and approval a refined GHG Reduction Plan program (Table 5, Program of Feasible, Effective GHG Reduction Measures for the Project), that specifies and quantifies GHG reduction measures identified in, but not limited to, Table 5 of this GHG Plan, that the Project will implement.

   Potential additional 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 Update (December 2014), the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures Document (August 2010), 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.

   The proposed additional GHG reduction measures must be reviewed and approved by the City Planning Director or his/her designee. 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 "offset carbon credits," pursuant to item "b" below).

   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 San Francisco Bay Area Air Basin; (4) off-site within the State of California; then (5) elsewhere.

b) ***Offset Carbon Credits Guidelines.*** For GHG reduction measures involving the purchase of offset carbon credits), evidence of the payment/purchase shall be submitted to the City Planning Director or his/her designee for review and approval prior to completion of the project.

   As with preferred locations for the implementation of all GHG reductions measures, the preference for offset 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 San Francisco Bay Area Air Basin; (3)

within the State of California; then (4) elsewhere. The cost of offset 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 2016 CEQA Checklist (to which the GHG Reduction Plan is appended) or subsequent approved emissions inventory, which may result in emissions that are higher or lower than those estimated in the GHG Plan for the Project.

c) ***Plan Implementation and Documentation.*** 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. For operational GHG reduction measures to be incorporated into the Project, the measures shall be implemented on an indefinite and ongoing basis beginning at the time of Project completion.

   For physical GHG reduction measures to be incorporated into off-site projects, the measures shall be included on drawings and submitted to the City Planning Director or his/her designee for review and approval and then installed prior to completion of the subject project. For operational GHG reduction measures to be incorporated into off-site projects, the measures shall be implemented on an indefinite and ongoing basis beginning at the time of completion of the subject Project.

d) ***Compliance, Monitoring and Reporting.*** Upon City review and approval of the refined GHG Reduction Plan program, the applicant/sponsor 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 is achieving required GHG emissions reductions over time, as well as the efficacy of the specific additional GHG reduction measures identified in the Plan.

   Implementation of the additional GHG reduction measures and related requirements shall be ensured through the Project applicant/sponsor's compliance with a Mitigation Monitoring and Reporting Program, as will be implemented through 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/sponsor shall prepare each year of the useful life of the Project an Annual GHG Emissions Reduction Report (Annual Report), subject to the City Planning Director or his/her designee for review and approval. The Annual Report shall be submitted to an independent reviewer of the City Planning Director's or his/her designee's choosing, to be paid for by the Project applicant/sponsor (see *Funding*, below), within two months of the anniversary of the Certificate of Occupancy.

   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 this GHG Plan.

   The GHG Reduction Plan shall be considered fully attained when Project emissions are less than one applicable numeric BAAQMD CEQA Thresholds, as confirmed by the City Planning Director or his/her designee through an established monitoring program and consistency with the reduction targets of the ECAP are achieved. Monitoring and reporting activities will continue at the City's discretion, as discussed below.

e) ***Funding.*** Within two months after the Certificate of Occupancy, the Project applicant/sponsor shall fund an escrow-type account or endowment fund to be used exclusively for preparation of Annual

Reports and review and evaluation by the City Planning Director or his/her designee, or its selected peer reviewers. The escrow-type account shall be initially funded by the Project applicant/sponsor in an amount determined by the City Planning Director or his/her designee and shall be replenished by the Project applicant/sponsor so that the amount does not fall below an amount determined by the City Planning Director or his/her designee. The mechanism of this account shall be mutually agreed upon by the Project applicant/sponsor and the City Planning Director or his/her designee, including the ability of the City to access the funds if the Project applicant/sponsor is not complying with the GHG Reduction Plan requirements, and/or to reimburse the City for its monitoring and enforcement costs.

f) ***Corrective Procedure*.** 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/sponsor 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 discussion on the feasibility and effectiveness of the menu of other additional measures (Corrective GHG Action Plan). The Project applicant/sponsor shall then implement the approved Corrective GHG Action Plan.

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/owner fails to submit a report at the times described above, or if the reports do not meet City requirements outlined above, the City Planning Director or his/her designee may, in addition to its other remedies, (a) assess the Project applicant/sponsor 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.

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)

In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the Project applicant/sponsor has made a good faith effort to comply with the GHG Reduction Plan.

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.

g) ***Timeline Discretion and Summary*.** The City Planning Director or his/her designee shall have the discretion to reasonably modify the timing of reporting, with reasonable notice and opportunity to comment by the applicant, to coincide with other related monitoring and reporting (e.g., for a TDM Plan) required for the Project.

- *Fund Escrow-type Account for City Review*: Certificate of Occupancy plus 2 months
- *Submit Baseline Inventory of "Actual Adjusted Emissions"*: Certificate of Occupancy plus 1 year
- *Submit Annual Report #1*: Certificate of Occupancy plus 2 years

- *Submit Corrective GHG Action Plan* (if needed): Certificate of Occupancy plus 4 years (based on findings of Annual Report #3)
- *Post Attainment Annual Reports*: Minimum every 3 years and at the City Planning Director's or his/her designee's reasonable discretion

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Appendix B
Construction Noise Reduction Plan (per SCA NOI-4)

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APPENDIX B

ESA Community Development

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www.esassoc.com

Construction Noise Management Plan

date March 2, 2016

to Catherine Payne, Project Planner, Oakland Planning Bureau

from Chris Sanchez, Senior Technical Associate
Crescentia Brown, AICP, Project Director

subject Oakland City Center T12 Office Project –Construction Noise Management Plan

Introduction

This Construction Noise Management Plan ("CNMP") is prepared to comply with City of Oakland Standard Conditions of Approval (SCA) **NOI-4** identified in the 2016 Block T12 CEQA Analysis to which this CNMP is an appended. This CNMP presents specific measures to be implemented for the City Center T12 Project. The CNMP identifies measures for construction contractors to include in the construction contacts, beyond those required pursuant to applicable City of Oakland SCAs, to ensure that construction activities are conducted pursuant to SCA NOI-4.

The following measures are T12 Project-specific and tailored for the Proposed Project. The Project will already implement the City of Oakland Construction Noise SCAs that apply to the specific conditions of the T12 Project site and surrounding noise-sensitive receptors (residential uses west of MLK Jr. Way, immediately west of the Project site); these include **SCA NOI-1** (Construction Days/Hours), **SCA NOI-2** (Construction Noise), **SCA NOI-3** (Extreme Construction Noise), and **SCA NOI-5** (Construction Noise Complaints).

Project-Specific Construction Noise Measures

The following should be adhered to by all contractors for the T12 Project and included within their construction contracts:

A. Project-Specific Measures to Control Extreme Construction Noise:

1) Project shall install a mat foundation. Impact pile driving shall not be used as an installation method.

B. Project-Specific Construction Noise Reduction Measures:

1) Truck loading and concrete pouring shall be conducted along 12th Street or Jefferson Street and prohibited on Martin Luther King Jr. Way;

2) Stationary equipment such as cranes, generators and man lifts shall be located on the 11th street and 12th Street sides of the project site and as far as possible from Martin Luther King Jr. Way;

3) The existing perimeter fencing shall remain in place on the northwestern property boundary or replaced with a comparable barrier with no gaps.

C. Project-Specific Complaint Response Mechanisms:

1) Notify residents within 300 feet of the project site of the project schedule at least 14 calendar days prior to commencement of activities. SCA NOI-1 only requires this condition for construction activities outside of standard hours for special activities.

2) The noise and safety enforcement manager for the project, required by SCA NOI-5, shall ensure response and corrective action to complaints within the same working day if the complaint is received during the noise-related incident and from sensitive receptors residing within 100 feet of the project site (specifically to include existing residences directly west across MLK Way from the project site). Otherwise, response and corrective action to complaints shall occur within 48 hours.

Appendix C
Transportation Demand Management Program
(per SCA TRA-4)

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FEHR PEERS

APPENDIX C

DRAFT MEMORANDUM

Date: February 17, 2016

To: Crescentia Brown, ESA

From: Sam Tabibnia and Patrick Gilster

Subject: Oakland City Center Development (T12) – Transportation Demand Management Program

OK15-0069

This memorandum summarizes the proposed Transportation Demand Management (TDM) program for the Oakland City Center Block T12 Project which would consist of about 588,000 square feet of office and 9,500 square feet of ground-level commercial space on a currently vacant site. The Project would also provide a two-level underground parking garage with 205 automobile spaces, 26 motorcycle spaces, and 61 bicycle spaces with a full-access driveway on Martin Luther King Jr. Way between 11th and 12th Streets.

CITY OF OAKLAND TDM PLAN REQUIREMENTS

Preparation of a TDM plan is a requirement of the City of Oakland's Standard Conditions of Approval (Department of Planning and Building, Bureau of Planning, Revised July 22, 2015). The City of Oakland's vehicle trip reduction requirement of 20 percent will be met for a project of this size using the estimated vehicle trip reductions from implementing the proposed strategies in this TDM Program. The Standard Conditions of Approval states the following:

SCA TRA-4 - Transportation and Parking Demand Management

a. Transportation and Parking Demand Management (TDM) Plan Required
Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.

i. The goals of the TDM Plan shall be the following:

- *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.*
- *Achieve the following project vehicle trip reductions (VTR):*
  - *Projects generating 50-99 net new AM or PM peak hour vehicle trips: 10 percent VTR*
  - *Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR*
- *Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.*
- *Enhance the City's transportation system, consistent with City policies and programs.*

ii. TDM strategies to consider include, but are not limited to, the following:

- *Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.*
- *Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.*
- *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.*
- *Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.*
- *Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.*
- *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).*
- *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.*
- *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).

- *Guaranteed ride home program for employees, either through 511.org or through separate program.*
- *Pre-tax commuter benefits (commuter checks) for employees.*
- *Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.*
- *On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.*
- *Distribution of information concerning alternative transportation options.*
- *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.*
- *Parking management strategies including attendant/valet parking and shared parking spaces.*
- *Requiring tenants to provide opportunities and the ability to work off-site.*
- *Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).*
- *Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.*

The TDM Plan shall indicate the estimated VTR for each strategy, 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.

When Required: Prior to approval of construction-related permit

Initial Approval: Bureau of Planning

Monitoring/Inspection: N/A

b. TDM Implementation – Physical Improvements

Requirement: 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.

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

c. TDM Implementation – Operational Strategies

Requirement: For projects that generate 100 or more net new AM or PM peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR 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.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning

In response to this requirement, Fehr & Peers has prepared this TDM program for the Project. The Project is estimated to generate more than 100 new peak hour vehicle trips, thus the measures specified for such projects above are applicable.

PROJECT SETTING

The Project is located in Downtown Oakland, which is a high-density, transit-rich, pedestrian-friendly area with limited parking supply. As a result, the Project is estimated to generate fewer automobile trips and parking demand than typical suburban developments. The Transportation Impact Analysis (TIA) completed for the Project (dated January 11, 2016) adjusts the automobile trip generation and parking demand for the Project to account for these characteristics. According to the TIA, the Project is estimated to generate 2,880 daily, 450 AM peak hour, and 420 PM peak hour automobile trips. The parking demand for the Project is estimated to be 941 spaces.

TDM PROGRAM GOALS

SCA TRA-4 requires the TDM program to reduce automobile trips by 10 percent for projects generating between 50 and 99 net new peak hour trips and by 20 percent for projects generating 100 or more net new peak hour trips. Since the proposed Project is expected to generate over 100 AM and PM peak hour trips, the goal of this TDM Program is to:

- Reduce the vehicle trips by 20 percent.

Because of its location in an area rich with non-automotive transportation options and the limited on-site automobile parking supply, the Project is estimated to generate fewer auto trips and lower parking demand than comparable developments elsewhere. Implementation of an effective TDM program can further reduce usage of the automobile as a primary mode of travel for the developments' employees and visitors. In urban areas with high transit availability, robust TDM programs have been shown to reduce vehicle trips by as much as 80 percent and an average range of 20-50 percent[1].

In order to meet the City of Oakland's SCA TRA-4 requirement of obtaining a 20 percent vehicle trip reduction, the TDM program would need to accomplish the following:

- Reduce automobile trip generation 90 AM and 84 PM peak hour trips, which would result in the Project generating 360 AM and 336 PM peak hour trips.
- Reduce peak automobile parking demand by 188 spaces, which would reduce the peak parking demand to 753 spaces and reduce the parking deficit from 736 spaces to 548 spaces.

INFRASTRUCTURE IMPROVEMENTS

Several infrastructure improvements were previously recommended that would encourage bicycling, walking, and transit usage: These improvements, which are considered part of the TDM program include:

> **Recommendation TRA-2:** While not required to address a CEQA impact, the following should be considered as part of the final design for the Project:

[1] CAPCOA, 2010. *Quantifying Greenhouse Gas Mitigation Measures*. Pages 58-60.

- Install directional curb ramps at the southwest, southeast, and the northwest corners of the 12th Street/Jefferson Street intersection, which would be the most heavily used intersection by pedestrians travelling to and from the Project. Considering that fire hydrants and/or signal poles are present at these locations, construction of bulbouts (curb extensions) may also be required.
- Explore the feasibility of installing directional curb ramps at the 12th Street/ Martin Luther King Jr. Way, 11th Street/Martin Luther King Jr. Way, and 11th Street/Jefferson Street intersections. Prepare and submit a feasibility report, prepared by a qualified transportation consultant, for City review. If the City determines feasible, implement the improvement.
- Install pedestrian signal heads at the following locations:
    - All corners at the intersections of Martin Luther King Jr Way at 12th Street and 11th Street (eight at each location)
    - At all corners of the 12th Street/Jefferson Street intersection for pedestrians crossing the west and east approaches, and the westbound direction of the north and south approaches (six total)
- Use different paving material, texture, and/or paint for the segment of sidewalk crossing the garage driveways on Martin Luther King Jr. Way and loading driveway on 12th Street to alert both motorists and pedestrians. Ensure the passage zone on the sidewalk is level and at the same grade as the adjacent sidewalk.

Recommendation TRA-3: While not required to address a CEQA impact, the following should be considered as part of the final design for the Project:

- Explore the feasibility of providing a bus shelter and other amenities at the bus stop on 12th Street between Clay and Jefferson Street. Prepare and submit a feasibility report, prepared by a qualified transportation consultant, for City review. If the City determines feasible, implement the improvement.

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

- Relocate the long-term bicycle parking from the underground parking level to a more convenient location on the ground level, subject to City review and approval.

- Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.

In addition, the Project would also provide adequate short-term and long-term bicycle parking that would meet City Code requirements. As part of the Bicycle Facility Monitoring component of the TDM Plan, building management would monitor the usage of the facilities and provide additional bicycle parking, as needed. Infrastructure improvements are identified as Mandatory Measures in Table 1 and are recommended to be included as conditions of approval for the project to be included as part of the final project design.

CITY CENTER PROJECT BLOCK T12 CONCEPTUAL TDM PLAN (2007)

This TDM Program expands the Block TI2 Conceptual TDM Program (Mitigation Measure B.4) which was developed for the project site in 2007. **Appendix A** provides the 2007 Conceptual TDM Plan.

As part of the 2007 Conceptual Program, the Project Sponsor provided $125,000 to AC Transit for transit infrastructure improvements in the Project vicinity. This payment is considered part of this TDM program.

MANDATORY TDM STRATEGIES

The T12 Building management (owner) shall implement the mandatory strategies described below. Some of these strategies shall be directly implemented by the building management and others shall be implemented by individual tenants. If the mandatory measures do not achieve the required VTR goals, additional voluntary measures are to be implemented, as described in the following section. **Table 2** lists these TDM strategies, identifies if the strategy is mandatory, and the responsible party for implementation. Table 2 also summarizes the effectiveness of the TDM strategies based on research compiled in Quantifying Greenhouse Gas Mitigation Measures (California Air Pollution Control Officers Association (CAPCOA), August 2010). This report is a resource for local agencies to quantify the benefit, in terms of reduced travel demand, of implementing various TDM strategies.

TABLE 1
MANDATORY TDM PROGRAM COMPONENTS

TDM Strategy	Responsible Party	Estimated Trip Reduction[1]
Mandatory Measures		
Provide Payment to AC Transit (Completed)	Building Management	NA[2]
Infrastructure Improvements (Recommendations TRA-2 thru TRA-4)	Building Management	NA[2]
Designate On-Site Car-Share Spaces	Building Management	1%
Coordinate to Provide Bike-Share Station	Building Management	NA[2]
Parking Management	Building Management	5%
Alternative Work Schedule/Flexible Hours/ Telecommuting	Project Tenants	<1%
Transit Fare Subsidy	Project Tenants	10%[3]
Pre-tax Commuter Benefit	Project Tenants	NA[1]
Carpool and Ride-Matching Assistance	Building Management	2%
Preferential Parking for Carpoolers	Building Management	
Bicycle Facility Monitoring	Building Management	NA[2]
Guaranteed Ride Home	Project Tenants	NA[2]
TDM Coordinator	Building Management and Project Tenants	NA[2]
TDM Marketing and Employee Education	Building Management and Project Tenants	2%
	Total	**20%**

1. The focus of the CAPCOA document is reductions to VMT but the research used to generate the reductions also indicates vehicle trip reductions are applicable as well. For the purposes of this analysis the VT reduction is assumed to equal the VMT reduction. See the cited CAPCOA research for more information and related information on page 8 of the BAAQMD *Transportation Demand Management Tool User's Guide* (June 2012).
2. The effectiveness of this strategy cannot be quantified at this time. This does not necessarily imply that the strategy is ineffective. It only demonstrates that at the time of the CAPCOA report development, existing literature did not provide a robust methodology for calculating its effectiveness. In addition, many strategies are complementary to each other and isolating their specific effectiveness may not be feasible.
3. Assuming a subsidy of $3.00 per employee per day.

Sources: Fehr & Peers, 2016.

- *Car-Share Spaces* – Designate at least two on-site parking spaces for Carsharing (such as City Car Share, Zip Car, etc.) for free. Monitor the usage of the carsharing spaces and adjust if necessary. As an additional strategy, encourage Project tenants to provide free/subsidized car-share membership to their employees.

- *Bike-Share Station* – Cooperate with City of Oakland and/or other regional agencies to allow installation of a potential bike-share station along the Project frontage.
- *Parking Management* – Building management shall charge for all parking spaces in the building unless noted in other strategies, remove the cost of parking from the lease agreements, and set the fee for monthly, daily, and/or hourly parking shall be same as or higher than other nearby garages.
- *Alternative Work Schedule/Flexible Hours/Telecommuting* – Encourage Project tenants to offer alternative work schedules, flexible hours, and or telecommuting, which can eliminate employee trips or shift them to non-peak periods.
- *Transit Fare Subsidy* – Encourage Project tenants to provide free or reduced cost transit in order to increase transit mode share. Options include:
    - Employers can offer a monthly commuter check (or alternatively Clipper Card, which is accepted by BART, AC Transit, and other major transit providers in the Bay Area) to employees to use public transit. Note that as of 2016, IRS allows up to $255 per employee per month.
    - Employers can participate in AC Transit's EasyPass program, which enables employers to purchase annual bus passes for their employees in bulk at a deep discount. The passes allow unlimited rides on all AC Transit buses for all employees. For more information, see www.actransit.org/rider-info/easypass.
- *Pre-tax Commuter Benefits* – Encourage Project tenants to enroll in WageWorks or other service to help with pre-tax commuter savings. This strategy allows employs to deduct monthly transit passes or other amount using pre-tax dollars. This can help to lower payroll taxes and allows employees to save on transit.
- *Carpool and Ride-Matching Assistance Program* – The building management shall offer personalized ride-matching assistance to pair employees interested in forming commute carpools. As an enhancement, building management may consider using specific services such as ZimRide, TwoGo by SAP, Enterprise RideShare, or 511.org RideShare.
- *Preferential Parking for Carpoolers* – The building management shall offer free or discounted preferential carpool parking for eligible commuters. To be eligible for carpool parking, the carpool shall consist of three or more people. The building management shall monitor and provide adequate carpool spaces to meet and exceed potential demand. Considering the limited parking supply at the site, all or some of the unoccupied parking spaces designated for carpool shall be available for general use after 10:00 AM.

- *Bicycle Facility Monitoring* – As previously described, the Project would meet the City's requirements for short-term and long-term bicycle parking. Building management shall monitor the usage of these facilities and provide additional bicycle parking if necessary.
- *Guaranteed Ride Home* – Encourage Project tenants to register for the Guaranteed Ride Home (GRH) program. Employees may be hesitant to commute by any other means, besides driving alone, since they lose the flexibility of leaving work in case of an emergency. GRH programs encourage alternative modes of transportation by offering free rides home in the case of an illness or crisis, if the employee is required to work unscheduled overtime, if a carpool or vanpool is unexpectedly unavailable, or if a bicycle problem arises. The Alameda County Transportation Commission offers a GRH service for all registered permanent employees who are employed within Alameda County, live within 100 miles of their worksite, and do not drive alone to work. The GRH program is offered at no cost to the employer, and employers are not required to register in order for their employees to enroll and use the program.
- *TDM Coordinator* – Each tenant shall designate a staff person as their TDM coordinator to coordinate, monitor and publicize TDM activities. Building management shall also designate a "Building TDM coordinator."
- *TDM Marketing and Employee Education*- Building management shall provide employees information about various transportation options in the Project area and the TDM strategies provided by the building. This information would also be posted at central location(s) and be provided to each building tenant. The information shall be updated as necessary. Marketing strategies can promote alternative trips by making commuters aware of the options and incentives of using non-automobile transportation. Implementing commute trip reduction strategies with a complementary marketing strategy can increase the overall effectiveness of the program.

ADDITIONAL TDM STRATEGIES

The Project should consider the implementation of some or all of the following additional strategies to limit automobile use and encourage non-automotive travel. If the TDM program does not meet the required goals, the implementation of some or all of these measures may become necessary.

TABLE 2
ADDITIONAL TDM PROGRAM COMPONENTS

TDM Strategy	Responsible Party	Estimated Trip Reduction
Additional TDM Strategies		
Increased Transit Subsidy	Building Management	NA[1]
Increased Parking Fee	Building Management	NA[1]
Car-Share Membership	Project Tenants	NA[1]
Bike-Share Membership	Project Tenants	NA[1]
Personalized Trip Planning	Building Management	NA[1]

1. Estimated trip reductions will only be recalculated as part of a Corrective Action Plan, if required.
Sources: Fehr & Peers, 2016.

- *Increased Transit Subsidy* – Encourage tenants to increase the transit subsidy provided to employees. Alternatively, the building management can include a specific number of transit passes with each lease agreement.

- *Increased Parking Fees* – Increase the cost of on-site parking to further discourage site employees from driving.
- *Car-Share Membership* – Encourage increased usage of car-share by encouraging tenants to fully or partially pay for their employees' yearly membership fee and insurance associated with car-sharing.
- *Bike-Share Membership* – Encourage increased usage of bike-share by encouraging tenants to fully or partially pay for their employees' yearly membership fee and insurance associated with bike-sharing.
- *Personalized Trip Planning* – In the form of in-person assistance or as a web tool, this provides employees with a customized menu of options for commuting. Trip planning reduces the barriers employees see to making a walk, bike, or transit trip to the site. Transit trip making tools, such as those available from Google or 511.org, could be promoted to inform employees of transit options to/from work. Providing a map of preferred walking routes to destinations within one mile of the site and a map of bicycling routes within five miles of the site would be a proactive strategy to encourage those employees to use alternatives to driving. Building management can make presentation to employers and their employees upon request or at set times.

MONITORING, EVALUATION AND ENFORCEMENT

Consistent with the requirements of the City's Standard Conditions of Approval, this TDM program requires regular periodic evaluation of the program to determine if the program goals in reducing automobile mode share are satisfied and to assess the effectiveness of the various strategies implemented. Site management shall prepare an annual TDM monitoring report consisting of the following:

- Annual vehicle trip counts and reports. 24-hour driveway counts shall be conducted by a third party over at least three days during a typical week (e.g., school is in-session, and dry weather)
- An annual employee mode share survey with 80% employee response rate. This employee transportation survey is meant to monitor the number of driving trips to and from the site and the parking demand generated by the site.
- Summary of TDM measures implemented by the building and the tenants and their effectiveness (e.g., bicycle parking occupancy, number of transit passes issued, etc.)

The monitoring report shall describe the TDM programs and services that are currently offered to employees/tenants and summarize the findings of the vehicle trip counts and mode share survey, noting if they are in compliance with the established vehicle trip cap.

As previously discussed, the goal of the TDM program is to reduce automobile mode share by 20 percent so that the Project would generate no more than the following:

- 360 total AM peak hour automobile trips
- 336 total PM peak hour automobile trips
- Peak parking demand of 753 parking spaces

Based on the results of the surveys, TDM programs shall be increased if these goals are not met. This program ensures the implementation of the mandatory TDM measures and related requirements through compliance with the Mitigation Monitoring and Reporting Program, as implemented through the Conditions of Approval adopted for the Project. If following the annual monitoring the TDM goals are not satisfied, additional measures shall be implemented until the goal is met. Following the surveys, site management shall prepare and submit an annual report documenting the results, comparison to the TDM program requirements and additional measures to be implemented, if any.

If in two successive years the Project's TDM goals are not satisfied, site management shall prepare and submit for City approval a Corrective Action Plan. The Corrective Action Plan shall detail the additional TDM measures to be implemented on site and their expected modal split reduction.

If, one year after the Corrective Action Plan is implemented, the required automobile mode trip reduction target is still not being achieved, or if site management fails to submit a report as 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 a financial penalty based on the observed reduction in the automobile mode share compared to the target; 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.

The penalty as described in (a) above shall be determined by assigning a cost to the number of additional automobile trips to be reduced in order to meet the required goal. Assuming the cost per new alternative commuter is $26/day and that there are 261 workdays per year, the annual cost per new alternative commuter is $6,790. The Project shall therefore pay a penalty of $6,790 per year for each trip that should have been using an alternative mode if the 20 percent reduction after completion of the Project had been achieved.

In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the Project has made a good faith effort to comply with the TDM program. 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 TDM plan.

If in five successive years the Project is found to meet the stated TDM goal, additional surveys and monitoring shall be suspended until such a time as the City deems they are needed.

Please contact us with questions or comments.

Attachments:

City Center Project Block T12 - Conceptual TDM Program (2007)

City Center Project
Block T12

Mitigation Measure B.4

Mitigation Measure B.4: Although a parking shortfall is not considered a significant impact under CEQA, implementation of the following measure would reduce the potential parking shortfall in the project vicinity. It is the policy of the City when a parking shortfall exists that alternative transportation methods be encouraged to fill the gap. This focus on reduction of parking demand rather than increase in parking supply is a cornerstone of the Oakland Transit First Policy. To meet the goals of the policy, project sponsor of the Block T12 phase of the proposed project, and as determined applicable by the City, subsequent phase of the proposed project, shall implement a Transportation Demand Management Plan (TDM) consistent with the conceptual TDM attached hereto as follows:

- As to those aspect of the conceptual TDM which require physical implementation in the building configuration or design elements, such aspects will be included in building construction plans approved by the City prior to issuance of the first building permit for project construction.

- Prior to the issuance of the final certificate of occupancy for the project, the project sponsor shall require building management to adopt a final TDM Plan focusing on the goals and criteria established in the conceptual TDM.

Conceptual TDM Program

Transit

Building Management shall appoint a member of the building staff to act as a transit coordinator to make information available to tenants about available transit service.

- Provide schedule books, maps and other information to interested employees.
- Sponsor on-site Commute Solutions Programs and invite transit service providers to participate.

Tenants shall be encouraged to further inform employees about transit options by:

- Including transit information in employee orientation packets.
- Posting transit information in popular gathering places, such as cafeterias, break rooms, etc.

Building Management shall encourage the tenants to consider transit subsidies, such as free transit passes and participation in the MTC - Commuter Check Program. Other incentive ideas include:

- Providing transit ticket books with coupons for rides, instead of a monthly pass
- Setting up a pre-tax payment system for employees
- Coupon ticket (free ride) giveaways to interested employees to try transit
- Providing a Guaranteed Ride Home (GRH) program for transit riders

Building Management shall identify and promote locations where transit passes are sold. If none exist in close proximity, to the extent within its control Building Management will encourage existing retail tenants (convenience stores, small groceries, etc.) in the immediate vicinity to provide transit pass services. Building Management shall encourage interested parties in establishing a Transit Store operation on-site or within the development area. If no Transit Store or other location, where transit passes are sold, is identified, Building Management shall make such passes available for sale through the on-site transit coordinator until such a location is available.

Ridesharing

Building Management shall encourage and promote the formation of carpools and vanpools with the following actions:

- Provide tenants with marketing and informational materials promoting ridesharing services and opportunities.
- Encourage tenants to register interested employees the with Metropolitan Transportation Commission's 511 Rideshare program or Bay Area RIDES.
- Provide preferential parking for interested registered carpool and vanpool vehicles on site.
- Provide reduced parking rates for interested registered carpool and vanpool vehicles on site or nearby.
- Encourage employers to consider ridesharing incentives/subsidies to carpoolers and vanpoolers.

- Establish car share service with interested vendors (Flexcar, Zip Carshare, etc) on site or nearby.

There are a number of local "Concierge Services" doing business in the downtown area. These services provide assistance with daily errands (dry cleaning and pharmacy drop-off and pick-up, post office, shopping, etc.). Building Management shall identify, promote and encourage building occupants use of outside concierge type services.

Bicycling

Building Management shall provide long-term and short-term on-site parking facilities for bicycle commuters.

Long-term bicycle parking serves people who frequently leave their bicycles at the same location for the day or overnight providing superior security and protection from the weather. Long-term bicycle parking includes the following:

- Bicycle lockers are enclosed storage units that each store one bicycle.
- Bicycle cages are secure rooms of bicycle racks where access is limited to authorized individuals.

Short-term bicycle parking serves people who leave their bicycles for relatively short periods of time, typically for shopping, recreation, eating, or errands. The parking is conveniently located at the destination to effectively serve these short trips.

Building Management shall provide information to tenants and employees regarding existing local bicycle routes and paths. Transit providers rules related to transporting bicycles shall be posted and available to bicyclists. Other community resources that may be available that helps bicycle commuters find the safest, quickest and easiest routes to work shall be identified and posted.

[Building Management shall provide shower and locker facilities to accommodate registered long term bicycle parking users.] [Details pending discussion]

Parking Management

Parking garages in the area primarily provide long-term commuter parking on a monthly and daily basis. Transient (short-term) parking is available even when all spaces are leased because individual monthly spaces are not parked every day. Typically there is a daily 15 to 20 percent absentee rate for a fully leased parking supply.

Building Management shall set parking rates and establish signage plans so as to avoid encouraging use by people not associated with the project, including by providing discounts for monthly/tenant parkers.

A valet operation can significantly increase (20-40 percent) garage capacity however this type of operation is most efficient when vehicles are parked long-term.

- In the event actual demand is appropriate, Building Management shall encourage incorporation of valet parking.
- Building Management shall provide preferential parking for interested registered carpool and vanpool vehicles on site.
- Building Management shall provide reduced parking rates for interested registered carpool and vanpool vehicles on site or nearby.
- Building Management shall provide parking for interested car share vendors (Flexcar, Zip Carshare, etc) on site or nearby.

Telecommuting

Building Management shall encourage tenant employers to consider instituting telecommuting options for some of their employees. Telecommuting can significantly reduce commute travel. For example, a twice-a-week telecommuter reduces commute trips by 40 percent. Established telecommuting programs reduced parking demand as well as office space needs and overhead costs.

Alternative Work Schedules

Building Management shall encourage tenant employers to consider instituting alternative work schedules (also called variable work hours). This type of program generally includes:

- Flextime. This means that employees are allowed some flexibility in their daily work schedules. For example, rather than all employees working 8:00 to 4:30, some might work 7:30 to 4:00, and others 9:00 to 5:30.
- Compressed Workweek. This means that employees work fewer but longer days, such as four 10-hour days each week (4/40), or 9-hour days with one day off every two weeks (9/80).
- Staggered Shifts. This means that shifts are staggered to reduce the number of employees arriving and leaving a worksite at one time. For example, some shifts may be 8:00 to 4:30, others 8:30 to 5:00, and others 9:00 to 5:30. This has a similar effect on traffic as flextime, but does not give individual employees as much control over their schedules.

These programs can reduces peak period congestion, and can make ridesharing and transit use more feasible. Compressed Work Weeks reduce total vehicle travel and it is among the most effective commute trip reduction strategies available.