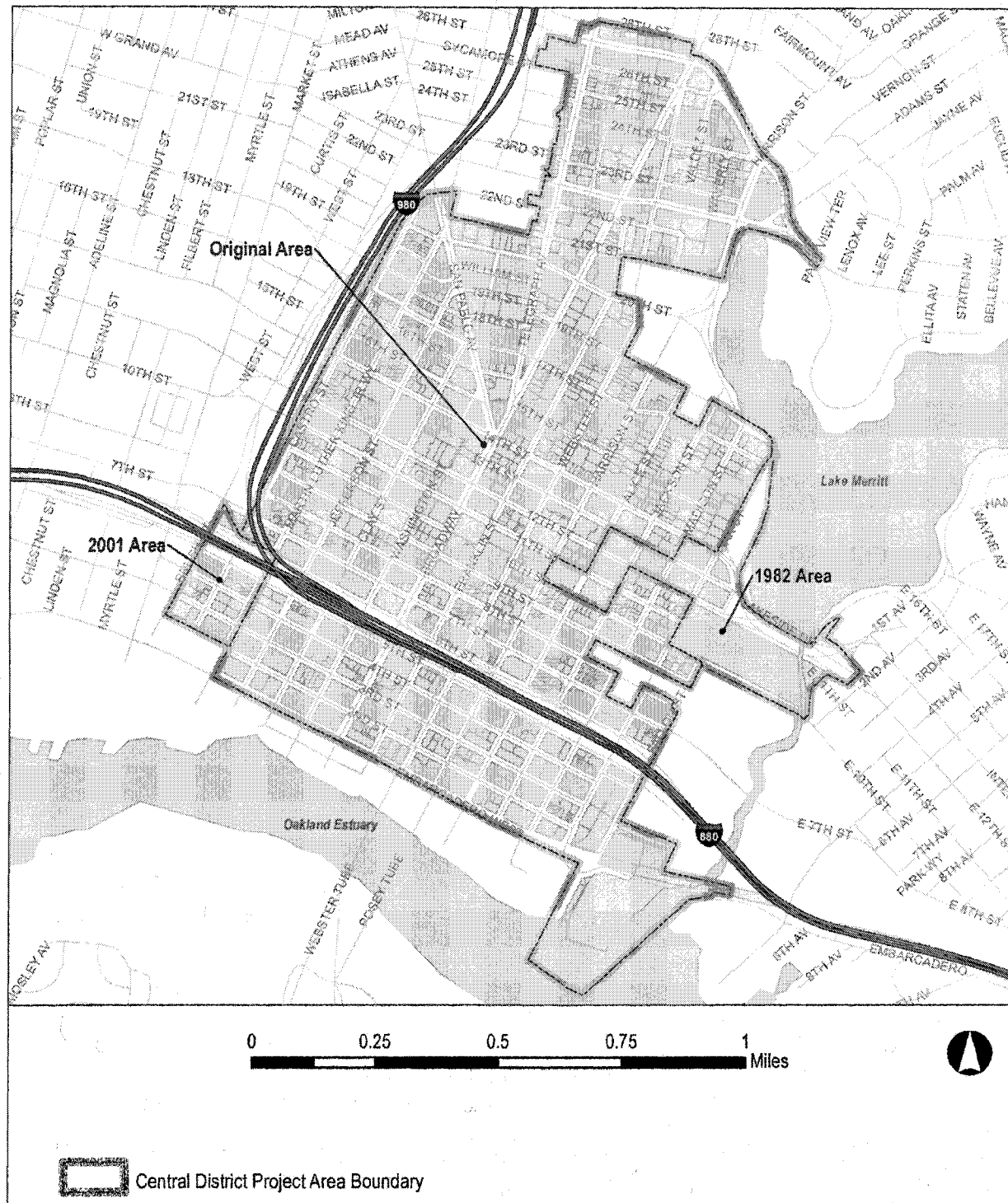


#8	Location: Central District Redevelopment Project Area, an approximately 828-acre area in downtown Oakland generally bounded by I-980, Lake Merritt, 27th Street, and the Embarcadero
	Proposal: Public Hearing on the Final Environmental Impact Report (FEIR) for proposed amendments to the Central District Redevelopment Urban Renewal Plan that: (1) Extend the time limits on plan effectiveness and the receipt of tax increment revenues by 11 years, (2) Increase the cap on tax increment revenues, (3) Extend the time limit for use of eminent domain and restrict eminent domain to nonresidential properties, (4) Amend affordable housing provisions, and (5) Make other required changes.
	Purpose: The purpose of this hearing is to certify the FEIR and to consider recommending approval of the proposed amendments to the Central District Redevelopment Urban Renewal Plan to the City Council.
	Applicant: Redevelopment Agency of the City of Oakland
Contact Person/Phone Number:	Blair Miller, Redevelopment Project Manager (510) 238-2055
Case File Number:	ER10-0003
	General Plan: Central Business District, Urban Open Space District, Institutional District, Urban Residential District.
	Estuary Plan: Off-Price Retail District, Retail Dining Entertainment 1 and 2 Districts, Produce Market District, Mixed Use District, Waterfront Warehouse District, Planned Waterfront Development 1 District.
	Zoning: CBD-R, Central Business District-Residential Zone, CBD-P, Central Business District-Pedestrian Retail Commercial Zone, CBD-C, Central Business District-General Commercial Zone, CBD-X, Central Business District-Mixed Commercial Zone, S-2, Civic Center Zone, S-4, Design Review Combining Zone, S-7, Preservation Combining Zone, S-12, Residential Parking Combining Zone, S-19, Health and Safety Protection Overlay Zone, OS (SU), Open Space Special Use Park Zone, OS (NP), Open Space Neighborhood Park Zone, OS (RSP), Open Space Region-Serving Park Zone, OS (LP), Open Space Linear Park Zone, OS (RCA), Open Space Resource Conservation Area Zone, C-25, Office Commercial Zone, C-30, District Thoroughfare Commercial Zone, C-40, Community Thoroughfare Commercial Zone, C-45, Community Shopping Commercial Zone, C-55, Central Core Commercial Zone, C-60, City Service Commercial Zone, D-BR, Broadway Retail Frontage Interim Combining District Zone, R-90, Downtown Apartment Residential Zone, M-20, Light Industrial Zone, M-30, General Industrial Zone, CIX-1, Commercial Industrial Mix 1 Zone.
Environmental Determination:	A Draft Environmental Impact Report (DEIR) was published for a 45-day review period from March 18, 2011 to May 2, 2011. A Final EIR has been prepared for the proposed amendments
	Historic Status: Redevelopment Project Area includes numerous buildings, districts, sites, and structures that are listed on or eligible for National, California, and Local Registers of Historic Resources and thus are considered CEQA Historic Resources
Service Delivery District:	1, 2, Metro
City Council District:	2, 3
	Action to be Taken: Certification on the EIR; recommend adoption of the proposed amendments
	Staff Recommendation: Certify the EIR and adopt the attached CEQA-related findings; recommend adoption of the proposed amendments
For Further Information:	Contact case planner Ulla-Britt Jonsson at (510) 238-3322 or by email at ujonsson@oaklandnet.com



BACKGROUND AND SUMMARY

The City and the Redevelopment Agency of the City of Oakland ("Agency") are considering two amendments (the "Proposed Amendments") to the Central District Redevelopment Urban Renewal Plan (the "Plan") for the Central District Project Area (the "Project Area"), which are the 17th Amendment and 18th Amendment to the Plan.

The purpose of this July 6, 2011 Planning Commission hearing is to receive comments from the Commission and the public, before considering the following actions:

- 1) Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment 2**; and
- 2) Certify the EIR and adopt the CEQA-related findings (**Attachment 1**);
- 3) Recommend adoption of the Central District Urban Renewal Plan Proposed Amendments to the City Council.

Pursuant to the California Environmental Quality Act (CEQA), a Final Environmental Impact Report (Final EIR) was prepared for the Central District Urban Renewal Plan Proposed Amendments, and released to the public on June 9, 2011. The Central District Urban Renewal Plan Proposed Amendments and the Responses to Comments and Final EIR were furnished separately to the Planning Commission, and the Draft EIR with Appendices and the Responses to Comments and Final EIR are available to the public, through the City's website:

<http://www2.oaklandnet.com/Government/o/CEDA/o/Redevelopment/o/CentralDistrict/index.htm>

These documents are also available at no charge at the Community and Economic Development Agency, Planning Division, 250 Frank Ogawa Plaza, Suite 3315, Oakland, California 94612. Additional copies are available for review at the Oakland Public Library, Social Science and Documents, 125 14th Street, Oakland CA 94612.

As more fully described and explained in the following sections of this staff report, staff recommends that the Planning Commission certify the EIR and recommend the City Council approve the Central District Urban Renewal Plan Proposed Amendments, subject to the requirements and findings contained in or attached to this staff report.

On October 14, 2010, the Redevelopment Agency issued a Notice of Preparation (NOP) to inform agencies and interested parties of its intent to prepare and distribute an EIR for the two Amendments to the Plan. The NOP was distributed to governmental agencies, organizations, and persons interested in the development facilitated by the Proposed Amendments. The City of Oakland Planning Commission and the Landmarks Preservation Advisory Board (LPAB) held Scoping Meetings on November 3 and November 8, 2010, respectively, to accept comments regarding the scope of the EIR in response to the NOP. The NOP review period ended on November 15, 2010. A Draft Environmental Impact Report (DEIR) was published for a 45-day review period from March 18, 2011 to May 2, 2011. On April 6, 2011, the Planning Commission held a public hearing to receive testimony on the environmental analysis contained in the DEIR. On April 11, 2011, the Landmarks Preservation Advisory Board held a hearing and received comments on the Draft EIR. Responses to written comments and verbal testimony received

during the Draft EIR review period and the public hearings are contained in the Responses to Comments and Final EIR (RTC/EIR).

The RTC/EIR contains the following chapters:

- Project Summary (Chapter 2), summarizes the Proposed Amendments as presented in the DEIR as the City of Oakland has not made any changes to the Proposed Amendments since publication of the DEIR.
- Changes to the DEIR (Chapter 3), contains text changes and corrections to the DEIR initiated by the Lead Agency or resulting from comments received on the DEIR.
- Commenters on the DEIR (Chapter 4), lists all agencies, organizations and individuals that submitted written comments on the DEIR during the public review and comment period, and/or that commented at the Planning Commission Public Hearing and/or the Landmarks Preservation Advisory Board Public Hearing on the DEIR.
- Written Comments and Responses to Written Comments Received on the DEIR (Chapter 5), contains each of the comment letters received on the DEIR and presents individual responses to the specific comments raised in each letter.
- Comments and Responses to Comments Made at the Public Hearings on the DEIR (Chapter 6), includes transcripts of the Planning Commission and the Landmarks Preservation Advisory Board Public Hearings on the DEIR and presents responses to the specific comments received.
- Findings Required for the Demolition of Historic Properties (Appendix A), contains the findings required to be met to approve an application to demolish a historic structure in the City of Oakland.

Responses in the RTC/EIR specifically focus on comments that pertain to the adequacy of the analysis in the DEIR or other aspects pertinent to the environmental analysis of the proposed project pursuant to CEQA. Comments that address topics beyond the purview of the DEIR or CEQA are noted as such for the public record. In addition, DEIR changes presented in the RTC/EIR (including the revised Summary Table of Impacts, Mitigation Measures, Standard Conditions, and Residual Impacts) incorporate and supersede original text in the DEIR.

Staff received comments from the East Bay Municipal Utility District and in response, changed the following sections of the EIR: Project Description, Greenhouse Gases and Climate Change, Hydrology and Water Quality, and Utilities and Service Systems.

Verbal testimony and comments made during the City's hearings held by the Oakland Planning Commission and the LPAB as well as written comments received during the public comment period, resulted in adding an Appendix on Demolition Findings for Historic Structures to the EIR.

None of these changes triggered recirculation of the DEIR under the criteria set forth in CEQA Guidelines section 15088.5 .

The programmatic Draft EIR (DEIR) is appropriate for purposes of the redevelopment plan amendment process, as provided in CEQA Guidelines section 15180. For purposes of this EIR,

the proposed project is the adoption and implementation of the Proposed Amendments to the Central District Redevelopment Urban Renewal Plan.

Please note that the Draft EIR inadvertently listed a version of the City's Dust Control Standard Condition of Approval (SCA) that had been modified to include specific requirements applicable to a particular project. As a result, the SCA included in the Draft EIR (listed as SCA 26) specified site size constraints which are not applicable for the Proposed Amendments to the Central District Urban Renewal Plan EIR, which is a program-level document that is intended to cover projects of varying sizes. Staff recommends that the Final EIR and Conditions of Approval for the Proposed Amendments be revised to reflect the City's current requirements in its SCA 26. This does not alter the conclusions or the environmental analysis in the EIR.

PROJECT AREA DESCRIPTION

The Project Area consists of three components originally adopted between 1969 and 2001. The Project Area covers approximately 250 city blocks (828 acres) generally bounded by I-980, Lake Merritt, 27th Street and the Embarcadero [See attached Map on page 2]. Within the Project Area, there are four major redevelopment activity areas: City Center, Chinatown, Victorian Row/Old Oakland and the Uptown Retail area. The Project Area is a major economic and transportation hub in the San Francisco-Oakland Metropolitan Area and includes 24 Class A and 51 Class B office buildings with approximately 10.7 million square feet of office space. The Project Area is also at the center of the Bay Area Rapid Transit (BART) system, with three stations (12th Street Oakland City Center, 19th Street, and Lake Merritt) located within its boundaries. More than forty AC Transit bus lines connect the Project Area with other parts of Oakland and nearby communities. The Project Area may include sites that are on the Cortese List or other lists of contaminated properties. A map of the Project Area is provided on page 2 of this report.

PROJECT DESCRIPTION

Although significant progress has been made in alleviating blight and revitalizing portions of the Project Area, much of the Project Area continues to exhibit significant remaining blighting conditions that burden the community.

The primary reasons for the Proposed Amendments to the Plan are to:

- Achieve the goals and objectives set forth in the Redevelopment Plan
- Implement the Agency's redevelopment program
- Alleviate the significant physical and economic blighting conditions that remain in the Project Area

Without the Proposed Amendments, the Agency will only be able to fund a portion of the ongoing redevelopment activities to address remaining blighting conditions under the current time and fiscal limits. By extending the time and fiscal limits proposed through the Proposed Amendments, the Agency would be able to continue alleviating the identified remaining blight,

facilitate revitalization, growth and the creation of temporary and permanent jobs in the Project Area.

These activities could include some or all of the following: assembly of blighted and underutilized properties into sites suitable for new sustainable development; disposition of properties for rehabilitation or new construction; low-cost or market-rate loans and/or grants; tax increment and other subsidies; direct improvements to support rehabilitation of blighted structures or new construction on blighted properties; façade and tenant improvement programs as part of a retail attraction and assistance program; public art installations; and infrastructure improvements, including streetscape improvements, installation of utilities, traffic capacity projects, mass-transit improvements, parking facilities, public parks, public facilities and storm drainage improvements, among others. The redevelopment activities also would support the development of additional low- and moderate- income housing. Additionally, to maintain the Agency's ability to alleviate blight and promote economic growth in the Project Area, the Proposed Amendment would extend the time limit for the Agency's eminent domain authority in the Project Area.

This program-level EIR analyzes those impacts that would be expected to occur over an approximately 11-year period, or by the year 2023. Under current time limits, the effectiveness of the Redevelopment Plan will terminate on June 12, 2012, and the ability of the Agency to receive tax increment revenue will expire 10 years thereafter. As allowed by SB 211 (Health and Safety Code Section 33333.10 et seq.) and other provisions of redevelopment law, the Agency is extending these two time limits for an additional 11 years.

Although the redevelopment projects and programs to be facilitated by the Proposed Amendments would generally remain similar to those currently being implemented, the EIR analyzes the effects of changes in the environment resulting from implementation of additional 11 years of redevelopment activities and tax increment funding. Implementation of actions defined in the Plan and the Proposed Amendments could result in the rehabilitation, reconstruction, or alteration of buildings, housing, public infrastructure, and other physical changes to the environment.

Under state redevelopment law (Health and Safety Code Sections 33346-47, 33354.6, and 33333.11), a redevelopment agency must submit proposed redevelopment plan amendments to the planning commission for the commission's report and recommendation on the proposed amendment and its conformity to the general plan. This report and the recommendations of the Planning Commission, which fulfill the state law requirements, will be forwarded to the City Council prior to Council's decision whether or not to adopt the Proposed Amendments

GENERAL PLAN ANALYSIS

Each of the chapters that address the CEQA topics in the Draft EIR analyzed potentially significant environmental impacts and addressed the General Plan Policies for those topics.

The proposed programs and projects are consistent with adopted General Plan, as it is amended from time to time, and are intended to enhance the Project Area's function, appearance, and economic vitality in ways that would not otherwise be available. Therefore, the Planning

Commission should find that the Proposed Amendments conform to the City's adopted General Plan.

ENVIRONMENTAL REVIEW

The EIR analyzes potentially significant environmental impacts in the following environmental categories: Aesthetics, Shadow and Wind; Air Quality; Biological Resources; Cultural Resources; Geology, Soils and Geohazards; Greenhouse Gases and Climate Change; Hazardous Materials; Hydrology and Water Quality; Land Use, Plans and Policies; Noise; Population, Employment and Housing; Public Services and Recreation Facilities; Transportation and Circulation; Utilities and Service Systems. The Draft EIR identified significant unavoidable environmental impacts (SU) related to Air Quality Impacts, Cultural Impacts, Noise Impacts, and Transportation and Circulation Impacts.

RESPONSES TO DEIR COMMENTS/FINAL EIR (RTC/EIR)

City staff received comments on the Draft EIR from a public agency and a non-profit association. Additional oral comments were provided at the Planning Commission hearing on April 6, 2011 and at The Landmarks Preservation Advisory Board on April 11, 2011. Responses to all of the comments provided by these agencies and individuals are provided in the Final EIR document, including certain revisions and changes to text in the Draft EIR. None of these changes to the Draft EIR involves a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from that presented in the Draft EIR. Recirculation of the Draft EIR is not warranted.

ENVIRONMENTAL REVIEW PROCESS

The EIR would be relied upon when considering the discretionary approvals necessary for the project.

PREVIOUS PUBLIC HEARINGS

The City of Oakland Planning Commission and the Landmarks Preservation Advisory Board (LPAB) held Scoping Meetings on November 3 and November 8, 2010, respectively, to accept comments regarding the scope of the EIR in response to the NOP. The NOP review period ended on November 15, 2010. A Draft Environmental Impact Report (DEIR) was published for a 45-day review period from March 18, 2011 to May 2, 2011. On April 6, 2011, the Planning Commission held a public hearing to receive testimony on the environmental analysis contained in the DEIR. On April 11, 2011, the Landmarks Preservation Advisory Board held a hearing and received comments on the Draft EIR.

SUMMARY OF ENVIRONMENTAL EVALUATION

Although the project would likely result in significant and unavoidable impacts to air, cultural resources, noise, and transportation, staff believes the impacts are acceptable because the project would provide a number of benefits, including advancing the goals of the General Plan, providing needed housing opportunities, revitalizing an under-utilized sites, providing construction jobs and long-term employment opportunities, contributing to the economic vitality of the Central District and its environs, and generating sales and property tax revenue for the City. A Statement of Overriding Considerations has been prepared and is included in the CEQA-related Findings document (see Attachment 1). All other potentially significant environmental impacts can be reduced to mitigable impacts with the adoption of the Standard Conditions of Approval and Mitigation Monitoring Program (SCAMMRP) (see Attachment 2). The standard conditions of approval (SCA) and mitigation measures set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Oakland, the applicant, and/or other identified public agencies of responsibility. As appropriate, some standard conditions of approval and mitigation measures define performance standards to ensure no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted standard conditions of approval and mitigation measures. The Planning Commission will adopt and impose the feasible standard conditions of approval and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.

Oakland Planning Code section 17.158.340E requires that the Planning Commission be presented Final EIRs for certification. In certifying the EIR for the Proposed Amendments to the Central District Urban Renewal Plan the City, acting through its Planning Commission, must find that the EIR has been prepared in compliance with CEQA, the State CEQA Guidelines, and the City's local Environmental Review Regulations and has been independently reviewed and considered by the Commission. A Final EIR is legally adequate if the document complies with these requirements, and is accurate and includes an adequate discussion of potential adverse environmental effect, ways in which such effects might feasibly be mitigated, and a reasonable range of alternatives to the project which reduce or avoid adverse effects. Certification of the EIR is separate and distinct from project approval. Staff recommends that the Planning Commission certify the EIR finding that it has been prepared in compliance with CEQA the State CEQA Guidelines, and the City's local regulations in adequately analyzing new and/or potentially increased environmental impacts associated with the proposed amendments, and reflects the independent judgment of the City; and adopt the CEQA-related findings and the SCAMMRP (contained in Attachments 1 and 2).

REDEVELOPMENT PLAN AMENDMENT

The Commission is additionally requested to consider recommending approval of the proposed Redevelopment Plan amendments to the City Council. This is an action separate from the EIR

certification request. In recommending approval of the proposed amendments, the Commission must determine that the proposed amendments are consistent with the City of Oakland General Plan. As set forth in the Draft EIR for this project and in the Project Description section of this staff report and previous reports, the overall objectives of the proposed amendments are aligned with those of the Land Use and Transportation Element (LUTE) and other elements of the General Plan. For examples:¹

- Impact LU-1: Development facilitated by the Proposed Amendment would not result in the physical division of an existing community or conflict with nearby land uses
- Impact LU-2: Development facilitated by the Proposed Amendments would not conflict with applicable land use plans and policies adopted for the purpose of avoiding or mitigating an environmental effect.
- Impact LU-3: Development facilitated by the Proposed Amendments would not fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan.

In general, development facilitated by the Proposed Amendments would be consistent with the General Plan policies, including those in the LUTE, the Estuary Planning Policy, etc., because all potential redevelopment projects facilitated by the Proposed Amendments would conform to the General Plan's policy direction regarding development and redevelopment within the Project Area. The intent of specific redevelopment projects and future development activity within the Project Area is to implement the General Plan according to its policies, land use designations and zoning classifications. Further, the Redevelopment Plan explicitly includes controls on its actions stating "Nothing in this Plan shall be interpreted to exclude or release the Project Area at any time from operation of ...City codes that are presently in force or may be enacted by the Oakland City Council."

Because the project is consistent with City policies and would provide previously mentioned benefits, staff requests that the Commission recommend adoption of the Central District Urban Renewal Plan Amendments to the City Council.

CONCLUSION

Staff finds that the Central District Urban Renewal Plan Amendments conform to the General Plan and recommends that the Planning Commission forward the Plan Amendments to the City Council for adoption.

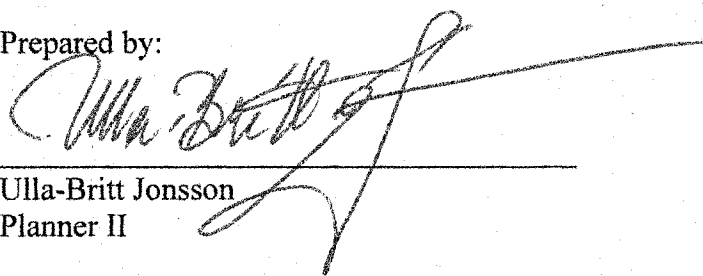
¹ Source: Proposed Amendments to the Central District Urban Renewal Plan Draft EIR (Section 4.9: Land Use, Plans and Policies)

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take public testimony, close the public hearing, and:

- 1) Adopt the CEQA findings for the Central District Urban Renewal Plan Amendments in **Attachment 1**, which include certification of the EIR, rejection of Alternatives as infeasible, and a Statement of Overriding Considerations;
- 2) Adopt the Standard Conditions of Approval, revising SCA 26 to reflect the City's current requirements, and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment 2**; and
- 3) Recommend the City Council adopt the Central District Urban Renewal Plan Amendments.

Prepared by:


Ulla-Britt Jonsson
Planner II

Approved for Forwarding to the City Planning Commission:


Eric Angstadt
Deputy Director of the Community and
Economic Development Agency

Attachments:

1. CEQA Findings
2. Conditions of Approval/SCAMMRP
3. Errata Sheet

NOTE: BOTH THE DRAFT EIR DOCUMENT AND THE RESPONSES TO COMMENTS/FINAL EIR DOCUMENT REFERENCED IN THIS REPORT WERE PREVIOUSLY PROVIDED SEPARATELY TO EACH PLANNING COMMISSIONER AND ARE ALSO AVAILABLE ON THE CITY'S WEBSITE (WWW.OAKLANDNET.COM) AND AT THE CITY PLANNING OFFICE LOCATED AT 250 FRANK H. OGAWA PLAZA, SUITE 3315.

ATTACHMENT #1

CEQA FINDINGS

I. INTRODUCTION

1. These findings are made pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by the City of Oakland Planning Commission in connection with the EIR prepared for the Central District Urban Renewal Plan Project ("the Project"), SCH #2010102024.
2. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval of the Project.
3. These findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

II. PROJECT DESCRIPTION

4. The Project, which is the subject of the EIR, consists of two amendments ("Proposed Amendments") to the Central District Urban Renewal Plan that would amend the Plan in three ways. The proposed 17th Amendment would amend the Plan in three ways. First, it would extend the duration of the Redevelopment Plan from 2012 to 2022 and extend the time period that the Redevelopment Agency can receive tax increment funds from 2022 to 2032, as allowed by Senate Bill 211 (codified at Health and Safety Code Section 33333.10 et seq.). Second, it would increase the cap on the receipt of tax increment revenue to account for the proposed time extensions, as the Redevelopment Agency is anticipated to exceed its existing cap if the time extension is adopted. Third, it would renew the Redevelopment Agency's authority to use eminent domain in the Project Area.

The Project Area covers approximately 250 city blocks (828 acres) generally bounded by I-980, Lake Merritt, 27th Street and the Embarcadero [See attached Map on page 2 of the Planning Commission staff report]. Within the Project Area, there are four major redevelopment activity areas: City Center, Chinatown, Victorian Row/Old Oakland and the Uptown Retail area.

III. ENVIRONMENTAL REVIEW OF THE PROJECT

5. Pursuant to CEQA and the CEQA Guidelines, a Notice of Preparation (NOP) of a Draft EIR (DEIR) was published on October 14, 2010. An Initial Study was not prepared for the Project, as permitted by Section 15060(d) of the CEQA Guidelines. The NOP was distributed to state and local agencies, and posted at 15 locations around the Central District. On, November 3, 2010 the Planning Commission conducted a duly noticed EIR

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scoping session concerning the scope of the EIR, and a further scoping session was held at the November 8, 2010 meeting of the Landmarks Preservation Advisory Board. The public comment period on the NOP ended on November 15, 2010.

6. A DEIR was prepared for the Project to analyze its environmental impacts. The Notice of Availability/Notice of Release of the DEIR was distributed to appropriate state and local agencies, posted at 15 locations around the Central District, and mailed to individuals who have requested to specifically be notified of official City actions on the project. Copies of the DEIR were also distributed to appropriate state and local agencies, City officials including the Planning Commission, and made available for public review at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315) and on the City's website. The DEIR was properly circulated for a 45-day public review period on August 23, 2010. A duly noticed Public Hearing on the DEIR was held at the April 6, 2011 meeting of the Planning Commission and the April 11, 2011 meeting of the Landmarks Preservation Advisory Board.
7. The City received written and oral comments on the DEIR. The City prepared responses to comments on environmental issues and made changes to the DEIR. The responses to comments, changes to the DEIR, and additional information were published in a Response to Comments and Final EIR (RTC/EIR) on June 17, 2011. The DEIR, the RTC/EIR and all appendices thereto constitute the "EIR" referenced in these findings. The RTC/EIR was made available for public review on June 17, 2011, nineteen days prior to the duly noticed July 6, 2011 public hearing. The Notice of Availability/Notice of Release of the FEIR was distributed to those state and local agencies who commented on the DEIR, and posted at 15 locations in the Central District. Copies of the DEIR and RTC/EIR were also distributed to those state and local agencies who commented on the DEIR, City officials including the Planning Commission, and made available for public review at the office of the Community and Economic Development Agency (250 Frank H. Ogawa Plaza, Suite 3315), and on the City's website. Pursuant to CEQA Guidelines, responses to public agency comments have been published and made available to all commenting agencies at least 10 days prior to hearing. The Planning Commission has had an opportunity to review all comments and responses thereto prior to consideration of certification of the EIR and prior to taking any action on the proposed project.

IV. THE ADMINISTRATIVE RECORD

8. The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:
 - a. The EIR and all documents referenced in or relied upon by the EIR.
 - b. All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the approvals, and the Project.

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- c. All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the Planning Commission.
 - d. All information (including written evidence and testimony) presented to the City from other public agencies relating to the Project or the EIR.
 - e. All final applications, letters, testimony and presentations presented by the project sponsor and its consultants to the City in connection with the Project.
 - f. All final information (including written evidence and testimony) presented at any City public hearing or City workshop related to the Project and the EIR.
 - g. For documentary and information purposes, all City-adopted land use plans and ordinances, including without limitation general plans, specific plans and ordinances, together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area.
 - h. The Standard Conditions of Approval for the Project and Mitigation Monitoring and Reporting Program for the Project (SCAMMRP).
 - i. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).
9. The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is the Director of City Planning, Community and Economic Development Agency, or his/her designee. Such documents and other materials are located at 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612.

V. CERTIFICATION OF THE EIR

10. In accordance with CEQA, the Planning Commission, acting as the Lead Agency under CEQA, certifies that the EIR has been completed in compliance with CEQA. The Planning Commission has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the Planning Commission confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City and the Planning Commission.
11. The Planning Commission recognizes that the EIR may contain clerical errors. The Planning Commission reviewed the entirety of the EIR and bases its determination on the substance of the information it contains.

Findings

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12. The Planning Commission certifies that the EIR is adequate to support all actions in connection with the approval of the Project and all other actions and recommendations as described in the July 6, 2011 Planning Commission staff report. The Planning Commission certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR, any variant of the Project described in the EIR, any minor modifications to the Project or variants described in the EIR and the components of the Project.

VI. ABSENCE OF SIGNIFICANT NEW INFORMATION

13. The Planning Commission recognizes that the FEIR incorporates information obtained and produced after the DEIR was completed, and that the FEIR contains additions, clarifications, and modifications. The Planning Commission has reviewed and considered the FEIR and all of this information. The FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the DEIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the DEIR. Thus, recirculation of the EIR is not required.
14. The Planning Commission finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

VII. STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

15. Public Resources Code section 21081.6 and CEQA Guidelines section 15097 require the City to adopt a monitoring or reporting program to ensure that the mitigation measures and revisions to the Project identified in the EIR are implemented. The Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) is attached and incorporated by reference into the July 6, 2011 Planning Commission staff report prepared for the approval of the Project, is included in the conditions of approval for the Project, and is adopted by the Planning Commission. The SCAMMRP satisfies the requirements of CEQA.
16. The standard conditions of approval (SCA) and mitigation measures set forth in the SCAMMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Oakland, the applicant, and/or other identified public agencies of responsibility. As appropriate, some standard conditions of approval and mitigation

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measures define performance standards to ensure no significant environmental impacts will result. The SCAMMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the Project complies with the adopted standard conditions of approval and mitigation measures.

17. The Planning Commission will adopt and impose the feasible standard conditions of approval and mitigation measures as set forth in the SCAMMRP as enforceable conditions of approval. The City has adopted measures to substantially lessen or eliminate all significant effects where feasible.
18. The standard conditions of approval and mitigation measures incorporated into and imposed upon the Project approval will not have new significant environmental impacts that were not analyzed in the EIR. In the event a standard condition of approval or mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the SCAMMRP, that standard condition of approval or mitigation measure is adopted and incorporated from the EIR into the SCAMMRP by reference and adopted as a condition of approval.

VIII. FINDINGS REGARDING IMPACTS

19. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091, 15092 and 15093, the Planning Commission adopts the findings and conclusions regarding impacts, standard conditions of approval and mitigation measures that are set forth in the EIR and summarized in the SCAMMRP. These findings do not repeat the full discussions of environmental impacts, mitigation measures, standard conditions of approval, and related explanations contained in the EIR. The Planning Commission ratifies, adopts, and incorporates, as though fully set forth, the analysis, explanation, findings, responses to comments and conclusions of the EIR. The Planning Commission adopts the reasoning of the EIR, staff reports, and presentations provided by the staff and the project sponsor as may be modified by these findings.
20. The Planning Commission recognizes that the environmental analysis of the Project raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The Planning Commission acknowledges that there are differing and potentially conflicting expert and other opinions regarding the Project. The Planning Commission has, through review of the evidence and analysis presented in the record, acquired a better understanding of the breadth of this technical and scientific opinion and of the full scope of the environmental issues presented. In turn, this understanding has enabled the Planning Commission to make fully informed, thoroughly considered decisions after taking account of the various viewpoints on these important issues and reviewing the record. These findings are based on a full appraisal of all viewpoints expressed in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Project.

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21. As a separate and independent basis from the other CEQA findings, pursuant to CEQA section 21083.3 and Guidelines section 15183, the Planning Commission finds: (a) the project is consistent with Land Use and Transportation Element (LUTE) of the General Plan, for which an EIR was certified in March 1998; (b) feasible mitigation measures identified in the LUTE EIR were adopted and have been, or will be, undertaken; (c) this EIR evaluated impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts; (d) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval") have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Planning Commission hereby finds and determines that the Standard Conditions of Approval (SCA) substantially mitigate environmental impacts (as detailed below); and (e) no substantial new information exists to show that the Standard Conditions of Approval will not substantially mitigate the project and cumulative impacts.

IX. POTENTIALLY SIGNIFICANT BUT MITIGABLE IMPACTS

22. Under Public Resources Code section 21081(a)(1) and CEQA Guidelines sections 15091(a)(1) and 15092(b), and to the extent reflected in the EIR, the SCAMMRP, and the City's Standard Conditions of Approval (SCA), the Planning Commission finds that changes or alterations have been required in, or incorporated into, the components of the Project that mitigate or avoid potentially significant effects on the environment. The following potentially significant impacts will be reduced to a less than significant level through the implementation of Project mitigation measures, or where indicated, through the implementation of Standard Conditions of Approval, referenced in the DEIR (which are an integral part of the SCAMMRP):
23. Aesthetics, Shadow and Wind. AES-3: Development facilitated by the Proposed Amendments would facilitate the creation of new sources of light or glare which could substantially and adversely affect day or nighttime views in the area. Any potential impact of new lighting will be reduced to a less than significant level through implementation of SCA 40, Lighting Plan, which requires approval of plans to adequately shield lighting to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties and minimize mirrored or reflective façade surfaces.
24. Air Quality and Green House Gases: Development facilitated by the Proposed Amendments would not fundamentally conflict with the CAP because the plan demonstrates reasonable efforts to implement control measures contained in the CAP. The project could include residential developments that expose occupants to substantial health risk from diesel particulate matter (Air-2, 3). Implementation of Standard Conditions of Approval 25, Parking and Transportation Demand Management, and 95, Air Pollution Buffering for Private Open Space would reduce these impacts to a less-than-significant level in most cases.

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25. Biological Resources: Development facilitated by the Proposed Amendments could adversely affect 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 Game or U.S. Fish and Wildlife Service, could have substantial adverse effect on federally protected wetlands, could substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors and native wildlife nursery sites, and could fundamentally conflict with the City of Oakland Tree and Creek Protection Ordinances (Bio-1, 3, 4, 6, 7, 8). Implementation of Standard Conditions of Approval for Hazards Best Management Practices, Tree Removal During Breeding Season, Tree Removal Permit, Tree Replacement Plantings, Tree Protection During Construction, Erosion and Sedimentation Control Plan, Vibrations Adjacent Historic Structures, Stormwater Pollution Prevention Plan (SWPPP), Post-Construction Stormwater Management Plan, and Creek Protection Plan (SCA 35, 44, 45, 46, 47, 55, 57, 75, 80, 83, and A), would reduce these impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse biological impacts.
26. Cultural Resources: Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or alteration of historical resources, could result in significant impacts to both known and unknown archaeological resources, could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, could disturb human remains and combined with cumulative development in the Project Area and citywide, would contribute considerably to a significant adverse cumulative impact to cultural resources (CUL-1, 2, 3, 4, 5). Through application of Mitigation Measure CUL-1 that addresses any future redevelopment project that would occur on or immediately adjacent to buildings 50 years old or older, and would occur between 2012 and 2023, the City shall require specific surveys and evaluations of such properties to determine their potential historical significance at the federal, state, and local levels. Intensive-level surveys and evaluations shall be completed by a qualified architectural historian who meets the Secretary of the Interior's Standards for architectural history. For all historical resources identified as a result of site-specific surveys and evaluations, the City shall ensure that future redevelopment activities, including demolition, alteration, and new construction, would avoid, adaptively reuse and/or appropriately relocate such historical resources in accordance with measure "a". Additionally, application of Standard Conditions of Approval for Archaeological Resources, Human Remains, Paleontological Resources, Compliance with Policy 3.7 of the Historic Preservation Element (Property Relocation Rather than Demolition), and Vibrations Adjacent Historic Structures (SCA 52, 53, 54, 56, 57), would reduce impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse cultural resource impacts.

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27. Geology and Soils: Development facilitated by the Proposed Amendments could expose people or structures to seismic hazards and could be subjected to geologic hazards (GEO-1, 2). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval 58, 59 (Soils Report, Geotechnical Report), which require soils reports and geotechnical investigations and reports to be prepared, best management practices for soil and groundwater hazards. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements, including compliance with all applicable building codes, would ensure there would not be significant adverse geology and soils impacts.
28. Greenhouse Gases: Development facilitated by the Proposed Amendments would produce greenhouse gas emissions and would not conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions (GHG-1, 2). Implementation of Standard Conditions of Approval for Required Landscape Plan for New Construction and Certain Additions to Residential Facilities, Landscape Requirements for Street Frontages., Landscape Maintenance., Landscape Requirements for Street Frontages., Landscape Maintenance, Parking and Transportation Demand Management, Dust Control, Construction Emissions, Waste Reduction and Recycling, Asbestos Removal in Structures, Tree Replacement Plantings, Erosion and Sedimentation Control Plan, Stormwater Pollution Prevention Plan (SWPPP), and Creek Protection Plan (SCA 12, 13, 15, 17, 18, 25, 26, 27, 36, 41, 46, 55, 75, 83, B) would reduce the impacts to a less than significant level.
29. Hazards and Hazardous Materials: Development facilitated by the Proposed Amendments would result in an increase in the routine transportation, use, and storage of hazardous chemicals, in the accidental release of hazardous materials used during construction through improper handling or storage, in the exposure of hazardous materials in soil and ground water, in the exposure of hazardous building materials during building demolition, require use of hazardous materials within 0.25 mile of a school, and when combined with other past, present, existing, approved, pending and reasonably foreseeable development in the vicinity, would result in cumulative hazards (HAZ-1 through 6). This impact will be reduced to a less than significant level through implementation of Standard Conditions of Approval for Hazards Best Management Practices, Asbestos Removal in Structures, Site Review by the Fire Services Division, Lead-Based Paint/Coatings, Asbestos, or PCB Occurrence Assessment, Other Materials Classified as Hazardous Waste, Best Management Practices for Soil and Groundwater Hazards, Radon or Vapor Intrusion from Soil or Groundwater Sources, Hazardous Materials Business Plan (SCA 35, 41, 61, 63, 66, 68, 69, 74), which impose best management practices to protect groundwater and soils from new impacts and appropriate handling of existing impacted groundwater and soils, proper removal of

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asbestos containing materials and soils, and requirements for lead, asbestos, radon, preparation of a health and safety plan, and other vapor intrusion assessment and remediation, as well as Fire Services review and preparation of a Hazardous Materials Business Plan for the project. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse hazards and hazardous materials impacts.

30. Hydrology/Water Quality: Development facilitated by the Proposed Amendments would alter drainage patterns and increase the volume of stormwater, level of contamination or siltation in stormwater flowing from the Project Area could be susceptible to flooding hazards as a result of being placed in a 100-year flood zone as mapped by FEMA (HYD-1 and 2). Implementation of the Standard Conditions of Approval for Erosion and Sedimentation Control Plan, Stormwater Pollution Prevention Plan (SWPPP), Post-Construction Stormwater Management Plan, Maintenance Agreement for Stormwater Treatment Measures, Creek Protection Plan, and Structures within a Floodplain, Stormwater and Sewer (SCA 55, 75, 80, 81, 83, 90, 91), would ensure that project would have a less than significant impact on hydrology and water quality. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse hydrology and water quality impacts.
31. Noise: Development facilitated by the Proposed Amendments would result in substantial temporary or periodic increases in ambient noise levels in the Project Area above levels existing without the Amendment and in excess of standards established in the local general plan or Noise Ordinance and Planning Code, or applicable standards of other agencies, construction pile driving for the Victory Court ballpark could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment, and operational noise generated by the Victory Court ballpark would generate special event noise level, and in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects and could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments (NOI-1, 2, 3, 4, 7). Implementation of Standard Conditions of Approval for Days/Hours of Construction Operation, Noise Control, Noise Complaint Procedures, Interior Noise, Operational Noise-General, Vibration, Pile Driving and Other Extreme Noise Generators (SCA 28, 29, 30, 31, 32, 38, 39) and Mitigation Measures for noise (NOI-4 a and b) and traffic (TRA 1.1 and 4.1) would reduce these impacts to a less than significant level. Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse noise impacts.
32. Traffic and Transportation: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments; baseball games and other

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special events at the Victory Court ballpark would adversely affect the surrounding transportation network; traffic congestion caused by the traffic generated by development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses, would increase traffic volumes on area roadway segments, potentially causing conflicts among motor vehicles, bicycles, or pedestrians; may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings, generate demand for alternative transportation services, and generate temporary increases in traffic volume and temporary effects on transportation conditions (TRA-1, 2, 3, 4, 5, 7, 8, 10, 11). Implementation of Standard Conditions of Approval for Improvements in the Public Right-of-Way (General and Specific), Parking and Transportation Demand Management, Construction Traffic and Parking (SCA 20, 21, 25, 33) and Mitigation Measures TRA-1, 1.1, 1.2, 2, 3, 4, 5, and 8 would reduce these impacts to a less than significant level.

33. Utilities/Service Systems: Development facilitated by the Proposed Amendments would not require or result in construction of new stormwater drainage facilities or expansion of existing facilities, would not generate solid waste that would exceed the permitted capacity of the landfills serving the area, but, in combination with other past, present, existing, approved, pending, and reasonably foreseeable future projects within and around the Project Area, would result in an increased demand for utilities services (UTIL-3, 4, 6). These impacts will be reduced to a less than significant level through the implementation of Standard Conditions of Approval for Waste Reduction and Recycling, Stormwater Pollution Prevention Plan (SWPPP), and Post-Construction Stormwater Management Plan, and Stormwater and Sewer (SCA 36, 75, 80, 91). Moreover, compliance with various policies, and goals contained in the City's general plans and other regulatory requirements would ensure there would not be significant adverse utilities/service systems impacts.

X. SIGNIFICANT AND UNAVOIDABLE IMPACTS

34. Under Public Resources Code sections 21081(a)(3) and 21081(b), and CEQA Guidelines sections 15091, 15092, and 15093, and to the extent reflected in the EIR and the SCAMMRP, the Planning Commission finds that the following impacts of the Project remain significant and unavoidable, notwithstanding the imposition of all feasible Standard Conditions of Approval and mitigation measures, as set forth below.

Air Quality Impacts

35. **Impact AIR-3**: Development facilitated by the Proposed Amendments could include residential developments that expose occupants to substantial health risk from diesel particular matter (DPM) from mobile and stationary sources. Although compliance with City's Standard Conditions of Approval would provide that a site specific health risk assessment (HRA) be prepared, and would reduce exposures to DPM sources to less

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than significant, there is no assurance that exposure to gaseous TACs could be reduced to a less-than-significant level at every site. (Significant)

Cultural Resources Impacts

36. **Impact CUL-1:** Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or alteration of historical resources that are listed in or may be eligible for listing in the federal, state, or local registers of historical resources.
37. **Impact CUL-5:** Development facilitated by the Proposed Amendments, combined with cumulative development in the defined geographic area, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute considerably to a significant adverse cumulative impacts to cultural resources.

Noise Impacts

38. **Impact NOI -2:** Construction pile driving for the Victory Court ballpark that could be facilitated by the Proposed Amendments could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment.
39. **Impact NOI-4:** Operational noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments would generate special event noise levels in the Project Area to levels in excess of standards established in the Oakland Noise Ordinance and Planning Code.
40. **Impact NOI-7:** Noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments, in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects, could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments; and could substantially increase construction noise and operational noise in the Project Area.

Transportation and Circulation Impacts

41. **Impact TRA-1:** Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Existing Plus Project conditions.
42. **Impact TRA-2:** Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2015 Baseline Plus Project conditions.
43. **Impact TRA-3:** Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2035 Baseline Plus Project conditions.

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44. **Impact TRA-4:** Baseball games and other special events at the Victory Court ballpark would adversely affect the surrounding transportation network.
45. **Impact TRA-5:** Traffic congestion caused by the traffic generated by development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses.
46. **Impact TRA-8:** Development facilitated by the Proposed Amendments may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings.

XI. FINDINGS REGARDING ALTERNATIVES

47. The Planning Commission finds that specific economic, social, environmental, technological, legal or other considerations make infeasible the alternatives to the Project as described in the EIR despite remaining impacts, as more fully set forth in the Statement of Overriding Considerations below.
48. The EIR evaluated a reasonable range of alternatives to the project that was described in the DEIR. The four potentially feasible alternatives analyzed in the EIR represent a reasonable range of potentially feasible alternatives that reduce one or more significant impacts of the Project. These alternatives include: the No Project Alternative, the Reduced Growth Alternative, the Aggressive Growth Alternative, and the Other Victory Court Alternative. As presented in the EIR, the alternatives were described and compared with each other and with the proposed project. The Reduced Growth Alternative is identified as the CEQA-required environmentally superior alternative.
49. The Planning Commission certifies that it has independently reviewed and considered the information on alternatives provided in the EIR and in the record. The EIR reflects the Planning Commission's independent judgment as to alternatives. The Planning Commission finds that the Project provides the best balance between the project sponsor's objectives, the City's goals and objectives, and the Project's benefits as described in the Staff Report and in the Statement of Overriding Considerations below. While the Project does predict some significant and unavoidable environmental impacts, the EIR and City's SCAs mitigate these impacts to the extent feasible. The four alternatives proposed and evaluated in the EIR are rejected for the following reasons. Each individual reason presented below constitutes a separate and independent basis to reject the project alternative as being infeasible, and, when the reasons are viewed collectively, provide an overall basis for rejecting the alternative as being infeasible.
50. **No Project Alternative:** Under this alternative, the Proposed Amendments to the Redevelopment Plan (the Project) would not be adopted, therefore the development and programs described for the Project would not occur. However, the No Project Alternative does include development that could occur even without the Project. This

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includes certain already approved but not built residential developments in the Broadway/Valdez area (Broadway/West Grand and 2300 Broadway), a smaller entertainment/retail development at 1800 San Pablo compared to what would occur at that location with the Project, and other potential development on City Center parcels (T-5/6 and T-12) and at 1100 Broadway.

51. **Reduced Growth Alternative:** Under this alternative, the development and programs described for the Project would occur, except that the Broadway/Valdez Triangle development and the Victory Court-associated development would be developed at a reduced intensity (approximately 50 percent less floor area and fewer residential units
52. **Aggressive Growth Alternative:** Under this alternative, the development and programs described for the Project would occur, and an additional 15 percent of affordable housing units, which would receive funding as a result of the Proposed Amendments to the Redevelopment Plan, are assumed.
53. **Other Victory Court Use Alternative:** Under this alternative, the Victory Court area would be developed with [specify other land uses or reduced development] instead of the 39,000-seat ballpark and associated development, as described for the Project.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

54. The Planning Commission finds that each of the following specific economic, legal, social, technological, environmental, and other considerations and the benefits of the Project separately and independently outweigh these remaining significant, adverse impacts and is an overriding consideration independently warranting approval. The remaining significant adverse impacts identified above are acceptable in light of each of these overriding considerations that follow. Each individual benefit/reason presented below constitutes a separate and independent basis to override each and every significant unavoidable environmental impact, and, when the benefits/reasons are viewed collectively, provide an overall basis to override each and every significant unavoidable environmental impact.

The Proposed Amendments Would Foster Growth and Revitalization in the Central District Redevelopment Project Area

55. The Proposed Amendments would enable continuation of projects, programs, investments, and other activities of the Redevelopment Agency that would eliminate blight remaining in the Project Area and facilitate downtown revitalization and growth. The Proposed Amendments would directly facilitate the following development in the Project Area:
 - a) Major retail development as desired for the Valdez Triangle area of the Broadway/Valdez District. New comparison goods shopping downtown would

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increase shopping opportunities in Oakland and stem the leakage of retail spending to other areas.

- b) A new baseball park with surrounding commercial and residential development. The development would provide a viable option for retaining the A's in Oakland, and would strengthen the downtown's role for entertainment and mixed-use development.
 - c) Additional entertainment/retail development in the Uptown district.
 - d) Additional low- and moderate-income housing to expand housing choices in the Project Area.
56. These developments would support Project Area growth of business activity with 4,240 additional jobs and growth of 2,090 households with 3,530 additional residents. This growth would not otherwise occur in downtown Oakland without the Proposed Amendments. The facilitation of these developments would be beneficial as they satisfy several of the goals and objectives of the Central District Redevelopment Plan and the Oakland General Plan.
57. Compared to growth anticipated citywide, the Proposed Amendments would contribute about four percent of the employment growth and about three percent of the population growth anticipated by the ABAG projections, 2010-2035. Without the Proposed Amendments and the redevelopment activities and funding that they would enable, future growth in Oakland is likely to be below the ABAG projections by those percentages

The Proposed Amendments Are Unlikely To Induce Substantial Additional Growth Outside the Project Area

No Infrastructure-Induced Growth

58. Typical examples of projects likely to have significant growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and the development of new residential subdivisions or industrial parks in areas that are currently only sparsely developed or are undeveloped. In this case, the Proposed Amendments would facilitate redevelopment of already developed areas in a central, downtown/CBD location well-served by existing transportation/transit systems and other infrastructure and utilities. Unlike development on vacant land in an outlying part of the region, the development facilitated by the Proposed Amendments would occur in an already developed urban area and would not require construction or extension of new roads, utilities, and other infrastructure that might stimulate population and employment growth in previously undeveloped areas.

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Limited Support For New Housing Growth Elsewhere in Oakland

59. The Proposed Amendments would result in affordable housing development. Under California redevelopment law, 15 percent of total new housing units built in the Project Area during the extension period must be affordable to households of low- or moderate-income. In addition, with the Proposed Amendments, the Agency also would be required to allocate 30 percent of gross tax increment revenues from the Project Area to affordable housing (the housing "set-aside"). However, it is likely that most of the housing set-aside during the extension period could be required to provide financial assistance for meeting the Agency's 15 percent affordable housing production obligation in the Project Area. If some of the housing set-aside were available for other affordable housing beyond the 15 percent obligation in the Project Area, such funds could be used for additional affordable housing either inside or outside the Project Area. Thus, it is possible that some additional affordable housing could be built elsewhere in Oakland as a result of the Proposed Amendment. If so, the additional affordable housing could be built in residential areas and locations identified for housing in the City's General Plan Land Use and Housing Elements.

Job-Induced Population Growth Likely To Be Accommodated By Anticipated Cumulative Growth

60. Employment growth in development facilitated by the Proposed Amendments would support the growth of households and population to provide additional workers. The housing development facilitated by the Proposed Amendments, however, would accommodate additional workers, equivalent to about 50 to 60 percent of the additional jobs. Cumulatively, city growth of housing and employed residents in Oakland is projected to exceed the growth of jobs over time (thereby improving the relationship of jobs and housing in Oakland). Thus, cumulatively, the substantial growth of housing and population already anticipated to occur throughout the city could accommodate the number of additional workers due to the Proposed Amendments as well as the number of additional workers associated with other cumulative job growth. Housing in downtown and the Project Area will represent a large share of the housing to be built in Oakland in the future, and would support the growth of business activities and jobs in the Project Area.

Growth Supported By Additional Spending Unlikely To Result in Construction of Additional New Facilities

61. The major retail and ballpark/mixed-use developments and the entertainment/retail development to be facilitated by the Proposed Amendments would bring visitors, patrons, and shoppers to the Project Area. Their spending would support the businesses and employment to be located in the new developments. There also could be some additional spending, such as for eating and drinking, that would support existing and potential new businesses in nearby parts of the Project Area and downtown. The additional spending is unlikely to result in the construction of new facilities, however, given the large amount of retail and commercial space to be developed as a result of the

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Proposed Amendments, and the availability of commercial space in existing buildings downtown.

Shifts of Some Existing Commercial and Industrial Activity to Other Areas

62. Development in the Project Area that is facilitated by the Proposed Amendments is anticipated to require the demolition of some existing commercial and industrial buildings/facilities. The loss of existing space would result in some shifts of existing business activity to other areas of Oakland, and increased occupancy of commercial and industrial space in those areas. There are commercial corridors and industrial areas in Oakland that contain vacant and underutilized facilities and sites that would benefit from increased market interest and shifts in demand from other areas. The magnitude of shifts would not be large in the context of business activity citywide, and would not be expected to lead to construction of new facilities in most cases.
63. The loss of space in the Valdez Triangle area could shift auto dealership activity to the north along Broadway and/or to locations along I-880 in the vicinity of the Coliseum. It could shift auto service and other commercial activities to the west toward Telegraph Avenue, as well as to parts of downtown, North Oakland, and West Oakland. The loss of industrial and industrial/ commercial space for new development in the Victory Court area could shift business activity to other locations, such as along the San Leandro Street industrial corridor in East Oakland, in areas between I-880 and the Estuary, and in parts of West Oakland. There also could be some shifts of business activity outside of Oakland to locations along the I-880 and/or I-80 corridors.

From a Regional Perspective, the Proposed Amendments Would Accommodate More Growth in Downtown Oakland, Thereby Reducing Growth Pressures Elsewhere

64. From a regional perspective, the Proposed Amendments would affect the distribution and location of growth within the East Bay and Bay Area region. It would result in more growth in Oakland and downtown Oakland, at the center of the region, and less growth in other areas.
65. Major retail shopping, entertainment/retail, and ballpark/commercial developments in the Project Area as a result of the Proposed Amendments, would capture activity that would otherwise locate elsewhere in the East Bay and/or Bay Area. For example, other locations for a new ballpark have included Fremont and downtown San José. Development of major retail shopping in the Project Area would increase shopping opportunities in Oakland and stem the leakage of retail spending to areas outside of Oakland in the East Bay and San Francisco. Thus, the Proposed Amendments would facilitate ballpark and associated commercial development in a central, regional location with good transportation/transit accessibility from throughout the region. It would facilitate retail development in closer proximity to Oakland consumers thereby reducing their travel distances for shopping trips.

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66. The Proposed Amendments also would accommodate more housing and population growth in the Project Area, thereby reducing demand for housing in more outlying locations. The project would support additional housing in a central Bay Area location with strong housing demand. Higher-density housing in the Project Area attracts households with a high proportion of working adults who value good accessibility to workplaces nearby and elsewhere in the Inner East Bay and San Francisco. Over the long term, with the Proposed Amendments, more higher-density housing in downtown Oakland at the center of the region is likely to result in a larger total regional housing supply than would a more dispersed, lower-density pattern of regional development, and it would result in more housing in close proximity to employment centers in the Central Bay Area.

Summary

67. Overall, the effects of the Proposed Amendments on growth would be largely beneficial and not considered substantial and adverse.

**STANDARD CONDITIONS OF APPROVAL / MITIGATION AND MONITORING REPORTING PROGRAM (SCAMMRP)
PROPOSED AMENDMENTS TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN**

Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact AES-3: Development facilitated by the Proposed Amendments would facilitate the creation of new sources of light or glare which could substantially and adversely affect day or nighttime views in the area.	Standard Condition of Approval 40, <i>Lighting Plan</i> The proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	SCA 40: Prior to the issuance of an electrical or building permit.	City of Oakland CEDA-Planning and Zoning Division; Electrical Services Division of the Public Works Agency for review and approval; and City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and confirm approved features are incorporated into the Final Development Plan for any development facilitated by the Proposed Amendments; Confirm implementation of the design features during construction.
Impact AIR-2: Development facilitated by the Proposed Amendments would not fundamentally conflict with the CAP because the plan demonstrates reasonable efforts to implement control measures contained in the CAP.	Standard Condition of Approval 25, <i>Parking and Transportation Demand Management</i> This SCA would apply to all development projects facilitated by the Proposed Amendments consisting of 50 or more new residential units, or 50,000 square feet or more of new non-residential space. <i>Prior to issuance of a final inspection of the building permit.</i> The property owner shall pay for and submit for review and approval by the City a Transportation Demand Management (TDM) plan containing strategies to • Reduce the amount of traffic generated by new development and the expansion of existing development, pursuant to the City's police power and necessary in order to protect the public health, safety and welfare. • Ensure that expected increases in traffic resulting from growth in employment and housing opportunities in the City of Oakland will be adequately mitigated. • Reduce drive-alone commute trips during peak traffic periods by using a combination of services, incentives, and facilities. • Promote more efficient use of existing transportation facilities and ensure that new developments are designed in ways to maximize the potential for alternative transportation usage. • Establish an ongoing monitoring and enforcement program to ensure that the desired alternative mode use percentages are achieved. The property owner shall implement the approved TDM plan. The TDM plan shall include strategies to increase bicycle, pedestrian, transit, and carpool/vanpool use. All four modes of travel shall be considered, and parking management and parking reduction strategies should be included. Actions to consider include the following: a. Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance, shower, and locker facilities in commercial developments that exceed the	SCA 25: Prior to issuance of a building permit.	City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Verify that TDM measures identified are implemented.

**STANDARD CONDITIONS OF APPROVAL / MITIGATION AND MONITORING REPORTING PROGRAM (SCAMMRP)
PROPOSED AMENDMENTS TO THE CENTRAL DISTRICT URBAN RENEWAL PLAN**

Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact AIR-2 (cont.)	requirement. b. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping. a. Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials. b. Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. c. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. d. 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). e. Employees or residents can be provided with a subsidy, determined by the property owner and subject to review by the City, if the employees or residents use transit or commute by other alternative modes. f. Provision of shuttle service between the development and nearest mass transit station, or ongoing contribution to existing shuttle or public transit services. g. Guaranteed ride home program for employees, either through 511.org or through separate program. h. Pre-tax commuter benefits (commuter checks) for employees. i. 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. j. Onsite carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools. k. Distribution of information concerning alternative transportation options. l. 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. m. Parking management strategies, including attendant/valet			

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Impact AIR-2 (cont.)	parking and shared parking spaces. n. Requiring tenants to provide opportunities and the ability to work off-site. o. 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. p. 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 property owner shall submit an annual compliance report for review and approval by the City. This report will be reviewed either by City staff or a peer review consultant, chosen by the City and paid for by the property owner. If timely reports are not submitted, the reports indicate a failure to achieve the stated policy goals, or the required alternative mode split is still not achieved, staff will work with the property owner to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred to the Planning Commission for resolution. Property owners shall be required, as a condition of approval, to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved project.			
Impact AIR-3: Development facilitated by the Proposed Amendments could include residential developments that expose occupants to substantial health risk from diesel particulate matter (DPM) from mobile and stationary sources. Although compliance with City's Standard Conditions of Approval would provide that a site specific health risk assessment (HRA) be prepared, and that would reduce exposures to DPM sources to less than significant, there is no assurance that exposure to gaseous TACs could be reduced to a less-than-significant level at every site.	Standard Condition of Approval 94, Indoor Air Quality In order to comply with the California Air Resources Board Air Quality and Land Use Handbook (June 2005) and achieve an acceptable interior air quality level for sensitive receptors, appropriate measures, shall be incorporated into project building design. The appropriate measures shall include one of the following methods: 1. The project applicant shall retain a qualified air quality consultant to prepare a health risk assessment (HRA) in accordance with the California Air Resources Board and the Office of Environmental Health and Hazard Assessment requirements to determine the exposure of project residents/occupants/users to stationary air quality pollutants prior to issuance of a demolition, grading, or building permit. The HRA shall be submitted to the Planning and Zoning Division for review and approval. The applicant shall implement the approved HRA recommendations, if any. If the HRA concludes that the air quality risks from nearby sources are at or below acceptable levels, then additional measures are not required. 2. The applicant shall implement the following features that have been found to reduce the air quality risk to sensitive receptors and shall be included in the project construction plans. These	SCA 94: Prior to approval of Final Development Plan for each stage.	City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and confirm approved design features are incorporated into the Final Development Plan for any development facilitated by the proposed amendments. Confirm implementation of the design features during construction.

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Impact AIR-3 (cont.)	shall be submitted to the Planning and Zoning Division and the Building Services Division for review and approval prior to the issuance of a demolition, grading, or building permit and ongoing. a. Do not locate sensitive receptors near distribution center's entry and exit points. b. Do not locate sensitive receptors in the same building as a perchloroethylene dry cleaning facility. c. Maintain a 50' buffer from a typical gas dispensing facility (under 3.6 million gallons of gas per year). d. Install, operate and maintain in good working order a central heating and ventilation (HV) system or other air take system in the building, or in each individual residential unit, that meets the efficiency standard of the MERV 13. The HV system shall include the following features: Installation of a high efficiency filter and/or carbon filter to filter particulates and other chemical matter from entering the building. Either HEPA filters or ASHRAE 85% supply filters shall be used. e. Retain a qualified HV consultant or HERS rater during the design phase of the project to locate the HV system based on exposure modeling from the mobile and/or stationary pollutant sources. f. Maintain positive pressure within the building. g. Achieve a performance standard of at least one air exchange per hour of fresh outside filtered air. h. Achieve a performance standard of at least 4 air exchanges per hour of recirculation i. Achieve a performance standard of .25 air exchanges per hour of in unfiltered infiltration if the building is not positively pressurized j. Project applicant shall maintain, repair and/or replace HV system or prepare an Operation and Maintenance Manual for the HV system and the filter. The manual shall include the operating instructions and maintenance and replacement schedule. This manual shall be included in the CC&R's for residential projects and distributed to the building maintenance staff. In addition, the applicant shall prepare a separate Homeowners Manual. The manual shall contain the operating instructions and maintenance and replacement schedule for the HV system and the filters. It shall also include a disclosure to the buyers of the air quality analysis findings.			

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Impact BIO-1: Development Amendments could adversely affect, either directly or through habitat modifications, 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 Game or U.S. Fish and Wildlife Service.	Standard Conditions of Approval 44, Tree Removal During Breeding Season To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors and/or any federally protected migratory bird species shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.	SCA 44: Prior to issuance of tree removal permit.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection; City of Oakland Public Works Agency-Tree Services Division.	Review and confirm approved landscape and tree replacement plan is incorporated into the Final Development Plan for proposed amendments; Confirm implementation of the landscape and tree replacement plan during construction.
Standard Conditions of Approval A, Bird Collision Reduction Applies to all new construction, including telecommunication towers, which include large uninterrupted expanses of glass that account for more than 40 percent of any one side of the a building's exterior AND at least one of the following: - The project is located immediately adjacent to a substantial water body (i.e., Oakland Estuary, San Francisco Bay, Lake Merritt or other substantial lake, reservoir, or wetland; OR - The project is located immediately adjacent to a substantial recreation area or park (i.e., Region-Serving Park, Resource Conservation Areas, Community Parks, Neighborhood parks, and linear parks and Special Use Parks over 1 acre in size), which contain substantial vegetation; OR - The project includes a substantial vegetated or greenroof (roofs with growing medium and plants taking the place of asphalt, tile, gravel, or shingles, but excluding container gardens); <i>Concurrent with submittal of planning applications or a building permit, whichever occurs first, and ongoing.</i> The project applicant, or his or her successor, including the building manager or Home Owner's Association, shall submit plans to the Planning and Zoning	Standard Conditions of Approval A, Bird Collision Reduction Applies to all new construction, including telecommunication towers, which include large uninterrupted expanses of glass that account for more than 40 percent of any one side of the a building's exterior AND at least one of the following: - The project is located immediately adjacent to a substantial water body (i.e., Oakland Estuary, San Francisco Bay, Lake Merritt or other substantial lake, reservoir, or wetland; OR - The project is located immediately adjacent to a substantial recreation area or park (i.e., Region-Serving Park, Resource Conservation Areas, Community Parks, Neighborhood parks, and linear parks and Special Use Parks over 1 acre in size), which contain substantial vegetation; OR - The project includes a substantial vegetated or greenroof (roofs with growing medium and plants taking the place of asphalt, tile, gravel, or shingles, but excluding container gardens); <i>Concurrent with submittal of planning applications or a building permit, whichever occurs first, and ongoing.</i> The project applicant, or his or her successor, including the building manager or Home Owner's Association, shall submit plans to the Planning and Zoning	SCA A: Concurrent with submittal of the Final Development Plan planning applications, and ongoing.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and confirm approved design features are incorporated into the Final Development Plan for developments facilitated by the Proposed Amendments; Confirm implementation of the design features during construction.

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Impact BIO-1 (cont.)	Division for review and approval, indicating how they intend to reduce potential bird collisions to the maximum feasible extent. The applicant shall implement the approved plan, including all mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. a) Mandatory measures include all of the following: i. Comply with federal aviation safety regulations for large buildings by installing minimum intensity white strobe lighting with three second flash instead of blinking red or rotating lights. ii. Minimize the number of and co-locate rooftop-antennas and other rooftop structures. iii. Monopole structures or antennas shall not include guy wires. iv. Avoid the use of mirrors in landscape design. v. Avoid placement of bird-friendly attractants (i.e. landscaped areas, vegetated roofs, water features) near glass. b) Additional BMP strategies to consider include the following: i. Make clear or reflective glass visible to birds using visual noise techniques. Examples include: 1. Use of opaque or transparent glass in window panes instead of reflective glass. 2. Uniformly cover the outside clear glass surface with patterns (e.g., dots, decals, images, abstract patterns). Patterns must be separated by a minimum 10 centimeters (cm). 3. Apply striping on glass surface. If the striping is less than 2 cm wide it must be applied vertically at a maximum of 10 cm apart (or 1 cm wide strips at 5 cm distance) 4. Install paned glass with fenestration patterns with vertical and horizontal mullions of 10 cm or less. 5. Place decorative grilles or louvers with spacing of 10 cm or less. 6. Apply one-way transparent film laminates to outside glass surface to make the window appear opaque on the outside. 7. Install internal screens through non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects.			

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Impact BIO-1 (cont.)	8. Install windows which have the screen on the outside of the glass. 9. Use UV-reflective glass. Most birds can see ultraviolet light, which is invisible to humans. 10. If it is not possible to apply glass treatments to the entire building, the treatment should be applied to windows at the top of the surrounding tree canopy or the anticipated height of the surrounding vegetation at maturity. ii. Mute reflections in glass. Examples include: 1. Angle glass panes toward ground or sky so that the reflection is not in a direct line-of-sight (minimum angle of 20 degrees with optimum angle of 40 degrees) 2. Awnings, overhangs, and sunshades provide birds a visual indication of a barrier and may reduce image reflections on glass, but do not entirely eliminate reflections. iii. Reduce Light Pollution. Examples include: 1. Turn off all unnecessary interior lights from 11 p.m. to sunrise. 2. Install motion-sensitive lighting in lobbies, work stations, walkways, and corridors, or any area visible from the exterior and retrofitting operation systems that automatically turn lights off during after-work hours. 3. Reduce perimeter lighting whenever possible. iv. Institute a building operation and management manual that promotes bird safety. Example text in the manual includes: 1. Donation of discovered dead bird specimens to authorized bird conservation organization or museums to aid in species identification and to benefit scientific study, as per all federal, state and local laws. 2. Production of educational materials on bird-safe practices for the building occupants 3. Asking employees to turn off task lighting at their work stations and draw office blinds or curtains at end of work day. 4. Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible.			

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Impact BIO-3: Development facilitated by the Proposed Amendments could 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.	Standard Condition of Approval 55, Erosion and Sedimentation Control Plan <i>Prior to any grading activities.</i> The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.780 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall clear the system of any debris or sediment. <i>Ongoing throughout grading and construction activities.</i> The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.	SCA 55: Prior to any grading activities; Ongoing throughout grading and construction activities.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review the Final Development Plan for any development facilitated by the Proposed Amendments to verify compliance with the applicable requirements of the Erosion and Sedimentation Control Plan are incorporated; Conduct regular inspections of the construction sites to verify compliance with the Plan.
	Standard Condition of Approval 35, Hazards Best Management Practices The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) is implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following: a) Follow manufacturers' recommendations on 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) Property dispose of discarded containers of fuels and other chemicals.	SCA 35: Prior to the commencement of demolition, grading, or construction.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit; City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Verify Project construction plans for developments facilitated by Proposed Amendments incorporate all BMPs; Conduct regular visits to the project construction sites to confirm that all applicable measures are being implemented or complied with.

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Impact BIO-3 (cont.)	e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building. 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 applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in 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.			
	Standard Condition of Approval 75, Stormwater Pollution Prevention Plan The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMP's), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.	SCA 75: Prior to and ongoing throughout demolition, grading, and/or construction activities.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review the SWPPP for completeness; Verify required NOI is filed with SWRCB; Conduct regular inspections of the construction sites to verify compliance with the SWPPP and that all measures are implemented.

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Impact BIO-3 (cont.)	Standard Condition of Approval 80, Post-construction Stormwater Pollution Management Plan <i>Prior to issuance of building permit (or other construction-related permit). The applicant shall comply with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Alameda Countywide Clean Water Program. The applicant shall submit with the application for a building permit (or other construction-related permit) a completed Construction-Permit-Phase Stormwater Supplemental Form to the Building Services Division. The project drawings submitted for the building permit (or other construction-related permit) shall contain a stormwater management plan, for review and approval by the City, to manage stormwater run-off and to limit the discharge of pollutants in stormwater after construction of the project to the maximum extent practicable.</i> a. The post-construction stormwater management plan shall include and identify the following: i. All proposed impervious surface on the site; ii. Anticipated directional flows of on-site stormwater runoff; and iii. Site design measures to reduce the amount of impervious surface area and directly connected impervious surfaces; and iv. Source control measures to limit the potential for stormwater pollution; v. Stormwater treatment measures to remove pollutants from stormwater runoff; and vi. Hydromodification management measures so that post-project stormwater runoff does not exceed the flow and duration of pre-project runoff, if required under the NPDES permit. b. The following additional information shall be submitted with the post-construction stormwater management plan: i. Detailed hydraulic sizing calculations for each stormwater treatment measure proposed; and ii. Pollutant removal information demonstrating that any proposed manufactured/mechanical (i.e., non-landscape-based) stormwater treatment measure, when not used in combination with a landscape-based treatment measure, is capable of removing the range of pollutants typically removed by landscape-based treatment measures and/or the range of pollutants expected to be generated by the project.	SCA 80: Prior to issuance of building permit (or other construction-related permit); Prior to final permit inspection.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review the Final Development Plans to verify all post-construction measures identified in the SWPPP are implemented; Conduct regular inspections of the construction sites to verify compliance with the SWPPP and that all measures are implemented.

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Impact BIO-3 (cont.)	All proposed stormwater treatment measures shall incorporate appropriate planting materials for stormwater treatment (for landscape-based treatment measures) and shall be designed with considerations for vector/mosquito control. Proposed planting materials for all proposed landscape-based stormwater treatment measures shall be included on the landscape and irrigation plan for the project. The applicant is not required to include on-site stormwater treatment measures in the post-construction stormwater management plan if he or she secures approval from Planning and Zoning of a proposal that demonstrates compliance with the requirements of the City's Alternative Compliance Program. <i>Prior to final permit inspection.</i> The applicant shall implement the approved stormwater management plan.			
Impact BIO-4: Development facilitated by the Proposed Amendments could 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.	Standard Condition of Approval 44, Tree Removal During Breeding Season (listed under Impact BIO-1) Standard Condition of Approval A, Bird Collision Reduction (listed under Impact BIO-1)	See SCA 44 listed under Impact BIO-1 above. See SCA A listed under Impact BIO-1 above.	See SCA 44 listed under Impact BIO-1 above. See SCA A listed under Impact BIO-1 above.	See SCA 44 listed under Impact BIO-1 above. See SCA A listed under Impact BIO-1 above.
Impact BIO-6: Development facilitated by the Proposed Amendments could fundamentally conflict with the City of Oakland Tree Protection Ordinance (Oakland Municipal Code Chapter 12.36) by removal of protected trees under certain circumstances.	Standard Condition of Approval 46, Tree Replacement Plantings Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria: 1) No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. 2) Replacement tree species shall consist of Sequoia sempervirens (Coast Redwood), Quercus agrifolia (Coast Live Oak), Arbutus menziesii (Madrone), Aesculus californica (California Buckeye) or Umbellularia californica (California Bay Laurel) or other tree species acceptable to the Tree Services Division. Replacement trees shall be at least of twenty-four (24) inch box size; unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. 3) Minimum planting areas must be available on site as follows: • For Sequoia sempervirens, three hundred fifteen square feet per tree;	SCA 46: Prior to issuance of a final inspection of the building permit.	City of Oakland Public Works Agency-Tree Services Division; City of Oakland CEDA-Planning & Zoning, City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and confirm approved landscape and tree replacement plan is incorporated into the Final Development Plan for developments facilitated by the Proposed Amendments; Confirm implementation of the landscape and tree replacement plan during construction.

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Impact BIO-6 (cont.)	- For all other species listed in #2 above, seven hundred (700) square feet per tree. 4) In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians. 5) Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense. Standard Condition of Approval 47, Tree Protection during Construction Adequate protection shall be provided during the construction period for any trees which are to remain standing, including the following, plus any recommendations of an arborist: - Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the City Tree Reviewer. Such fences shall remain in place for duration of all such work. All trees to be removed shall be clearly marked. A scheme shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree. - Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter shall be minimized. No change in existing ground level shall occur within a distance to be determined by the City Tree Reviewer from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree. - No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the Tree Reviewer from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to	SCA 47: Prior to issuance of a demolition, grading, or building permit.	City of Oakland Public Works Agency: Tree Services Division; City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and confirm approved landscape and tree replacement plan is incorporated into the Final Development Plan for the Proposed Amendments; Confirm implementation of the landscape and tree replacement plan during construction.

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Impact BIO-6 (cont.)	be determined by the tree reviewer. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree. 4) Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration. 5) If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Agency of such damage. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed. 6) All debris created as a result of any tree removal work shall be removed by the Project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed of by the Project applicant in accordance with all applicable laws, ordinances, and regulations.			
Impact BIO-7: Development Amendments could fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.	Standard Condition of Approval 83, Creek Protection Plan a. The approved creek protection plan shall be included in the project drawings submitted for a building permit (or other construction-related permit). The project applicant shall implement the creek protection plan to minimize potential impacts to the creek during and after construction of the project. The plan shall fully describe in plan and written form all erosion, sediment, stormwater, and construction management measures to be implemented on-site. b. If the plan includes a stormwater system, all stormwater outfalls shall include energy dissipation that slows the velocity of the water at the point of outflow to maximize infiltration and minimize erosion. The project shall not result in a substantial increase in stormwater runoff volume or velocity to the creek or storm drains.	SCA 83: Prior to and ongoing throughout demolition, grading, and/or construction activities	City of Oakland Public Works Agency; City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review the Final Development Plans for any developments facilitated by the Proposed Amendments to verify compliance with the applicable requirements of the Creek Protection Plan are incorporated.
	Standard Condition of Approval 55, Erosion and Sedimentation Control Plan	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 57, Vibrations Adjacent to Historic Structures The project applicant shall retain a structural engineer or other appropriate professional to determine threshold levels of vibration and cracking that could damage the affected historic building(s) and design means and methods of construction that shall be utilized to not exceed the thresholds.	SCA 57: Prior to issuance of a demolition, grading or building permit.	City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Verify submittal, review and approval of assessment and plan prepared by qualified appropriate professional; Confirm implementation of approved plan.

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Impact BIO-7 (cont.)	Standard Condition of Approval 35, <i>Hazards Best Management Practices</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 75, <i>Stormwater Pollution Prevention Plan</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 80, <i>Post-construction Stormwater Pollution Management Plan</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
Impact BIO-8: Construction activity and operations of development facilitated by the Proposed Amendments, in combination with past, present, existing, approved, pending and reasonably foreseeable future projects in the Project Area, would not result in impacts on special-status species, sensitive habitats, wildlife movement corridors, wetlands, and other waters of the U.S.	Standard Condition of Approval 57, <i>Vibrations Adjacent to Historic Structures</i>	See SCA 57 listed under Impact BIO-7 above.	See SCA 57 listed under Impact BIO-7 above.	See SCA 57 listed under Impact BIO-7 above.
	Standard Condition of Approval 35, <i>Hazards Best Management Practices</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 55, <i>Erosion and Sedimentation Control Plan</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 75, <i>Stormwater Pollution Prevention Plan</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 80, <i>Post-construction Stormwater Pollution Management Plan</i>	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 44, <i>Tree Removal During Breeding Season</i> (listed under Impact BIO-1)	See SCA 44 listed under Impact BIO-1 above.	See SCA 44 listed under Impact BIO-1 above.	See SCA 44 listed under Impact BIO-1 above.
	Standard Condition of Approval 45, <i>Tree Removal Permit</i>	SCA 45: Prior to issuance of a demolition, grading, or building permit	City of Oakland Public Works Agency-Tree Services Division; City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and confirm approved landscape and tree replacement plan is incorporated into the Final Development Plan for developments facilitated by the Proposed Amendments; Confirm implementation of the landscape and tree replacement plan during construction.
	Standard Condition of Approval 46, <i>Tree Replacement Plantings</i> (listed under Impact BIO-6)	See SCA 46 listed under Impact BIO-6 above.	See SCA 46 listed under Impact BIO-6 above.	See SCA 46 listed under Impact BIO-6 above.
	Standard Condition of Approval 47, <i>Tree Protection during Construction</i> (listed under Impact BIO-6)	See SCA 47 listed under Impact BIO-6 above.	See SCA 47 listed under Impact BIO-6 above.	See SCA 47 listed under Impact BIO-6 above.
	Standard Condition of Approval A, <i>Bird Collision Reduction</i> (listed under Impact BIO-1)	See SCA A listed under Impact BIO-1 above.	See SCA A listed under Impact BIO-1 above.	See SCA 47 listed under Impact BIO-1 above.
	Standard Condition of Approval 83, <i>Creek Protection Ordinance</i>	See SCA 83 listed under Impact BIO-7 above.	See SCA 83 listed under Impact BIO-7 above.	See SCA 83 listed under Impact BIO-7 above.

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Impact CUL-1: Development facilitated by the Proposed Amendments could result in the physical demolition, destruction, relocation, or alteration of historical resources that are listed in or may be eligible for listing in the federal, state, or local registers of historical resources.	Mitigation Measure CUL-1: a) Avoidance, Adaptive Reuse, or Appropriate Relocation of Historically Significant Structures. Avoidance. The City shall ensure that all future redevelopment activities allowable under the Proposed Amendments, including demolition, alteration, and new construction, would avoid historical resources (i.e., those listed on federal, state, and local registers). Adaptive Reuse. If avoidance is not feasible, adaptive reuse and rehabilitation of historical resources shall occur in accordance with the Secretary of Interior's Standards for the Treatment of Historic Properties. Appropriate Relocation. If avoidance or adaptive reuse <i>in situ</i> is not feasible, pursuant to SCA CUL-4, Compliance with Policy 3.7 of the Historic Preservation Element (Property Relocation Rather than Demolition), redevelopment projects able to relocate the affected historical property to a location consistent with its historic or architectural character could reduce the impact less than significant (Historic Preservation Element Action 3.8.1), unless the property's location is an integral part of its significance, e.g., a contributor to a historic district. b) Future Site-specific Surveys and Evaluations. Although most of the Project Area has been surveyed by the City of Oakland's OCHS, evaluations and ratings may change with time and other conditions. As such, there may be numerous other previously unidentified historical resources which would be affected by future redevelopment activities, including demolition, alteration, and new construction. For any future redevelopment project that would occur on or immediately adjacent to buildings 50 years old or older, and would occur between 2012 and 2023 (i.e., buildings constructed prior to 1973), the City shall require specific surveys and evaluations of such properties to determine their potential historical significance at the federal, state, and local levels. Intensive-level surveys and evaluations shall be completed by a qualified architectural historian who meets the Secretary of the Interior's Standards for architectural history. For all historical resources identified as a result of site-specific surveys and evaluations, the City shall ensure that future redevelopment activities, including demolition, alteration, and new construction, would avoid, adaptively reuse and/or appropriately relocate such historical resources in accordance with measure "a" (Avoidance, Adaptive Reuse, or Appropriate Relocation of Historically Significant Structures), above.	Mitigation Measure CUL-1: Each project applicant shall prepare and submit the final survey, recordation, and public interpretation program as part of submittal of the Final Development Plan for developments facilitated by the Proposed Amendments. All development shall also make financial contributions to the City Oakland as stipulated under the General Plan.	City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection; Oakland Cultural Heritage Survey (OCHS); Oakland Landmarks Preservation Advisory Board.	Review and confirm final survey, recordation, and public interpretation program as part of submittal of the Final Development Plan for developments facilitated by the Proposed Amendments. Confirm financial contributions have been made to the City Oakland as required.

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Impact CUL-1 (cont.)	c) Recordation and Public Interpretation. If measure "a" (Avoidance, Adaptive Reuse, or Appropriate Relocation of Historically-significant Structures) is determined infeasible as part of any future redevelopment scenarios, the City shall evaluate the feasibility of recordation and public interpretation of such resources prior to any construction activities which would directly affect them. Should City staff decide recordation and or public interpretation is required, the following activities would be performed: Recordation. Recordation shall follow the standards provided in the National Park Service's Historic American Building Survey (HABS) program, which requires large-format photo-documentation of historic structures, a written report, and measured drawings (or photo reproduction of original plans if available). The photographs and report would be archived at local repositories, such as public libraries, historical societies, and the Northwest Information Center at Sonoma State University. The recordation efforts shall occur prior to demolition, alteration, or relocation of any historic resources identified in the Project Area, including those that are relocated pursuant to measure "a" (Avoidance, Adaptive Reuse, or Appropriate Relocation of Historically-significant Structures). Additional recordation could include (as appropriate) oral history interviews or other documentation (e.g., video) of the resource. Public Interpretation. A public interpretation program would be developed by a qualified historic consultant in consultation with the Landmarks Preservation Advisory Board and City staff, based on a City-approved scope of work and submitted to the City for review and approval. The program could take the form of plaques, commemorative markers, or artistic or interpretive displays which explain the historical significance of the properties to the general public. Such displays would be incorporated into project plans as they are being developed, and would typically be located in a publicly accessible location on or near the site of the former historical resource(s). Public interpretation displays shall be installed prior to completion of any construction projects in the Project Area. Photographic recordation and public interpretation of historically significant properties prior to their demolition or alteration does not typically mitigate the loss of potentially historic resources to a less-than-significant level [CEQA Section 15126.4(b)(2)]. d) Financial Contributions. If measure "a" (Avoidance, Adaptive Reuse, or Appropriate Relocation of Historically-significant Structures) and measure "b" (Future Site-specific Surveys and Evaluations) are not satisfied, the			

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Impact CUL-1 (cont.)	project applicants of specific projects facilitated by the Proposed Amendments shall make a financial contribution to the City of Oakland, which can be used to fund other historic preservation projects within the Project Area or in the immediate vicinity. Such programs include, without limitation, a Façade Improvement Program, or the Property Relocation Assistance Program. This mitigation would conform to Action 3.8.1(9) of the Historic Preservation Element of the City of Oakland General Plan. Contributions to the fund(s) shall be determined by staff at the time of approval of site-specific project plans based on a formula to be determined by the Landmarks Preservation Advisory Board. However, such financial contribution, even in conjunction with measure "c" (Recordation and Public Interpretation), would not reduce the impacts to less-than-significant levels.			
Impact CUL-2: Development facilitated by the Proposed Amendments could result in significant impacts to both known and unknown archaeological resources.	Standard Condition of Approval 52, Archaeological Resources a. Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards. b. In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out. c. Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and	SCA 52: Ongoing throughout demolition, construction and grading.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Conduct regular visits to the construction sites to confirm that all applicable measures are being implemented or complied with.

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Impact CUL-2 (cont.)	assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.			
Impact CUL-3: Development facilitated by the Proposed Amendments could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Standard Condition of Approval 54, Paleontological Resources In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards [SVP 1995, 1996]). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.	SCA 54: Ongoing throughout demolition, grading, and construction.	City of Oakland CEDA-Planning & Zoning, City of Oakland CEDA-Building Services Division, Zoning Inspection.	Confirm required agency notifications and consultations are conducted by the qualified paleontologist if resources are found; Review and approve the excavation plan and confirm the plan is implemented pursuant to the plan.
Impact CUL-4: Development facilitated by the Proposed Amendments could disturb human remains, including those interred outside of formal cemeteries.	Standard Condition of Approval 53, Human Remains In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.	SCA 53: Ongoing throughout demolition, grading, and construction.	City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Confirm required agency notifications and consultations are conducted if human skeletal remains are found; Review and approve an alternative plan and confirm that the plan is implemented prior to resuming construction.
	Standard Condition of Approval 52, Archaeological Resources (listed under Impact CUL-2)	See SCA 52 listed under Impact CUL-2 above.	See SCA 52 listed under Impact CUL-2 above.	See SCA 52 listed under Impact CUL-2 above.

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Impact CUL-5: Development facilitated by the Proposed Amendments, combined with cumulative development in the Project Area and citywide, including past, present, existing, approved, pending, and reasonably foreseeable future development, would contribute considerably to a significant adverse cumulative impact to cultural resources.	Standard Condition of Approval 52, <i>Archaeological Resources</i> (listed under Impact CUL-2)	See SCA 52 listed under Impact CUL-2 above.	See SCA 52 listed under Impact CUL-2 above.	See SCA 52 listed under Impact CUL-2 above.
	Standard Condition of Approval 53, <i>Human Remains</i> (listed under Impact CUL-4)	See SCA-53 listed under Impact CUL-4 above.	See SCA-53 listed under Impact CUL-4 above.	See SCA-53 listed under Impact CUL-4 above.
	Standard Condition of Approval 54, <i>Paleontological Resources</i> (listed under Impact CUL-3)	See SCA 54 listed under Impact CUL-3 above.	See SCA 54 listed under Impact CUL-3 above.	See SCA 54 listed under Impact CUL-3 above.
	Standard Condition of Approval 56, <i>Compliance with Policy 3.7 of the Historic Preservation Element (Property Relocation Rather than Demolition)</i> The project applicant shall make a good faith effort to relocate the affected building(s) to a site acceptable to the Planning and Zoning Division and the OCHS. Good faith efforts include, at a minimum, the following: a. Advertising the availability of the building by: (1) posting of large visible signs (such as banners, at a minimum of 3'x 6' size or larger) at the site; (2) placement of advertisements in Bay Area news media acceptable to the City; and (3) contacting neighborhood associations and for-profit and not-for-profit housing and preservation organizations; b. Maintaining a log of all the good faith efforts and submitting that along with photos of the subject building showing the large signs (banners) to the Planning and Zoning Division; c. Maintaining the signs and advertising in place for a minimum of 90 days; and d. Making the building available at no or nominal cost (the amount to be reviewed by the Landmarks Preservation Advisory Board) until removal is necessary for construction of a replacement project, but in no case for less than a period of 90 days after such advertisement.	SCA 56: Prior to issuance of a demolition permit	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection; Oakland Cultural Heritage Survey (OCHS).	Confirm "good faith effort" made by Project applicant prior to demolition.
	Standard Condition of Approval 57, <i>Vibrations Adjacent to Historic Structures</i> (see SCA 57 listed under Impact BIO-7 above.)	See SCA 57 listed under Impact BIO-7 above.	See SCA 57 listed under Impact BIO-7 above.	See SCA 57 listed under Impact BIO-7 above.
	Mitigation Measure CUL-1 (listed under Impact CUL-1).	See MM CUL-1 listed under Impact CUL-1 above.	See MM CUL-1 listed under Impact CUL-1 above.	See MM CUL-1 listed under Impact CUL-1 above.

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Impact GEO-1: Development Amendments facilitated by the Proposed Amendments could expose people or structures to seismic hazards such as ground shaking and seismic-related ground failure such as liquefaction, differential settlement, or lateral spread	Standard Condition of Approval 58, Soils Report A preliminary soils report for each construction site within the project area shall be required as part of this project and submitted for review and approval by the Building Services Division. The soils reports shall be based, at least in part, on information obtained from on-site testing. Specifically the minimum contents of the report should include: - Logs of borings and/or profiles of test pits and trenches: - The minimum number of borings acceptable, when not used in combination with test pits or trenches, shall be two (2), when in the opinion of the Soils Engineer such borings shall be sufficient to establish a soils profile suitable for the design of all the footings, foundations, and retaining structures. - The depth of each boring shall be sufficient to provide adequate design criteria for all proposed structures. - All boring logs shall be included in the soils report. - Test pits and trenches - Test pits and trenches shall be of sufficient length and depth to establish a suitable soils profile for the design of all proposed structures. - Soils profiles of all test pits and trenches shall be included in the soils report. - A plat shall be included which shows the relationship of all the borings, test pits, and trenches to the exterior boundary of the site. The plat shall also show the location of all proposed site improvements. All proposed improvements shall be labeled. - Copies of all data generated by the field and/or laboratory testing to determine allowable soil bearing pressures, shear strength, active and passive pressures, maximum allowable slopes where applicable and any other information which may be required for the proper design of foundations, retaining walls, and other structures to be erected subsequent to or concurrent with work done under the grading permit. - A written Soils Report shall be submitted which shall include but is not limited to the following: - Site description - Local and site geology - Review of previous field and laboratory investigations for the site	SCA 58: Required as part of the submittal of a Tentative Tract Map (TTM) or Tentative Parcel Map (TPM).	City of Oakland CEDA Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and confirm approved design features are incorporated into the final Project plans and as part of the TTM/TPM; Confirm implementation of the design features during construction.

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Environmental Impact Impact GEO-1 (cont.)	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
	d. Review of information on or in the vicinity of the site on file at the Information Counter, City of Oakland, Office of Planning and Building. e. Site stability shall be addressed with particular attention to existing conditions and proposed corrective attention to existing conditions and proposed corrective actions at locations where land stability problems exist. f. Conclusions and recommendations for foundations and retaining structures, resistance to lateral loading, slopes, and specifications, for fills, and pavement design as required. g. Conclusions and recommendations for temporary and permanent erosion control and drainage. If not provided in a separate report they shall be appended to the required soils report. h. All other items which a Soils Engineer deems necessary. i. The signature and registration number of the Civil Engineer preparing the report. 6. The Director of Planning and Building may reject a report that she/he believes is not sufficient. The Director of Planning and Building may refuse to accept a soils report if the certification date of the responsible soils engineer on said document is more than three years old. In this instance, the Director may be require that the old soils report be recertified, that an addendum to the soils report be submitted, or that a new soils report be provided.			
	Standard Condition of Approval 59, Geotechnical Report 1. A site-specific, design level geotechnical investigation for the construction site within the project area (which is typical for any large, phased development project) shall be required as part of this project. Specifically: i. Each investigation shall include an analysis of expected ground motions at the site from identified faults. The analyses shall be accordance with applicable City ordinances and polices, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults. ii. The investigations shall determine final design parameters for the walls, foundations, foundation slabs, surrounding related improvements, and infrastructure (utilities, roadways, parking lots, and sidewalks).	SCA 59: Required as part of the submittal of a TTM or TPM.	City of Oakland CEDA Building Services Division.	Review and approve site-specific, design level geotechnical investigation report; Confirm design measures from the report are incorporated into final project plans and a part of the TTM and TPM; verify implementation of all measures during construction.

Deleted: Prior to or after

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Impact GEO-1 (cont.)	iii. The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Oakland. iv. The geotechnical report shall include a map prepared by a land surveyor or civil engineer that shows all field work and location of the "No Build" zone. The map shall include a statement that the locations and limitations of the geologic features are accurate representations of said features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge. v. Recommendations that are applicable to foundation design, earthwork, and site preparation that were prepared prior to or during the projects design phase, shall be incorporated in the project. vi. Final seismic considerations for the site shall be submitted to and approved by the City of Oakland Building Services Division prior to commencement of the project. vii. A peer review is required for the Geotechnical Report. Personnel reviewing the geologic report shall approve the report, reject it, or withhold approval pending the submission by the applicant or subdivider of further geologic and engineering studies to more adequately define active fault traces. viii. Tentative Tract or Parcel Map approvals shall require, but not be limited to, approval of the Geotechnical Report.			
Impact GEO-2: Development Amendments could be subjected to geologic hazards, including expansive soils, subsidence, seismically induced settlement and differential settlement.	Standard Conditions of Approval 58, Soils Report (listed under Impact GEO-1)	See SCA 58 listed under Impact GEO-1 above.	See SCA 58 listed under Impact GEO-1 above.	See SCA 58 listed under Impact GEO-1 above.
Impact GHG-1: Development facilitated by the Proposed Amendments would produce greenhouse gas emissions that exceed 1,100 metric tons of CO _{2e} per year, but that would not exceed 4.6 metric tons of CO _{2e} per service population annually.	Standard Condition of Approval 59, Geotechnical Report (listed under Impact GEO-1)	See SCA 59 listed under Impact GEO-1 above.	See SCA 59 listed under Impact GEO-1 above.	See SCA 59 listed under Impact GEO-1 above.
	Standard Condition of Approval B, GHG Reduction Plan a) Standard Condition of Approval B, <i>Greenhouse Gas Reduction Plan</i> - involve land use development (i.e., a project that does not require a permit from the BAAQMD to operate); b) produce total GHG emissions of more than 1,100 metric tons of CO _{2e} annually OR more than 4.6 metric tons of CO _{2e} per service population annually (with "service population" defined as the total number of employees and residents of the project) ¹ ; and	SCA B: The Final GHG Plan would be implemented by individual Project applicants, who pursued development as a result of the Proposed Amendments. Each project would require a regular periodic evaluation over	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Verify that GHG measures identified to be implemented for each project and that all "Implementation, Reporting, Monitoring and Funding" requirements identified in the projects Final GHG Plan are implemented and complied with.

¹ Because SCA B applies to projects that exceed either numeric threshold, it therefore can apply to projects that do not have a significant CEQA impact for GHG emissions (i.e., produces emissions that exceed **BOTH** numeric thresholds) if that project also meets criteria "a" and "c".

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Impact GHG-1 (cont.)	c) is either a: • Residential development of more than 500 units; • Shopping center or business establishment employing more than 1,000 persons or containing more than 500,000 square feet of total floor area; • Commercial office building employing 1,000 persons or containing more than 250,000 square feet of total floor area; • Hotel or motel containing more than 500 rooms; • Industrial, manufacturing, or processing plant, or industrial park employing more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of total floor area; or • Any combination of smaller versions of the above that when combined result in equivalent annual CO₂e emissions as the above. The project applicant/sponsor shall retain a qualified air quality consultant to develop a GHG Reduction Plan for City review and approval. The applicant/sponsor shall implement the approved GHG Reduction Plan. The GHG Reduction Plan shall include, at a minimum, (a) a detailed GHG emissions inventory for the project under a "business-as-usual" scenario with no consideration of project design features, or other energy efficiencies; (b) an "adjusted" baseline GHG emissions inventory for the project, taking into consideration energy efficiencies included as part of the project (including the City's Standard Conditions of Approval, proposed mitigation measures, project design features, and other City requirements); (c) a comprehensive set of quantified additional GHG reduction measures available to further reduce GHG emissions beyond the adjusted GHG emissions; and (d) requirements for ongoing monitoring and reporting to demonstrate that the additional GHG reduction measures are being implemented. If the project is to be constructed in phases, the GHG Reduction Plan shall provide GHG emission scenarios by phase. Potential additional GHG reduction measures to be considered include, but are not 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 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 life of the projects to determine the efficacy of the specific additional GHG reduction measures identified in the Final GHG Plan.		

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Impact GHG-1 (cont.)	The proposed additional GHG reduction measures must be reviewed and approved by the City. 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"). For proposed reduction measures involving the purchase of carbon credits, the City will give preference to proposed payments to the City to offset the costs associated with implementation of GHG reduction strategies identified in the City's Energy and Climate Action Plan (ECAP). 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; and (3) off-site within the State of California. 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 (or at the completion of the project phase for phased projects). For physical GHG reduction measures to be incorporated into off-site projects, the measures shall be included on drawings and submitted to the City for review and approval and then installed prior to completion of the subject project (or prior to completion of the project phase for phased projects). 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 (or at the completion of the project phase for phased projects). For GHG reduction measures involving the purchase of carbon credits (either to fund GHG-reducing activities identified in the ECAP or to fund non-ECAP GHG-reducing activities), evidence of the payment/purchase shall be submitted to the City for review and approval prior to completion of the subject project (or prior to completion of the project phase for phased projects). The GHG Reduction Plan shall be considered fully attained when project emissions are less than both applicable numeric BAAQMD CEQA Thresholds, as confirmed by the City through an established monitoring program. Monitoring and reporting activities will continue at the City's discretion, as discussed below. Compliance, Monitoring and Reporting. 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			

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Impact GHG-1 (cont.)	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 City review and approval. The Annual Report shall be submitted to an independent reviewer of the City's choosing to be paid for by the project applicant/sponsor (see <i>Funding</i>, 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 actual adjusted emissions. "Actual Adjusted Emissions" shall be established 6 months after the first anniversary of the Certificate of Occupancy through preparation and approval of a baseline emissions inventory conducted at each anniversary of the Certificate of Occupancy. If the City determines that the GHG Reduction Plan has been fully attained (i.e., project emissions are less than both applicable numeric BAAQMD CEQA Thresholds), it shall have the discretion to require Annual Reports be submitted at least every three years thereafter. Funding. Within two months after the Certificate of Occupancy, the project applicant/sponsor shall fund an escrow-type account to be used exclusively for preparation of Annual Reports and review and evaluation by the City, 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 and shall be replenished by the project applicant/sponsor so that the amount does not fall below an amount determined by the City. The mechanism of this account shall be mutually agreed upon by the project applicant/sponsor and the City, 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.			

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Impact GHG-1 (cont.)	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 goals, the project applicant/sponsor shall prepare a report for City review and approval, which proposes additional or revised GHG measures to achieve the GHG emissions reduction targets, 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 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 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 and the City determines that the emissions reduction from the baseline emissions inventory conducted at each anniversary of the Certificate of Occupancy. 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 modify the timing of reporting and all other requirements of this standard condition of approval as needed to adapt to a specific project or coincide with other related monitoring and reporting (e.g., for a TDM Plan) required for the project.			

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Impact GHG-1 (cont.)	• <i>Fund Escrow-type Account for City Review</i>: Certificate of Occupancy plus 2 months • <i>Submit Baseline Inventory of "Actual Adjusted Emissions"</i>: Certificate of Occupancy plus 1 year • <i>Submit Annual Report #1</i>: Certificate of Occupancy plus 2 years • <i>Submit Corrective GHG Action Plan</i> (if needed): Certificate of Occupancy plus 4 years (based on findings of Annual Report #3) • <i>Post Attainment Annual Reports</i>: Minimum every 3 years and at the City's discretion			
Impact GHG-2: Development facilitated by the Proposed Amendments would not conflict with any applicable plan, policy or regulation of an appropriate regulatory agency adopted for the purpose of reducing greenhouse gas emissions	Standard Condition of Approval B, Greenhouse Gas Reduction Plan (listed under GHG-2)	See SCA B listed within SCA CHC-1 under Impact GHG-1 above.	See SCA B listed within SCA CHC-1 under Impact GHG-1 above.	See SCA B listed within SCA CHC-1 under Impact GHG-1 above.
	Standard Condition of Approval 25, Parking and Transportation Demand Management (listed under Impact AIR-2)	See SCA 25 listed under Impact AIR-2.	See SCA 25 listed under Impact AIR-2.	See SCA 25 listed under Impact AIR-2.
	Standard Condition of Approval 26, Dust Control During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) "Basic" and "Enhanced" dust control procedures required for construction sites. These include, as applicable: <i>Basic (applies to all construction sites)</i> a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever 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). c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites. d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites. e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.	SCA 26: Prior to issuance of a demolition, grading or building permit.	City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Confirm implementation of the measures during construction; Conduct regular inspections of the construction sites to verify compliance.

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Impact GHG-2 (cont.)	f) Limit the amount of the disturbed area at any one time, where feasible. g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour. h) 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. i) Replant vegetation in disturbed areas as quickly as feasible. j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). k) Limit traffic speeds on unpaved roads to 15 miles per hour. l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas. <i>Enhanced (All "Basic" Controls listed above, plus the following if the construction site is greater than four acres)</i> All "Basic" controls listed above, plus: 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. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction. p) Install appropriate wind breaks at the construction site to minimize wind blown dust.			
Impact GHG-2 (cont.)	Standard Condition of Approval 27, Construction Emissions To minimize construction equipment emissions during construction, the project applicant shall require the construction contractor to: a) Demonstrate compliance with Bay Area Air Quality Management District (BAAQMD) Regulation 2, Rule 1 (General Requirements) for all portable construction equipment subject to that rule. BAAQMD Regulation 2, Rule 1 provides the issuance of authorities to construct and permits to operate certain types of portable equipment used for construction purposes (e.g., gasoline or diesel-powered engines used in conjunction with	SCA 27: Prior to issuance of a demolition, grading or building permit.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Confirm implementation of the measures during construction; Conduct regular inspections of the construction sites to verify compliance.

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Impact GHG-2 (cont.)	power generation, pumps, compressors, and cranes) unless such equipment complies with all applicable requirements of the "CAPCOA" Portable Equipment Registration Rule" or with all applicable requirements of the Statewide Portable Equipment Registration Program. This exemption is provided in BAAQMD Rule 2-1-105. b) Perform low- NOx tune-ups on all diesel-powered construction equipment greater than 50 horsepower (no more than 30 days prior to the start of use of that equipment). Periodic tune-ups (every 90 days) shall be performed for such equipment used continuously during the construction period. As SCA 27 is not restrictive, the following supplemental conditions shall apply: c) The project applicant shall develop and submit to the City for approval a plan that demonstrates BAAQMD compliance per SCA 27 condition "a". d) In addition to low-NOx tune-ups to be conducted per SCA 27 condition "b", 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. e) All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. f) The project applicant shall develop and submit to the City for approval a plan that demonstrates all off-road equipment greater than 50 horsepower (including equipment that is owned or leased and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as they become available. g) Idling times 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) Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings).			

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Impact GHG-2 (cont.)	Standard Condition of Approval 41, Asbestos Removal in Structures If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolished and disposed, the Project Applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code, Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Standard Condition of Approval 55, Erosion and Sedimentation Control Plan Standard Condition of Approval 75, Stormwater Pollution Prevention Plan Standard Condition of Approval 83, Creek Protection Plan Standard Condition of Approval 12, Required Landscape Plan for New Construction and Certain Addition to Residential Facilities Submittal and approval of a landscape plan for the entire site is required for the establishment of a new residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities of over five hundred (500) square feet. The landscape plan and the plant materials installed pursuant to the approved plan shall conform to all provisions of Chapter 17.124 of the Oakland Planning Code, including the following: a) Landscape plan shall include a detailed planting schedule showing the proposed location, sizes, quantities, and specific common botanical names of plant species. b) Landscape plans for projects involving grading, rear walls on downslope lots requiring conformity with the screening requirements in Section 17.124.040, or vegetation management prescriptions in the S-11 zone, shall show proposed landscape treatments for all graded areas, rear wall treatments, and vegetation management prescriptions. c) Landscape plan shall incorporate pest-resistant and drought-tolerant landscaping practices. Within the portions of Oakland northeast of the line formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans	SCA 41: Prior to issuance of a demolition permit. See SCA 55 listed under Impact BIO-7. See SCA 75 listed under Impact BIO-3. See SCA 83 listed under Impact BIO-7. SCA 12: Prior to issuance of a building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit, City of Oakland, CEDA Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning. See SCA 55 listed under Impact BIO-7. See SCA 75 listed under Impact BIO-3. See SCA 83 listed under Impact BIO-7. City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Review and approve specifications as submitted by asbestos consultant. Verify compliance with applicable laws and regulations. See SCA 55 listed under Impact BIO-7. See SCA 75 listed under Impact BIO-3. See SCA 83 listed under Impact BIO-7. Review the Final Development Plan for any development facilitated by the Proposed Amendments to verify the applicable landscape requirements are incorporated.

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Impact GHG-2 (cont.)	shall be fire-resistant. The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant. d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one growing season. Standard Condition of Approval 13, Landscape Requirements for Street Frontages 1. All areas between a primary Residential Facility and abutting street lines shall be fully landscaped, plus any unpaired areas of abutting rights-of-way of improved streets or alleys, provided, however, on streets without sidewalks, an unplanted strip of land five (5) feet in width shall be provided within the right-of-way along the edge of the pavement or face of curb, whichever is applicable. Existing plant materials may be incorporated into the proposed landscaping if approved by the Director of City Planning. 2. In addition to the general landscaping requirements set forth in Chapter 17.124, a minimum of one (1) fifteen-gallon tree, or substantially equivalent landscaping consistent with city policy and as approved by the Director of City Planning, shall be provided for every twenty-five (25) feet of street frontage. On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6 ½) feet, the trees to be provided shall include street trees to the satisfaction of the Director of Parks and Recreation. Standard Condition of Approval 17, Landscape Requirements for Street Frontages (commercial and manufacturing) On streets with sidewalks where the distance from the face of the curb to the outer edge of the sidewalk is at least six and one-half (6½) feet and does not interfere with access requirements, a minimum of one (1) twenty-four (24) inch box tree shall be provided for every twenty-five (25) feet of street frontage, unless a smaller size is recommended by the City arborist. The trees to be provided shall include species acceptable to the Tree Services Division. Standard Condition of Approval 18, Landscape Maintenance (commercial and manufacturing) All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced. Standard Condition of Approval 46, Tree Replacement Plantings	SCA 13: Prior to issuance of a final inspection of the building permit. SCA 17: Prior to issuance of a final inspection of the building permit SCA 18: Ongoing. See SCA 46 listed under Impact BIO-6.	City of Oakland CEDA Planning & Zoning, City of Oakland CEDA-Building Services Division, Zoning Inspection. City of Oakland CEDA Planning & Zoning, City of Oakland CEDA-Building Services Division, Zoning Inspection. City of Oakland CEDA Planning & Zoning, City of Oakland CEDA-Building Services Division, Zoning Inspection. See SCA 46 listed under Impact BIO-6.	Review the Final Development Plan for any development facilitated by the Proposed Amendments to verify the applicable landscape requirements are incorporated. Review the Final Development Plan for any development facilitated by the Proposed Amendments to verify the applicable landscape requirements are incorporated. Conduct regular inspections of the project sites to verify compliance with the applicable landscaping requirements. See SCA 46 listed under Impact BIO-6.

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Impact GHG-2 (cont.)	Standard Condition of Approval 15, Landscape Maintenance (residential) All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required fences, walls and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced. Standard Condition of Approval 36, Waste Reduction and Recycling The project applicant will submit a Construction and Demolition WRRP and an Operational Diversion Plan (ODP) for review and approval by the Public Works Agency. Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert construction and demolition debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan. The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.	SCA 15: Ongoing SCA 36: Prior to issuance of demolition, grading, or building permit.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection. City of Oakland Public Works Agency; City of Oakland CEDA-Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Conduct regular inspections of the project sites to verify compliance with the applicable landscaping requirements. Review and confirm approved WRRP and ODP requirements are incorporated into final project plans; Confirm implementation of the WRRP and ODP during construction.
Impact HAZ-1: Development Amendments would result in an increase in the routine transportation, use, and storage of hazardous chemicals.	Standard Condition of Approval 35, Hazard Best Management Practices (listed under Impact BIO-3)	See SCA 35 listed under Impact BIO-3	See SCA 35 listed under Impact BIO-3.	See SCA 35 listed under Impact BIO-3.

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Impact HAZ-2: Development facilitated by the Proposed Amendments would result in the accidental release of hazardous materials used during construction through improper handling or storage.	Standard Condition of Approval 35, Hazard Best Management Practices (listed under Impact BIO-3)	See SCA 35 listed under Impact BIO-3 above.	See SCA 35 listed under Impact BIO-3 above.	See SCA 35 listed under Impact BIO-3 above.
Impact HAZ-3: Development facilitated by the Proposed Amendments would result in the exposure of hazardous materials in soil and ground water.	Standard Condition of Approval 68, Best Management Practices for Soil and Groundwater Hazards The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards: a) Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland. b) Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building (pursuant to the Standard Condition of Approval regarding Radon or Vapor Intrusion from Soil and Groundwater Sources). c) Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a Phase I and/or Phase II Reports.	SCA 68: Recommended procedures shall be implemented during construction.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit; City of Oakland, CEDA Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning.	Verify each projects' construction plans have incorporate all BMPs; Conduct regular visits to the projects' construction sites to confirm that all applicable measures are being implemented or complied with.

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Impact HAZ-3 (cont.)	Standard Condition of Approval 69, Radon or Vapor Intrusion from Soil or Groundwater Sources The project applicant shall submit documentation to determine whether radon or vapor intrusion from the groundwater and soil is located on-site as part of the Phase I documents. The Phase I analysis shall be submitted to the Fire Prevention Bureau, Hazardous Materials Unit, for review and approval, along with a Phase II report if warranted by the Phase I report for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. Applicant shall implement the approved recommendations.	SCA 69: Prior to issuance of any demolition, grading or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit, City of Oakland, CEDA- Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning.	Review and approve site-specific, Phase I and Phase II investigation report. Confirm remedial actions and monitoring have occurred.
Impact HAZ-4: Development facilitated by the Proposed Amendments would result in the exposure of hazardous building materials during building demolition.	Standard Condition of Approval 63, Lead-based Paint/Coatings, Asbestos, or PCB Occurrence Assessment If lead-based paint is present, the project applicant shall submit specifications to the Fire Prevention Bureau, Hazardous Materials Unit, signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: Cal/OSHA's Construction Lead Standard, 8 CCR1532.1 and DHS regulation 17 CCR Sections 35001 through 36100, as may be amended.	SCA 63: Prior to issuance of any demolition, grading or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit, City of Oakland, CEDA Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning.	Review and approve specifications; inspect project sites to confirm removal is complete and in compliance with State Regulations.
	Standard Condition of Approval 41, Asbestos Removal in Structures If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8: Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.	SCA 41: Prior to issuance of a demolition permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit, City of Oakland, CEDA Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning.	Review and approve specifications; inspect project sites to confirm removal is complete and in compliance with State Regulations.
Impact HAZ-5: Development facilitated by the Proposed Amendments would require use of hazardous materials within 0.25 mile of a school.	Standard Condition of Approval 74, Hazardous Materials Business Plan The project applicant shall submit a Hazardous Materials Business Plan for review and approval by Fire Prevention Bureau, Hazardous Materials Unit. Once approved this plan shall be kept on file with the City and will be updated as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle the materials and provides information to the Fire Services Division should emergency response be required. The Hazardous Materials Business Plan shall include the following:	SCA 74: Prior to issuance of a business license.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit, City of Oakland, CEDA Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning.	Review and approve specifications; Confirm that developments facilitated by the Proposed Amendments are in compliance with their own plans.

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Impact HAZ-5 (cont.)	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. d) A plan that describes the manner in which these materials are handled, transported and disposed.			
Impact HAZ-6: Development facilitated by the Proposed Amendments, when combined with other past, present, existing, approved, pending and reasonably foreseeable development in the vicinity, would result in cumulative hazards.	Standard Condition of Approval 66, Other Materials Classified as Hazardous Waste If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.	SCA 66: Prior to issuance of any demolition, grading or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit; City of Oakland, CEDA Building Services Division, Zoning Inspection; City of Oakland, CEDA- Planning & Zoning.	Review and approve written confirmations of other hazardous wastes as submitted.
	Standard Condition of Approval 74, Hazardous Materials Business Plan (listed under Impact HAZ – 5)	See SCA 74 listed under Impact HAZ-5.	See SCA 74 listed under Impact HAZ-5.	See SCA 74 listed under Impact HAZ-5.
	Standard Condition of Approval 61, Site Review by Fire Services Division The project applicant shall submit plans for site review and approval to the Fire Prevention Bureau Hazardous Materials Unit. Property owner may be required to obtain or perform a Phase II hazard assessment.	SCA 61: Prior to the issuance of demolition, grading or building permit.	City of Oakland, Fire Prevention Bureau, Hazardous Materials Unit	Review and approve site plans for projects developed under the Proposed Amendments.
Impact HYD-1: Development facilitated by the Proposed Amendments would alter drainage patterns and increase the volume of stormwater, level of contamination or siltation in stormwater flowing from the Project Area.	Standard Condition of Approval 55, Erosion and Sedimentation Control Plan (listed under Impact BIO-3)	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.	See SCA 55 listed under Impact BIO-3 above.
	Standard Condition of Approval 75, Stormwater Pollution Prevention Plan (listed under Impact BIO-3)	See SCA 75 listed under Impact BIO-3 above.	See SCA 75 listed under Impact BIO-3 above.	See SCA 75 listed under Impact BIO-3 above.
	Standard Condition of Approval 80, Post-construction Stormwater Management Plan (listed under Impact BIO-3)	See SCA 80 listed under Impact BIO-3 above.	See SCA 80 listed under Impact BIO-3 above.	See SCA 80 listed under Impact BIO-3 above.
	Standard Condition of Approval 81, Maintenance Agreement for Stormwater Treatment Measures For projects incorporating stormwater treatment measures, the applicant shall enter into the "Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement" in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following: i. The applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and	SCA-81 Prior to final zoning inspection.	City of Oakland, Public Works Agency, Sewer & Stormwater Division; City of Oakland CEDA Planning and Zoning; City of Oakland, CEDA Building Services Division, Zoning Inspection.	As applicable, confirm inclusion in appropriate document.

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Impact HYD-1 (cont.)	reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The agreement shall be recorded at the County Recorder's Office at the applicant's expense. Standard Condition of Approval 91, Stormwater and Sewer Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.	SCA 91: Prior to completing the final design for the individual project's sewer service.	City of Oakland, Public Works Agency, Sewer & Stormwater Division; City of Oakland CEDA Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning.	Verify confirmation of stormwater and sanitary sewer capacity by the applicant's consultant; Conduct regular visits to the Project construction site to confirm that all applicable measures are being implemented or complied with
Impact HYD-2: Development facilitated by the Proposed Amendments could be susceptible to flooding hazards as a result of being placed in a 100-year flood zone as mapped by FEMA.	Standard Condition of Approval 83, Creek Protection Plan (listed under Impact BIO-7) Standard Condition of Approval 90, Structures within a Floodplain a. The project applicant shall retain the civil engineer of record to ensure that the project's development plans and design contain finished site grades and floor elevations that are elevated above the Base Flood Elevation (BFE) if established within a 100-year flood event. b. The project applicant shall submit final hydrological calculations that ensure that the structure will not interfere with the flow of water or increase flooding.	See SCA 83 listed under Impact BIO-7 above. SCA 90: Prior to issuance of a demolition, grading, or building permit.	See SCA 83 listed under Impact BIO-7 above. City of Oakland CEDA Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning.	See SCA 83 listed under Impact BIO-7 above. Review and approve final hydrologic calculations for each development occurring under the Proposed Amendments.

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Impact NOI-1: Development facilitated by the Proposed Amendments would result in substantial temporary or periodic increases in ambient noise levels in the Project Area above levels existing without the Amendment and in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Standard Condition of Approval 28, Days/Hours of Construction Operation The project applicant shall require construction contractors to limit standard construction activities as follows: a) Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. b) Any construction activity proposed to occur outside of the standard hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division. c) Construction activity shall not occur on Saturdays, with the following possible exceptions: i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened. Such construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division. ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division, and only then within the interior of the building with the doors and windows closed. d) No extreme noise generating activities (greater than 90 dBA) shall be allowed on Saturdays, with no exceptions. e) No construction activity shall take place on Sundays or federal holidays. f) Construction activities include but are not limited to: truck idling, moving equipment (including trucks, elevators, etc) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. g) Applicant shall use temporary power poles instead of generators where feasible.	SCA 28: Ongoing throughout demolition, grading, and/or construction.	City of Oakland CEDA Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning.	Conduct regular visits to the project construction site to confirm compliance.

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Impact NOI-1 (cont.)	Standard Condition of Approval 29, Noise Control To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures: a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). b) Except as provided herein, impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible 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, is such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures as determined by the City to provide equivalent noise reduction. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determined an extension is necessary and all available noise reduction controls are implemented.	SCA 29: Ongoing throughout demolition, grading, and/or construction.	City of Oakland CEDA Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning.	Review and approve noise reduction plan incorporating required measures; Conduct regular visits to the projects' construction sites to confirm that all applicable measures are being implemented and complied with.
	Standard Condition of Approval 30, Noise Complaint Procedures Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department, (during regular construction hours and off-hours).	SCA 30: Ongoing throughout demolition, grading, and/or construction.	City of Oakland CEDA Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning.	Review and approve noise reduction plan incorporating required measures; Conduct regular visits to the project construction site to confirm that all applicable measures are being implemented and complied with.

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Impact NOI-1 (cont.)	b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); c) The designation of an on-site construction complaint and enforcement manager for the project; d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed. Standard Condition of Approval 39, Pile Driving and Other Extreme Noise Generators To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity: a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;	SCA 39: Ongoing throughout demolition, grading, and/or construction.	City of Oakland CEDA Building Services Division, Zoning Inspection, City of Oakland CEDA-Planning & Zoning.	Review and approve noise reduction plan incorporating required measures; Conduct regular visits to projects' construction sites to confirm that all applicable measures are being implemented and complied with.

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Impact NOI-1 (cont.)	c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; d) Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example, and e) Monitor the effectiveness of noise attenuation measures by taking noise measurements. Standard Condition of Approval 38, <i>Vibration</i> A qualified acoustical consultant shall be retained by the project applicant during the design phase of the project to comment on structural design as it relates to reducing groundborne vibration at the project site. If required in order to reduce groundborne vibration to acceptable levels, the project applicant shall incorporate special building methods to reduce groundborne vibration being transmitted into project structures. The City shall review and approve the recommendations of the acoustical consultant and the plans implementing such recommendations. Applicant shall implement the approved plans. Potential methods include the following: (a) Isolation of foundation and footings using resilient elements such as rubber bearing pads or springs, such as a "spring isolation" system that consists of resilient spring supports that can support the podium or residential foundations. The specific system shall be selected so that it can properly support the structural loads, and provide adequate filtering of ground-borne vibration to the residences above. (b) Trenching, which involves excavating soil between the railway/freeway and the project so that the vibration path is interrupted, thereby reducing the vibration levels before they enter the project's structures. Since the reduction in vibration level is based on a ratio between trench depth and vibration wavelength, additional measurements shall be conducted to determine the vibration wavelengths affecting the project. Based on the resulting measurement findings, an adequate trench depth and, if required, suitable fill shall be identified (such as foamed styrene packing pellets (i.e., Styrofoam) or low-density polyethylene).	SCA 38: Prior to issuance of demolition, grading, or building permit.	City of Oakland CEDA-Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning.	Review and approve recommendations from the acoustical consultant. Confirm plans have implemented recommended measures.
Standard Condition of Approval 57, <i>Vibrations Adjacent to Historic Structures</i> (listed under Impact BIO-7)		See SCA 57 listed under Impact BIO-7 above.	See SCA 57 listed under Impact BIO-7 above.	See SCA 57 listed under Impact BIO-7 above.

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Impact NOI-2: Construction pile driving for the Victory Court ballpark that could be facilitated by the Proposed Amendments could increase ambient noise levels for an extended duration and adversely affect the surrounding noise environment.	Standard Condition of Approval 39, Pile Driving and Other Extreme Noise Generators (listed under Impact NOI-1)	See SCA 39 listed under Impact NOI-1 above.	See SCA 39 listed under Impact NOI-1 above.	See SCA 39 listed under Impact NOI-1 above.
Impact NOI-3: Development Amendments could increase noise levels in the Project Area to levels in excess of standards established in the Oakland Noise Ordinance and Planning Code.	Standard Conditions of Approval 31, Interior Noise (listed under Impact NOI-1) Standard Conditions of Approval 32, Operational Noise (General) Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.	See SCA 31 listed under Impact NOI-1 above. SCA 32: Ongoing during operations.	See SCA 31 listed under Impact NOI-1 above. City of Oakland CEDA Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	See SCA 31 listed under Impact NOI-1 above. Verify that all noise generating equipment on the site during operation of the project does not exceed levels pursuant to the applicable performance standards in the Oakland Planning Code and Oakland Municipal Code.
Impact NOI-4: Operational noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments would generate special event noise levels in the Project Area to levels in excess of standards established in the Oakland Noise Ordinance and Planning Code.	Standard Condition of Approval 32, Operational Noise (General) (listed under Impact NOI-3) Mitigation Measure NOI-4a: The City shall ensure that the Victory Court ballpark public address system shall be comprised of a distributed speaker system on-site, which would locate speakers around each section of the park to minimize the impact that might be generated by fewer but louder or high-mounted speaker units. Mitigation Measure NOI-4b: Prior to the first ballpark event at Victory Court, the City shall conduct a detailed acoustic study to assess the predicted long-term noise levels from the Victory Court ballpark at noise sensitive uses. The study shall be used to determine noise attenuation measures necessary to achieve a 45 dBA L _{eq} interior noise level at residences within 300 feet (or one-block) of the ballpark, during ballpark events. Attenuation measures at the stadium shall include, but not be limited to, distributed speakers for the public address system and limitations placed on sound levels associated with various activities to meet the interior noise level standard of 45 dBA L _{eq} . Noise measures shall be taken at receptor locations only with affected property owners' consent, and attenuation measures at or within the affected residences may include, but are not limited to, installation of dual-pane windows, mechanical air conditioning, sound walls and improved ceiling and wall insulation. Within one year after the first ballpark event at Victory Court, the City shall confirm the effectiveness of implemented noise measures, and implement any corrective measures within one additional year.	See SCA 32 listed under Impact NOI-3. Mitigation Measure NOI-4a: Prior to construction during project design. Mitigation Measure NOI-4b: After construction prior to ballpark use.	See SCA 32 listed under Impact NOI-3. City of Oakland CEDA- Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection. City of Oakland CEDA- Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	See SCA 32 listed under Impact NOI-3. Review and confirm approved features are integrated into the design of the ballpark. Review monitoring results; Confirm the effectiveness of implemented noise measures, and implement any corrective measures within one additional year.

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Impact NOI-7: Noise generated by the Victory Court ballpark that could be facilitated by the Proposed Amendments, in combination with traffic from past, present, existing, approved, pending and reasonably foreseeable future projects, could result in a 5dBA permanent increase in ambient noise levels in the project vicinity above levels existing without development facilitated by the Proposed Amendments; and could substantially increase construction noise and operational noise in the Project Area. (Significant)	Mitigation Measure NOI-7: • Implement Mitigation Measures TRA-1.1: The impacts of events at the ballpark on the surrounding transportation network will be analyzed as part of the project-level environmental analysis for that project. This analysis will identify specific mitigation measures to reduce its impacts and to improve access and circulation for automobiles, transit, pedestrians, and bicycles. • Implement Mitigation Measure TRA-4.1: Prepare Special Event Transportation and Parking Management Plan. Prepare a Transportation and Parking Management Plan (TPMP) to minimize the impacts of special events at the ballpark on the surrounding transportation network.	Mitigation Measure NOI-7: Prior to construction and during design and project-specific environmental review.	City of Oakland CEDA-Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and confirm implementation of measures as part of Final Development Plan for the ballpark; Review and approve TPMP; Confirm implementation of the design features during construction.
Impact TRA-1: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments under Existing Plus Project conditions. (Significant)	Mitigation Measure TRA-1: In general, roadway impacts can be mitigated by widening the roadway and providing additional travel lanes. However, providing additional travel lanes are not feasible and/or desired in most locations in Oakland because it would require additional right-of-way that is not available due to buildings adjacent to the roadway and/or elimination of parking or bicycle lanes. Potential mitigation measures for the impacted segments are discussed below: a. The impact on Grand Avenue between Harrison Street and I-580 (#15) may not be mitigated. This segment of Grand Avenue generally provides two travel lanes in each direction, with left-turn pockets, and bicycle lanes and parking on both sides of the street. The area adjacent to the street is occupied by buildings or parks. Providing additional travel lanes would require elimination of parking, bicycle lanes, existing buildings or parks, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. b. The impact on Embarcadero east of 5th Avenue (#16) may be mitigated by widening Embarcadero from one lane to two lanes between 4th and 10th Avenues. This improvement has been identified and adopted by the City as a mitigation measure in the Oak to Ninth EIR. The implementation of this mitigation measure would improve the roadway segment to LOS C and mitigate the impact. A specific development project's contribution to a significant roadway segment or intersection impact, and the feasibility and effectiveness of mitigation measures, can only be determined on a site-by-site or case-by-case basis, which is outside the scope of this	Mitigation Measure TRA-1: Prior to construction, during design and project-specific environmental review.	City of Oakland CEDA-Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and approve TIS and verify that any other required measures that are identified are implemented; Confirm implementation of the design features during construction.

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Impact TRA-1 (cont.)	environmental analysis. Therefore, the following mitigation measures shall be implemented to mitigate potential traffic impacts of development under the Proposed Amendments: • TRA-1.1 Traffic Impact Study (TIS) for Development Projects. Prior to approval of a development application for a development project, which may substantially affect any roadway segment or intersection identified as having a significant impact, the project applicant shall retain a qualified traffic engineer to conduct a Traffic Impact Study (TIS), in accordance with then-current City policies and practices, to identify whether the project would contribute additional vehicular trips to a significant traffic impact on a study roadway segment(s) or intersection(s). The TIS shall be performed in accordance with then-current City policies and practices, and shall generally identify: 1. The number of trips generated by development facilitated by the Proposed Amendments 2. The mode split for vehicular trips (i.e., the number of generated trips that would be made by private vehicle) 3. The distribution of vehicular trips on local roadways 4. Based on a quantitative evaluation of the information provided under 1 through 3, above, the City shall make a significance determination of the traffic impact(s) to roadway segment(s) or intersection(s) resulting from the development facilitated by the Proposed Amendments 5. If the level of impact identified under 4 above would be significant, then Mitigation Measure TRA-1.2 shall be employed. • TRA-1.2 Other Mitigations. Depending on the results of the TIS conducted in TRA-1.1, where TRA-1.1 is required to be implemented, the project applicant's traffic engineer shall evaluate the feasibility of the following broad measures at the roadway segment(s) or intersection(s) identified in TRA-1.1 above, and implement those measures determined feasible by the City: 1. Install new traffic signals and other roadway improvements that support not only vehicle travel, but all other modes safely to and through the intersection 2. Modify signal operation or phasing			

2. The City already requires as a Standard Condition of Approval (SCA-25), the development of a Transportation Demand Management (TDM) Plan for developments with 50 or more residential units or 50,000 square feet or more of new non-residential space.

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Impact TRA-1 (cont.)	3. Change lane assignment 4. Install bike and pedestrian facilities 5. Optimize signal timing (i.e., adjust the allocation of green time for each intersection approach) for the peak hours 6. Coordinate the signal timing changes with the adjacent intersections that are in the same signal coordination group. To implement those measures determined feasible by the City, the project sponsor shall submit the following to City of Oakland's Transportation Services Division for review and approval: - Plans, Specifications, and Estimates (PS&E) to modify the intersection. All elements shall be designed to City standards in effect at the time of construction and all new or upgraded signals should include these enhancements. All other facilities supporting vehicle travel and alternative modes through the intersection should be brought up to both City standards and Americans with Disabilities Act (ADA) standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards include the elements listed below: 2070L Type Controller with Cabinet Assembly and License seat - GPS communication (clock) - Accessible pedestrian crosswalks according to Federal and State Access Board guidelines - City Standard ADA wheelchair ramps - Full actuation (video detection, pedestrian push buttons, bicycle detection) - Accessible Pedestrian Signals, audible and tactile according to Federal Access Board guidelines - Countdown Pedestrian Signals - Signal interconnect and communication to City Traffic management Center for corridors identified in the City's Intelligent Transportation System (ITS) Master Plan - Signal timing plans for the signals in the coordination group. The project sponsor shall fund, prepare, and install the approved plans and improvements.			

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-2: Development Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2015 Plus Project conditions.	Mitigation Measure TRA-2: Implement Mitigation Measures TRA-1.1 and TRA-1.2. Potential mitigation measures for the impacted segments are discussed below: - The impact on 7th Street east of Fallon Street (#6) may not be mitigated. This segment of 7th Street generally provides two travel lanes in each direction, with a center median, and parking on both sides of the street. The area adjacent to the street is occupied by buildings or parking lots. Providing additional travel lanes would require elimination of parking, existing buildings or parking, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. - The impact on Grand Avenue between Harrison Street and I-580 (#15) may not be mitigated. This segment of Grand Avenue generally provides two travel lanes in each direction, with left-turn pockets, and bicycle lanes and parking on both sides of the street. The area adjacent to the street is occupied by buildings or parks. Providing additional travel lanes would require elimination of parking, bicycle lanes, existing buildings or parks, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. - The impact on Embarcadero east of 5th Avenue (#18) may be mitigated by widening Embarcadero from one lane to two lanes between 4th and 10th Avenues. This improvement has been identified and adopted by the City as a mitigation measure in the Oak to Ninth EIR. The implementation of this mitigation measure would improve the roadway segment to LOS C and mitigate the impact. Mitigation Measures TRA-1.1 and TRA-1.2 would be applied by the City on a development project (case-by-case) basis, as appropriate. Incorporation of Mitigation Measures TRA-1.1 and TRA-1.2 would likely reduce impacts to congested roadway segment(s) and/or intersection(s). The impact on Embarcadero east of 5th Avenue (#18) may be mitigated by widening the street as identified and adopted in the Oak to 9th EIR. The impact on all other roadway segments identified for Grand Avenue and 7th Street would likely remain significant and unavoidable. A more detailed project-specific quantitative analysis of Mitigation Measures TRA-1.1 and TRA-1.2 and identification of more specific mitigation measures are not feasible in this programmatic EIR at this time; therefore, it is conservatively concluded that these mitigation measures would not mitigate the identified significant impacts to a less-than-significant level, and that impacts would remain significant and unavoidable. Therefore, this EIR conservatively identifies impacts on roadway segments as significant and unavoidable impacts.	Mitigation Measure TRA-2: Prior to construction, during design and project-specific environmental review.	City of Oakland CEDA-Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and approve TIS and verify that any other required measures that are identified are implemented; Confirm implementation of the design features during construction.

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-3: Development Amendments would increase traffic volumes on area roadway segments under Cumulative Year 2035 Plus Project conditions.	Mitigation Measure TRA-3: Implement Mitigation Measures TRA-1.1 and TRA-1.2. Potential mitigation measures for the impacted segments are discussed below: a. The impact on 7th Street east of Fallon Street (#6) may not be mitigated. This segment of 7th Street generally provides two travel lanes in each direction, with a center median, and parking on both sides of the street. The area adjacent to the street is occupied by buildings or parking lots. Providing additional travel lanes would require elimination of parking, existing buildings or parking, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. b. The impact on Grand Avenue between Harrison Street and I-580 (#15) may not be mitigated. This segment of Grand Avenue generally provides two travel lanes in each direction, with left-turn pockets, and bicycle lanes and parking on both sides of the street. The area adjacent to the street is occupied by buildings or parks. Providing additional travel lanes would require elimination of parking, bicycle lanes, existing buildings or parks, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. c. The impact on Embarcadero east of Oak Street (#17) may not be mitigated. This segment of Embarcadero provides two eastbound and one westbound travel lanes, with a center median, and bicycle lanes on both sides of the street. The area adjacent to the street is occupied by buildings, parking facilities, or railroad tracks. Providing additional travel lanes would require elimination of bicycle lanes, existing buildings or parks, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. d. The impact on Embarcadero east of 5th Avenue (#18) may be mitigated by widening Embarcadero from one lane to two lanes between 4th and 10th Avenues. This improvement has been identified and adopted by the City as a mitigation measure in the Oak to Ninth EIR. The implementation of this mitigation measure would improve the roadway segment to LOS C and mitigate the impact. e. The impact on Broadway north of Grand Avenue (#20) may not be mitigated. This segment of Broadway provides two travel lanes in each direction, with left-turn pockets and parking on both sides of the street. The area adjacent to the street is occupied by buildings. Providing additional travel lanes would	Mitigation Measure TRA-3: Prior to construction, during design and project-specific environmental review.	City of Oakland CEDA- Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and approve TIS and verify that any other required measures that are identified are implemented; Confirm implementation of the design features during construction

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-3 (cont.)	require elimination of on-street parking or existing buildings, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. f. The impact on 5th Avenue south of East 12th Street (#26) may not be mitigated. This segment of 5th Avenue provides one travel lane in each direction, with bicycle lanes and parking on both sides of the street. The area adjacent to the street is mostly built up. Providing additional travel lanes would require elimination of bicycle lanes, on-street parking, or existing buildings, which are either not feasible or inconsistent with City policies. Therefore, the impact at this location would remain significant and unavoidable. Mitigation Measures TRA-1.1 and TRA-1.2 would be applied by the City on a development project (case-by-case) basis, as appropriate. Incorporation of Mitigation Measures TRA-1.1 and TRA-1.2 would likely reduce impacts to congested roadway segment(s) and/or intersection(s). The impact on Embarcadero east of 5th Avenue (#18) may be mitigated by widening the street as identified and adopted in the Oak to 9th EIR. The impact on all other roadway segments identified for segments discussed and listed above would likely remain significant and unavoidable. A more detailed project-specific quantitative analysis of Mitigation Measures TRA-1.1 and TRA-1.2 and identification of more specific mitigation measures are not feasible in this programmatic EIR at this time; therefore, it is conservatively concluded that these mitigation measures would not mitigate the identified significant impacts to a less-than-significant level, and that impacts would remain significant and unavoidable. Therefore, this EIR conservatively identifies impacts on roadway segments as significant and unavoidable impacts.			
Impact TRA-4: Baseball games and other special events at the Victory Court ballpark would adversely affect the surrounding transportation network	Mitigation Measure TRA-4: Implement the following: • Implement Mitigation Measure TRA-1.1. The impacts of events at the ballpark on the surrounding transportation network will be analyzed as part of the project-level environmental analysis for that project if and when a detailed proposal is before the City for consideration. This analysis will identify specific mitigation measures to reduce its impacts and to improve access and circulation for automobiles, transit, pedestrians, and bicycles. • TRA-4.1 Prepare Special Event Transportation and Parking Management Plan –Prior to approval of the development application for the proposed ballpark, prepare a Transportation and Parking Management Plan (TPMP) to minimize the impacts of special events at the ballpark on the surrounding transportation network. The TPMP shall include: – Strategies to manage traffic before and after special events	Mitigation Measure TRA-4: Prior to construction and during design and project-specific environmental review.	City of Oakland CEDA- Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and confirm implementation of measures as part of Final Development Plan for the ballpark; Review and approve TPMP; Confirm implementation of the design features during construction.

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-4 (cont.)	- Identification of parking facilities and way-finding to minimize vehicles searching for available parking - Strategies to reduce automobile traffic generated by the project and encourage the use of public transit - Provision for additional transit service to serve the demand for the special events Wayfinding for pedestrians and bicycles between the ballpark, major transportation nodes, and other destinations in the surrounding areas.			
Impact TRA-5: Traffic congestion caused by the traffic generated by the development facilitated by the Proposed Amendments would substantially increase travel time for AC Transit buses.	Mitigation Measure TRA-5: As part of the review for specific developments, consider implementing the following measures along AC Transit corridors that may experience increased congestion due to traffic generated by the project. • Upgrade traffic signal equipment to provide Transit Service Priority (TSP) • Move bus stops from near-side of the intersection to far-side (i.e., from before the signal to after the signal) • Provide bus queue jump lanes where feasible	Mitigation Measure TRA-5: Prior to construction and during design and project-specific environmental review.	City of Oakland CEDA-Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and confirm implementation of measures as part of Final Development Plan for any development facilitated by the Proposed Amendments; Confirm implementation of the design features during construction.
Impact TRA-7: Development facilitated by the Proposed Amendments would increase traffic volumes on area roadway segments, potentially causing conflicts among motor vehicles, bicycles, or pedestrians.	Standard Conditions of Approval 20, Improvements in the Public Right-of-Way (General) - The project applicant shall submit Public Improvement Plans to Building Services Division for adjacent public rights-of-way (ROW) showing all proposed improvements and compliance with the conditions and/or mitigations and City requirements including but not limited to curbs, gutters, sewer laterals, storm drains, street trees, paving details, locations of transformers and other above ground utility structures, the design specifications and locations of facilities required by the East Bay Municipal Utility District (EBMUD), street lighting, on-street parking and accessibility improvements compliant with applicable standards and any other improvements or requirements for the project as provided for in this Approval. Encroachment permits shall be obtained as necessary for any applicable improvements- located within the public ROW. - Review and confirmation of the street trees by the City's Tree Services Division is required as part of this condition and/or mitigations. - The Planning and Zoning Division and the Public Works Agency will review and approve designs and specifications for the improvements. Improvements shall be completed prior to the issuance of the final building permit.	SCA 20 Approved prior to the issuance of a building permit	City of Oakland CEDA-Planning & Zoning; City of Oakland Public Works - Tree Services Division; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and confirm implementation of measures as part of Final Development Plan for any development facilitated by the Proposed Amendments; Confirm implementation of the design features during construction.

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-7 (cont.)	d. The Fire Services Division will review and approve fire crew and apparatus access, water supply availability and distribution to current codes and standards. Standard Conditions of Approval 21, Improvements in the Public Right-of-Way (Specific) Final building and public improvement plans submitted to the Building Services Division shall include the following components: a. Install additional standard City of Oakland streetlights. b. Remove and replace any existing driveway that will not be used for access to the property with new concrete sidewalk, curb and gutter. c. Reconstruct drainage facility to current City standard. d. Provide separation between sanitary sewer and water lines to comply with current City of Oakland and Alameda Health Department standards. e. Construct wheelchair ramps that comply with Americans with Disabilities Act requirements and current City Standards. f. Remove and replace deficient concrete sidewalk, curb and gutter within property frontage. g. Provide adequate fire department access and water supply, including, but not limited to currently adopted fire codes and standards.	SCA 21: Approved prior to the issuance of a grading or building permit	City of Oakland CEDA- Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and confirm implementation of measures as part of Final Development Plan for any development facilitated by the Proposed Amendments; Confirm implementation of the design features during construction.
Impact TRA-8: Development Amendments may result in additional automobile, bicycle, and/or pedestrian traffic at the existing at-grade railroad crossings and potentially contribute to safety issues along the railroad crossings.	Mitigation Measure TRA-8: This mitigation measure should be applied to developments under the Proposed Amendments that would generate substantial multi-modal trips crossing at-grade railroad crossings that could substantially increase hazards between incompatible uses (i.e., motor vehicles and trains, or pedestrians and trains): • Transportation Impact Studies (TIS) for At-grade Railroad Crossings. The TIS, otherwise required to be prepared for proposed developments under this project, in accordance with standard City policies and practices, must evaluate potential impacts to at-grade railroad crossings resulting from project-related traffic. The TIS should examine whether the proposed project would generate substantial multimodal trips crossing at-grade railroad crossings that could substantially increase hazards between incompatible uses (i.e., motor vehicles and trains, pedestrians and trains), which may include a Diagnostic Review for each railroad crossing.	Mitigation Measure TRA-8: Prior to construction, during design and project-specific environmental review.	City of Oakland CEDA- Planning & Zoning; City of Oakland, CEDA- Building Services Division, Zoning Inspection.	Review and approve TIS and verify that any other required measures that are identified are implemented; Confirm implementation of the design features during construction

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-8 (cont.)	If required, the Diagnostic Review must be completed with all affected properties and Stakeholders, in coordination with the California Public Utilities Commission (CPUC). It will include: roadway and rail descriptions; collision history; traffic volumes for all modes; train volumes; vehicular speeds; train speeds; and existing rail and traffic controls. Based on the Diagnostic Review and the number of projected trips, the TIS will evaluate if the proposed project increases hazards at the crossing. For example, vehicle traffic generated by the proposed project may cause vehicle queuing at intersections resulting in traffic spilling back onto at-grade railroad crossings. Where the TIS identifies substantially hazardous crossing conditions caused by the proposed project, mitigations relative to the project's contribution to the crossing as necessary shall be applied through project redesign and/or incorporation of improvements to reduce potential adverse impacts. Proposed improvements must be coordinated with CPUC and affected railroads and all necessary permits/approvals obtained, including a GO 88-B Request (Authorization to Alter Highway Rail Crossings). These improvements may include: • Installation of additional warning signage; • Improvements to warning devices at existing rail crossings; • Installation or improvement to automobiles and/or pedestrian control gates; • Installation of concrete panels to provide a smooth crossing surface; • Reduction in the flangeway gap to improve pedestrian and bicyclist safety; • Installation of median separation to prevent vehicles from driving around railroad crossings; • Improvements to traffic signaling at intersections adjacent to crossings (e.g., signal preemption); • Prohibition of parking within 100 feet of the crossings to improve the visibility of warning devices and approaching trains; • Where soundwalls, landscaping, buildings, etc. would be installed near crossings, maintain the visibility of warning devices and approaching trains; • Elimination of driveways near crossings; • Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way, and/or • Installation of grade separations at crossings.			

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-8 (cont.)	This mitigation measure would be applied by the City on a development project (case-by-case), as appropriate. The incorporation of improvements identified in this mitigation measure could reduce the project's impact to the at-grade railroad crossing to a less-than-significant level. However, to the extent that installation of safety mechanisms is not feasible (physically, financially or otherwise), impacts would remain significant and unavoidable. A more detailed project-specific analysis of this impact and effectiveness of the mitigation measure at specific at-grade railroad crossings is not feasible in this programmatic EIR at this time; therefore, it is conservatively concluded that this mitigation measure would not mitigate the identified significant impact to a less-than-significant level, and the impact would remain significant and unavoidable. Therefore, this EIR conservatively identifies the impact on railroad crossings as significant and unavoidable.			
Impact TRA-10: Development facilitated by the Proposed Amendments would generate demand for alternative transportation services.	Standard Condition of Approval 25, <i>Parking and Transportation Demand Management</i> This SCA would apply to all development projects facilitated by the Proposed Amendments consisting of 50 or more new residential units, or 50,000 square feet or more of new non-residential space. <i>Prior to issuance of a final inspection of the building permit.</i> The property owner shall pay for and submit for review and approval by the City a Transportation Demand Management (TDM) plan containing strategies to • Reduce the amount of traffic generated by new development and the expansion of existing development, pursuant to the City's police power and necessary in order to protect the public health, safety and welfare. • Ensure that expected increases in traffic resulting from growth in employment and housing opportunities in the City of Oakland will be adequately mitigated. • Reduce drive-alone commute trips during peak traffic periods by using a combination of services, incentives, and facilities. • Promote more efficient use of existing transportation facilities and ensure that new developments are designed in ways to maximize the potential for alternative transportation usage. • Establish an ongoing monitoring and enforcement program to ensure that the desired alternative mode use percentages are achieved. The property owner shall implement the approved TDM plan. The TDM plan shall include strategies to increase bicycle, pedestrian, transit, and carpool/vanpool use. All four modes of travel shall be	SCA 25: TDM Plans will be considered and approved as part of EIR Certification for any individual development projects occurring under the Proposed Amendments. The individual Project Applicants shall implement the approved Final TDM Plans. The Final TDM Plans will include the implementation timeline for specific TDM measures and related requirements. The Final TDM Plan, will require regular periodic evaluation (per Quarterly Reports and then an Annual TDM Report submitted by the Project applicant), after the City issues the first Certificate of Occupancy for the Project over the life of the Project) to determine how the Plan is achieving required objectives, as well as implementing the specific TDM measures.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services Division, Zoning Inspection.	Verify that TDM measures identified to be implemented, and that all requirements of the "Funding, Monitoring, Evaluation, and Enforcement" section of the approved Final TDM Plan are implemented and complied with.

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-10 (cont.)	considered, and parking management and parking reduction strategies should be included. Actions to consider include the following: a. Inclusion of additional long term and short term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan, and Bicycle Parking Ordinance, shower, and locker facilities in commercial developments that exceed the requirement. b. Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority Bikeway Projects, on-site signage and bike lane striping. c. Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count-down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials. d. Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. e. Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. f. Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). g. Employees or residents can be provided with a subsidy, determined by the property owner and subject to review by the City, if the employees or residents use transit or commute by other alternative modes. h. Provision of shuttle service between the development and nearest mass transit station, or ongoing contribution to existing shuttle or public transit services. i. Guaranteed ride home program for employees, either through 511.org or through separate program. j. Pre-tax commuter benefits (commuter checks) for employees. k. Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants. l. Onsite carpooling and/or vanpooling program that includes preferential (discounted or free) parking for carpools and vanpools. m. Distribution of information concerning alternative transportation options.			

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-10 (cont.)	n. 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. o. Parking management strategies, including attendant/valet parking and shared parking spaces. p. Requiring tenants to provide opportunities and the ability to work off-site. q. Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite. r. Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. The property owner shall submit an annual compliance report for review and approval by the City. This report will be reviewed either by City staff (or a peer review consultant, chosen by the City and paid for by the property owner). If timely reports are not submitted, the reports indicate a failure to achieve the stated policy goals, or the required alternative mode split is still not achieved, staff will work with the property owner to find ways to meet their commitments and achieve trip reduction goals. If the issues cannot be resolved, the matter may be referred to the Planning Commission for resolution. Property owners shall be required, as a condition of approval, to reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the approved project.			
Impact TRA-11: Development facilitated by the Proposed Amendments would generate temporary increases in traffic volume and temporary effects on transportation conditions.	Standard Condition of Approval 33, Construction Traffic and Parking Prior to the issuance of a demolition, grading or building permit. The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements: a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.	SCA 33: Prior to issuance of a grading, demolition or building permit.	City of Oakland CEDA Planning & Zoning; City of Oakland CEDA-Building Services, Zoning Inspection; and City of Oakland, CEDA - Transportation Services Division.	Verify submittal and approval of a construction management plan; Confirm incorporation of applicable measures in the approved plan in the final Project plans; Confirm construction pursuant to the approved plan; conduct regular visits to the projects construction sites to confirm that all applicable measures are being implemented or complied with.

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Environmental Impact	Mitigation Measures or Standard Conditions	Implementation and Monitoring Schedule	Monitoring Responsibility	Monitoring Procedure
Impact TRA-11 (cont.)	b. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. c. Location of construction staging areas for materials, equipment, and vehicles at an approved location. d. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services. e. Provision for accommodation of pedestrian flow. Major Project Cases: a. Provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on-street spaces (see item "p" below). b. Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the applicant's expense, within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the City Building Inspector and/or photo documentation, at the applicant's expense, before the issuance of a Certificate of Occupancy. c. Any heavy equipment brought to the construction site shall be transported by truck, where feasible. d. No materials or equipment shall be stored on the traveled roadway at any time. e. Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion. f. All equipment shall be equipped with mufflers. g. Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.			

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Impact UTIL-3: Development facilitated by the Proposed Amendments would not require or result in construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	Standard Conditions of Approval 91, Stormwater and Sewer (listed under Impact HYD-1)	See SCA 91 listed under Impact HYD-1 above.	See SCA 91 listed under Impact HYD-1 above.	See SCA 91 listed under Impact HYD-1 above.
	Standard Conditions of Approval 75: Stormwater Pollution Prevention Plan (listed under Impact BIO-3)	See SCA 75 listed under Impact BIO-3 above.	See SCA 75 listed under Impact BIO-3 above.	See SCA 75 listed under Impact BIO-3 above.
	Standard Conditions of Approval 80, Post-construction Stormwater Management Plan (listed under Impact BIO-3)	See SCA 80 listed under Impact BIO-3 above.	See SCA 80 listed under Impact BIO-3 above.	See SCA 80 listed under Impact BIO-3 above.
	Standard Condition of Approval 36, Waste Reduction and Recycling (listed under Impact GHG-2)	See SCA 36 listed under Impact GHG-2 above.	See SCA 36 listed under Impact GHG-2 above.	See SCA 36 listed under Impact GHG-2 above.
Impact UTIL-6: Development facilitated by the Proposed Amendments in combination with other past, present, existing, approved, pending, and reasonably foreseeable future projects within and around the Project Area, would result in an increased demand for utilities services.	Standard Conditions of Approval 36, Waste Reduction and Recycling (listed under Impact GHG-2)	See SCA 36 listed under Impact GHG-2 above.	See SCA 36 listed under Impact GHG-2 above.	See SCA 36 listed under Impact GHG-2 above.
	Standard Conditions of Approval 91, Stormwater and Sewer (listed under Impact HYD-1 above)	See SCA 91 listed under Impact HYD-1 above.	See SCA 91 listed under Impact HYD-1 above.	See SCA 91 listed under Impact HYD-1 above.
	Standard Conditions of Approval 75: Stormwater Pollution Prevention Plan (listed under Impact BIO-3)	See SCA 75 listed under Impact BIO-3 above.	See SCA 75 listed under Impact BIO-3 above.	See SCA 75 listed under Impact BIO-3 above.
	Standard Conditions of Approval 80, Post-construction Stormwater Management Plan (listed under Impact BIO-3)	See SCA 80 listed under Impact BIO-3 above.	See SCA 80 listed under Impact BIO-3 above.	See SCA 80 listed under Impact BIO-3 above.

Errata Sheet for Responses to Comments and Final EIR, Proposed Amendments to the Central District Urban Renewal Plan, June 29, 2011

Standard Condition of Approval (SCA) 26, Dust Control on page 4.2-12 of the Draft EIR is changed as follows (*deleted text is in strikethrough font*):

• **SCA 26: Dust Control**

Prior to issuance of a demolition, grading or building permit. During construction, the project applicant shall require the construction contractor to implement the following measures required as part of Bay Area Air Quality Management District's (BAAQMD) "Basic" and "Enhanced" dust control procedures required for construction sites. These include, as applicable:

Basic (applies to all construction sites)

- a) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever 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).
- c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- d) Sweep daily (with water sweepers using reclaimed water if possible) all paved access roads, parking areas and staging areas at construction sites.
- e) Sweep streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- f) Limit the amount of the disturbed area at any one time, where feasible.
- g) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour.
- h) 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.
- i) Replant vegetation in disturbed areas as quickly as feasible.
- j) Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).
- k) Limit traffic speeds on unpaved roads to 15 miles per hour.
- l) Clean off the tires or tracks of all trucks and equipment leaving any unpaved construction areas.

As SCA 26 is not restrictive, the following additional "Basic" controls shall apply:

- m) ~~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.~~
- n) ~~Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take~~

corrective action within 48 hours. The telephone numbers of contacts at the City and BAAQMD shall also be visible. This information may be posted on other required onsite signage.

Enhanced (All "Basic" Controls listed above, plus the following if the construction site is greater than four acres)

- m) All "Basic" controls listed above, plus:
- n) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- o) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).
- p) 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. The name and telephone number of such persons shall be provided to the BAAQMD prior to the start of construction as well as posted on-site over the duration of construction.

q) Install appropriate wind breaks at the construction site to minimize wind blown dust. As SCA 26 is not restrictive, the following additional "Enhanced" controls and applicability criteria shall apply:

- ~~f) In addition to a construction site being greater than 4 acres, "Enhanced" controls shall apply to construction projects involving 1) land uses that exceed the BAAQMD construction screening criteria (e.g., 240 or more multi-family residential units); 2) a demolition permit; 3) simultaneous occurrence of more than two construction phases (e.g., grading and building construction occurring simultaneously); or 4) extensive soil transport (i.e., 10,000 or more cubic yards of soil import/export).~~
- ~~g) In addition to watering controls required per Basic control "c" and Enhanced control "d", 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.~~
- ~~h) Appropriate wind breaks (e.g., trees, fences) to be installed per Basic control "e" shall be installed 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.~~
- ~~i) Vegetation to be replaced in disturbed areas as quickly as feasible per Basic control "i" shall be vegetative ground cover (e.g., fast-germinating native grass seed) and watered appropriately until vegetation is established.~~
- ~~j) Suspend excavation, grading, and demolition activity when winds (instantaneous gusts) exceed average wind speeds of 20 miles per hour.~~
- ~~k) The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.~~
- ~~l) 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.~~