Modified 325 7th Street Project
CEQA Analysis

July 2017

Lead Agency:

City of Oakland
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I. Project Characteristics

1. Project Title:	Modified 325 7th Street Project
2. Lead Agency Name and Address:	City of Oakland Bureau of Planning 250 Frank H. Ogawa Plaza, Suite 2114 Oakland, CA 94612
3. Contact Person and Phone Number:	Maurice Brenyah-Addow, Planner III 510.238.6342 250 Frank H. Ogawa Plaza, Suite 3315 Oakland, CA 94612 mbrenyah@oaklandnet.com
4. Project Location:	325 7th Street Oakland, California Assessor's Parcel Nos. 001-0189-003-00 through 001-0189-009-00; 001-0189-013-00, and 001-0189-014-01
5. Project Sponsor's Name and Address:	Balco Properties Attn: Mollie Westphal, President 1624 Franklin Street, Suite 1115 Oakland, CA 94612
6. Existing General Plan Designations:	Central Business District
7. Existing Zoning:	D-LM-2 and D-LM-4 Height Limit: Height Area LM-275 (maximum podium height of 45 feet; up to 85 feet allowed with Conditional Use Permit; maximum building height of 275 feet)
8. Requested Permits:	Major Conditional Use Permit Regular Design Review

II. Executive Summary

The proposed Modified 325 7th Street Project (Modified Project) would be developed on a 35,500 square-foot (sf) site fronting on 7th Street and 6th Street, adjacent to Interstate 880, between Harrison Street and Webster Street in the Chinatown neighborhood of downtown Oakland (Assessor's Parcel Numbers 001-0189-003-00 through 001-0189-009-00; 001-0189-013-00, and 001-0189-014-01; **Figure 1**).

The City of Oakland (City) certified an Environmental Impact Report (EIR) for the original 325 7th Street Project (Original Project) on July 20, 2011 (2011 EIR), pursuant to the California Environmental Quality Act (CEQA). The Original Project analyzed in the 2011 EIR considered development of a mixed-use building consisting of two towers (207 and 275 feet tall) containing 380 units, approximately 6,795 sf of retail, 2,315 sf of office space, and 399 parking spaces.

In 2008, the City adopted a series of citywide extensions of termination dates of all previously approved but unbuilt projects (Resolutions 81723, 83424, 83989, 84746, and 85305). The Original Project obtained citywide extensions of its approvals on July 3, 2013, March 31, 2014, and March 5, 2015, under Resolutions 83989, 84746 and 85305, which extended the Project approvals to December 31, 2015. On December 18, 2015, following a written request as required under the Conditions of Approval, an administrative extension of the project approvals was granted to December 31, 2016. These approvals can be further extended by the Planning Commission upon request and payment of the applicable fee. A request for extension was submitted on December 10, 2016 and is pending consideration by the Planning Commission.

The Modified Project proposes a six-story building up to 72 feet in height accommodating a multi-family residential midrise over ground-floor retail and parking uses. The Modified Project would have a total area of approximately 218,231 square feet (sf), consisting of approximately 145,060 sf of residential uses (160 dwelling units), approximately 11,2433 sf of ground-floor retail space along 7th Street, and approximately 16,809 sf of open space. Parking would include 109 vehicle spaces and approximately 160 bicycle spaces. The Modified Project is seeking a modification to the 2011 Original Project and extensions of the approvals including the Conditional Use Permit, Minor Variance, Regular Design Review.

The 2011 EIR analyzed the environmental impacts of adoption and implementation of the Original Project. The analysis in the 2011 EIR directly applies to the Modified Project, providing the basis for use of an Addendum. Separate and independently, qualified planning level documents, specifically program level EIRs, that can be used as a basis to provide additional CEQA clearance of the Modified Project (all or in part) under specific CEQA provisions include Oakland's 1998 General Plan Land Use and Transportation Element (LUTE) and LUTE EIR (1998), the 2010 General Plan Housing Element Update EIR and 2014 Addendum, and the Lake Merritt Station Area Plan EIR (LMSAP EIR; 2014)—collectively referred to herein as the Program EIRs—that analyzed environmental impacts associated with adoption and implementation of the General Plan and Lake Merritt Station Area Plan.[1]

[1] City of Oakland, 1998, General Plan, Land Use and Transportation Element; City of Oakland, 1998, Oakland General Plan Land Use and Transportation Element EIR; City of Oakland, 2010, General Plan, 2007-2014 Housing Element; City of Oakland, 2010, 2007-2014 Housing Element EIR; City of Oakland, 2014, Lake Merritt Station Area Plan EIR.

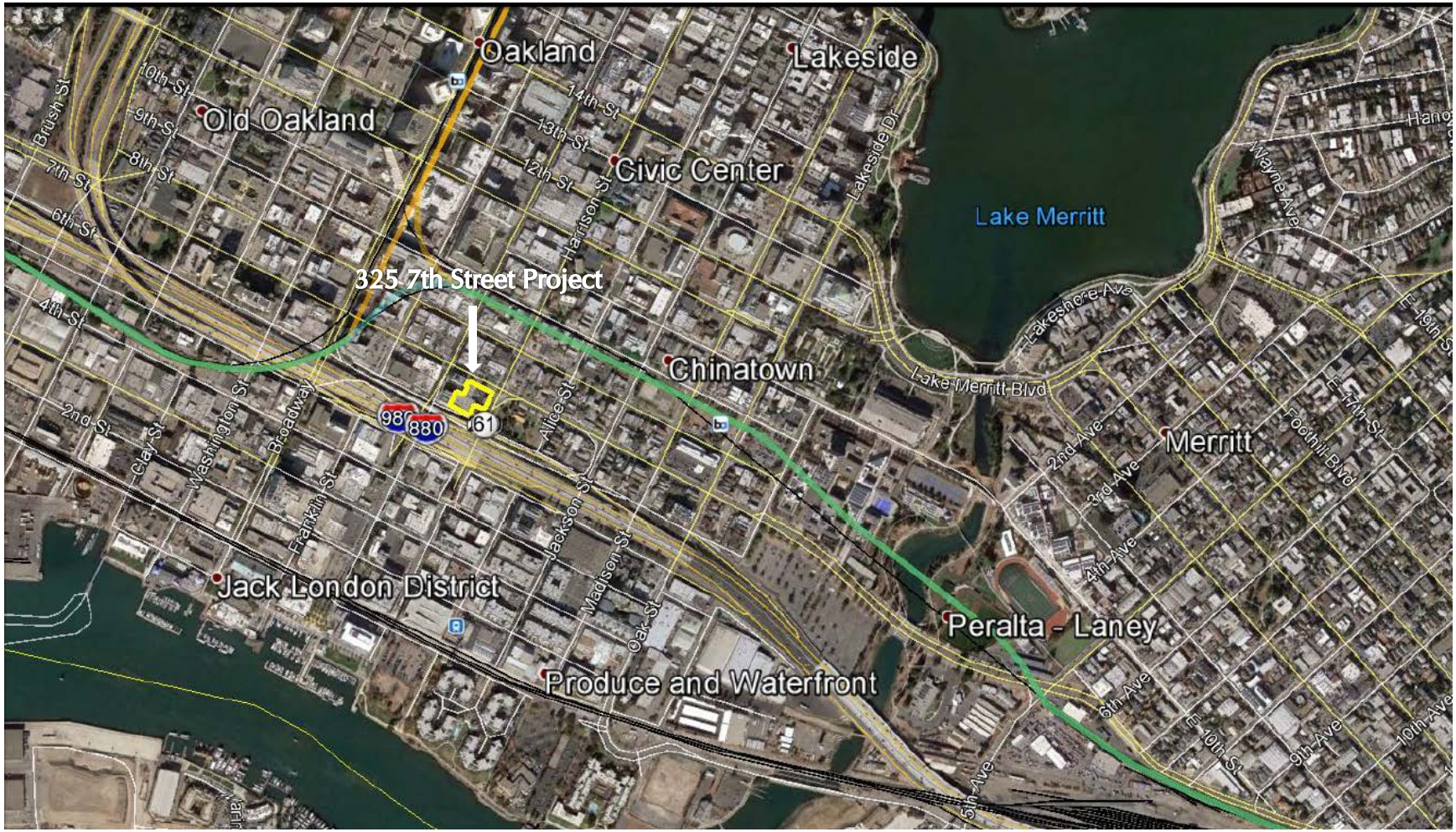

Figure 1. Project Vicinity

The Modified Project would be required to implement the City Standard Conditions of Approval (SCAs) and mitigation measures identified in the 2011 EIR to avoid or reduce significant impacts. In addition to the SCAs included as **Attachment A**, mitigation measures were identified in the 2011 EIR for the following environmental topic areas: air quality, cultural resources, and transportation and traffic. Some of these mitigation measures are no longer necessary, and others would be implemented upon project approval. Mitigation related to impacts on the historic resource at 617-621 Harrison Street is no longer applicable because this resource was destroyed by fire and the parcel is now vacant.

This CEQA Checklist evaluates the Modified Project and demonstrates that the potential environmental effects of the Modified Project were adequately covered by the 2011 EIR, such that an addendum to the 2011 EIR is appropriate for the Modified Project. Based on an examination of the analysis, findings, and conclusions of the 2011 EIR, implementation of the Modified Project would not substantially increase the severity of significant impacts identified in the 2011 EIR, nor would it result in new significant impacts that were not identified in the 2011 EIR. The Modified Project would not result in significant off-site or cumulative environmental effects not previously discussed. No Supplemental or Subsequent EIR is required.

III. Purpose and Summary of this CEQA Document

The purpose of this document is to evaluate the CEQA compliance of the Modified Project. Applicable CEQA sections are described below, each of which, separately and independently, provides a basis for CEQA compliance.

1. **Addendum.** Public Resources Code Section 21166 and CEQA Guidelines Section 15164 (Subsequent EIRs, Supplements and Addenda to an EIR or Negative Declaration), state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a Subsequent EIR or Negative Declaration pursuant to Section 15162 and 15164 are satisfied. Section 15164(e) states that "a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR." The analysis in the 2011 EIR directly applies to the Modified Project, providing the basis for the use of an Addendum.

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

   The analyses in the Program EIRs—the LUTE EIR, Housing Element EIR, and the LMSAP EIR—are applicable to the Modified Project and provide the basis for use of the Community Plan Exemption.

3. **Qualified Infill Exemption.** Public Resources Code Section 21094.5 and State CEQA Guidelines Section 15183.3 allow streamlining for certain qualified infill projects by limiting the topics that are subject to review at the project level, provided the effects of infill development have been addressed in a planning level decision, or by uniformly applying development policies or standards. Infill projects are eligible if they are:

   - located in an urban area on a site that either has been previously developed or adjoins existing qualified urban uses on at least 75 percent of the site's perimeter;
   - able to satisfy the performance standards provided in State CEQA Guidelines Appendix M; and
   - consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy. No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects.

   The analyses in the Program EIRs—the LUTE EIR, Housing Element EIR, and the LMSAP EIR—are applicable to the Modified Project and provide the basis for use of the Qualified Infill Exemption.

Project CEQA Compliance

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

- **Addendum:** The analysis conducted, as described in this document, demonstrates that the preparation of an addendum to the 2011 EIR is allowed for the Modified Project and therefore, this CEQA Analysis is considered to be an addendum. As discussed under Project Description below, the Modified Project is smaller than the Original Project analyzed in the 2011 EIR. The Modified Project is shorter (approximately 72 feet; the Original Project was 207 and 275 feet), includes fewer dwelling units (160 units; the Original Project included 380 units), does not include office uses (the Original Project included 2,315 sf of office space), includes fewer parking spaces (109 spaces; the Original Project included 399 spaces), and includes more retail space (11,243 sf; the Original project included 6,795 sf) than the Original Project. Overall, the effects of the Modified Project would be similar to or less than those discussed in the 2011 EIR and there would be no new significant impacts. The Modified Project therefore meets the requirements for preparation of an Addendum, as evidenced in **Attachment B**.
- **Community Plan Exemption:** Based on the analysis conducted in this document, and pursuant to CEQA Guidelines Section 15183, the Modified Project also qualifies for a community plan exemption. This CEQA document considers the analysis in the Housing Element Update and further reconsiders the analysis in the 1998 LUTE EIR and 2014 LMSAP EIR for the Modified Project. As described within this CEQA Analysis, the Modified Project is permitted in the zoning district where the Modified Project site is located and consistent with the bulk, density, and land use standards envisioned in the General Plan. The CEQA Analysis (and attachments) provided herein concludes that the Modified Project would not result in significant impacts that (1) would be peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the Program EIRs; or (3) were previously identified as significant but later determined as having a more severe adverse impact than that discussed in the Program EIRs. Findings regarding the Modified Project's consistency with the General Plan are included as **Attachment C**.
- **Qualified Infill Exemption:** The analysis conducted indicates that the Modified Project is eligible for a qualified infill exemption and is generally consistent with the required performance standards provided in CEQA Guidelines Appendix M, as evaluated in **Attachment D**. This CEQA Analysis supports that the Modified Project would not cause any new specific effects or more significant effects than previously identified in applicable planning level EIRs, and uniformly applicable development policies or standards (i.e., SCAs) would substantially mitigate the effects of the Modified Project. The Modified Project is proposed for development on a previously developed site in downtown Oakland and is surrounded by urban uses. Further, the Modified Project is consistent with the land use, density, building intensity, and applicable policies for the site. The analysis herein considers the analysis in the 2011 EIR, the 1998 LUTE EIR, and the Housing Element EIR.

Examination of the analysis, findings, and conclusions of the EIR, as summarized in the CEQA analysis below, indicates that the prior CEQA documents adequately analyzed and covered the potential environmental impacts associated with the Modified Project. The Addendum and streamlining and/or tiering provisions of CEQA as well as the Class 32 exemption apply to the Modified Project. Therefore, no further review or analysis, under CEQA, is required.

SCAs identified in the 2011 EIR and Program EIRs that would apply to the Modified Project are listed in Attachment A to this document, which is incorporated by reference into this CEQA Analysis. Because the SCAs are mandatory City requirements, the impact analysis for the Modified Project assumes that they will be imposed and implemented, which the project sponsor has agreed to do or ensure as part of the Modified Project. If this CEQA Analysis or its attachments inaccurately identifies or fails to list a

mitigation measure or SCA, the applicability of that mitigation measure or SCA to the Modified Project is not affected. Most of the SCAs that are identified for the Modified Project were also identified in the LMSAP and EIR; the 1998 LUTE EIR was developed prior to the City's application of SCAs.

IV. Prior CEQA Review

Original Project – 2011 EIR

The environmental impacts associated with the proposed development of the Original Project were evaluated under the 2011 EIR, which was certified by the City on July 21, 2011.

The Prior EIR determined that the Previously Approved Project would have a significant unavoidable effect on historic resources (historic building at 617-621 Harrison Street) and traffic and circulation (intersection operation at 5th Street/Oak Street and 6th Street/Jackson Street). Due to the potential for significant and unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City approvals.

The 2011 EIR, including its Initial Study Checklist, determined that the impacts of the Original Project on the following resources would be reduced to a level of less than significant with the implementation of mitigation measures: air quality (toxic air contaminants) and traffic and circulation (intersection operation at 8th Street/Webster Street).

The 2011 EIR and its Initial Study determined that the Original Project would have no impact or less than significant impacts for a number of environmental topic areas, including: certain aesthetics impacts, certain air quality impacts, biological resource impacts, certain cultural resource impacts, geology and soils impacts, certain hazardous materials impacts, hydrology and water quality impacts, noise impacts, public service impacts, and certain utilities impacts. The 2011 EIR further analyzed the following environmental topic areas and concluded that no impacts would remain significant following implementation of City of Oakland Standard Conditions of Approval: visual resources, wind and shadows; transportation, circulation, and parking (except level of service); air quality (except toxic air contaminants); greenhouse gas emissions; public health and hazards; and wastewater collection infrastructure.

The 2011 EIR is hereby incorporated by reference and can be obtained from the City of Oakland Bureau of Planning at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California, 94612, and on the City of Oakland Planning and Building Department website at: http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157.

New Information

This CEQA Checklist assesses whether new information, not known at the time of preparation of the 2011 EIR may indicate a new or significantly increased environmental effect.

In 2014, the City approved the LMSAP, which presents a roadmap for future development, continued revitalization and economic growth, and community enhancement in the area around Lake Merritt BART Station. The LMSAP identifies 47 “Opportunity Sites” (sites most likely to develop) that met the following criteria:

- Have a low value of improvements relative to land value; have a very low existing building height (one or two stories) relative to allowable height under current zoning; are currently vacant; or are currently parking lots;
- Have applications submitted with the City either under review or approved for development;
- Have otherwise been identified as sites for development (i.e. County offices per their Real Estate Master Plan); and/or

- Are adjacent to other Opportunity Sites.

The Modified Project site was identified in the LMSAP as an Opportunity Site within the I-880 Freeway Corridor Plan District (Opportunity Site #32), and is categorized as a site under approved development (the Original Project with 380 units).

Changed Circumstances

This CEQA Checklist now includes updated thresholds. Senate Bill 743 (Steinberg 2013) creates a process to modify the environmental review processes by removing automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, as a significant impact on the environment pursuant to CEQA. The City of Oakland has updated its CEQA Thresholds of Significance as they relate to transportation to align with draft proposed guidance from the Governor's Office of Planning and Research. The new Thresholds replace LOS with vehicle miles traveled (VMT) criteria to determine whether a project causes a significant impact on the environment related to transportation.

Assembly Bill 52 created a new category of cultural resources, tribal cultural resources, and new requirements under CEQA for consultation with Native American tribes. Building on Government Code Sections 65351 and 65352, Assembly Bill 52 provides that any project that may cause a substantial adverse change to a tribal cultural resource is considered to have a significant effect on the environment.

This new requirement is included in the CEQA Checklist, along with an assessment of whether this new information indicates that the Modified Project may have a new significant environmental effect or a substantial increase in the severity of previously identified significant effect.

Applicable Previous CEQA Documents and Program EIRs

The analysis in the 2011 EIR applies directly to the Modified Project, providing the basis for use of an Addendum. The following describes the Program EIRs that constitute the previous CEQA documents considered in this CEQA Analysis. Each of the following documents is hereby incorporated by reference and can be obtained from the City of Oakland Bureau of Planning at 250 Frank H. Ogawa Plaza, Suite 2114, Oakland, California, 94612, and on the City of Oakland Planning and Building Department website at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157.

Land Use and Transportation Element EIR

The City certified the EIR for its General Plan LUTE in 1998. The LUTE identifies policies to guide land use changes in the City and sets forth an action program to implement the land use policy through development controls and other strategies. The LUTE identifies five Showcase Districts targeted for continued growth; the Modified Project site is located within the Downtown Showcase District (Downtown), which is intended to promote a mixture of vibrant and unique subdistricts with around-the-clock activity, continued expansion of job opportunities, and a growing residential population. The 1998 LUTE EIR is designated a Program EIR under CEQA Guidelines Sections 15183 and 15183.3. As such, subsequent activities under the LUTE are subject to requirements under each of the aforementioned CEQA Sections. While approved after certification of the 1998 LUTE EIR, growth and potential effects of the development of Original Project (and thus the Modified Project) would have been considered in the cumulative growth projections

Applicable mitigation measures identified in the 1998 LUTE EIR are largely the same as those identified in the other Program EIRs prepared after the 1998 LUTE EIR, either as mitigation measures or newer City SCAs, the latter of which are described below.

Environmental Effects Summary – 1998 LUTE EIR

The 1998 LUTE EIR (including its Initial Study Checklist) determined that development consistent with the LUTE would result in impacts that would be reduced to a less than significant level with the implementation of mitigation measures and/or SCAs: aesthetics (views, architectural compatibility and shadow only); air quality (construction dust [including PM_{10}] and emissions Downtown, odors); cultural resources (except as noted below as less than significant); hazards and hazardous materials; land use (use and density incompatibilities); noise (use and density incompatibilities, including from transit/transportation improvements); population and housing (induced growth, policy consistency/clean air plan); public services (except as noted below as significant); and transportation/circulation (intersection operations Downtown).

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

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

Oakland Housing Element Update EIR and Addendum

The City has twice amended its General Plan to adopt updates to its Housing Element. It certified a 2010 EIR for the 2007-2014 Housing Element, and a 2014 Addendum to the 2010 EIR for the 2015-2023 Housing Element. The Housing Element identifies the City's current and projected housing needs, and sets goals, policies, and programs to address those needs, as specified by the state's Regional Housing Needs Allocation process. Although not specified as a Housing Opportunity Site in the 2015-2023 Housing Element, the Modified Project would contribute to the total number of housing units needed in the City to meet its Regional Housing Needs Allocation target. Applicable mitigation measures and SCAs identified in the 2010 Housing Element EIR are considered in the analysis in this document. The 2010 Housing Element Update EIR was designated a Program EIR under CEQA Guidelines Sections 15183 and 15183.3. As such, subsequent activities under the Housing Element that involve housing, are subject to requirements under each of the aforementioned CEQA Sections, which are described below.

Environmental Effects Summary – 2010 Housing Element and 2014 Addendum

The 2010 Housing Element Update EIR (including its Initial Study) and 2014 EIR Addendum determined that housing developed pursuant to the Housing Element, which would include the Modified Project site, would result in impacts that would be reduced to a less than significant level with the implementation of mitigation measures and/or SCAs: aesthetics (visual character/quality and light/glare only); air quality (except as noted below); biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials (except as noted below, and no impacts regarding airport/airstrip hazards and emergency routes); hydrology and water quality (except as noted below); noise; public services (police and fire only); and utilities and service systems (except as noted below).

Less than significant impacts were identified for the following resources in the Housing Element EIR and Addendum: hazards and hazardous materials (emergency plans and risk via transport/disposal); hydrology and water quality (flooding/flood flows, and inundation by seiche, tsunami or mudflow); land use (except no impact regarding community division or conservation plans); population and housing (except no impact regarding growth inducement); public services and recreation (except as noted above, and no impact regarding new recreation facilities); and utilities and service systems (landfill, solid waste, and energy capacity only, and no impact regarding energy standards). No impacts were identified for agricultural or forestry resources, and mineral resources.

Significant unavoidable impacts were identified for the following environmental resources in the Housing Element EIR: air quality (toxic air contaminant exposure) and traffic delays. Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Lake Merritt Station Area Plan EIR

The LMSAP, which encompasses an area of approximately 286 acres within a one-half-mile radius of the Lake Merritt BART Station, aims to guide actions to improve the area's vitality and to accommodate and promote future growth over a 25-year period. The LMSAP EIR analyzed the LMSAP "Development Program," which was the assumed future development for the LMSAP, including the addition of 4,900 new housing units expected to accommodate 4,700 households, 4,100 new jobs, 404,000 sf of additional retail, and about 1,230,000 sf of office uses. The LMSAP EIR also presented detailed potential development assumptions for certain Opportunity Sites, which are properties considered "most likely to redevelop." The Original Project is included in the LMSAP Development Program (Opportunity Site #32) within the I-880 Freeway Corridor Plan District, and is categorized as a site under approved development. The level of development currently proposed for the site is within the broader development assumptions analyzed in the EIR. The LMSAP and EIR allow for flexibility in future development, in terms of the precise mix of newly developed land uses and their location within the Planning Area. As long as the actual plan area buildout stays within the impact envelope analyzed in the EIR, individual development projects need not adhere to the specific site-by-site assumptions in the Development Program. The City certified the EIR for the LMSAP in November 2014.

Environmental Effects Summary

The LMSAP EIR, including its Initial Study Checklist, determined that development consistent with the LMSAP would result in the following impacts that would be reduced to a less than significant level with the implementation of mitigation measures and/or SCAs: aesthetics (degradation of existing visual character, adversely affect scenic vistas, new light or glare); air quality (conflicts with the Bay Area Clean

Air Plan); cultural resources (archaeological, human remains, paleontological); greenhouse gases and global climate change (generation of greenhouse gas emissions); hazards and hazardous materials; geology and soils; hydrology and water quality (flooding, runoff in excess of existing capacity, groundwater depletion); noise (use and density incompatibilities, interior noise levels, violation of noise ordinance); utilities and service systems (impacts on existing stormwater, solid waste, and wastewater facilities); public services, biological resources (fish or wildlife species, riparian habitat, wetlands, trees); and transportation/circulation (intersection operations Downtown).

The LMSAP EIR identified less than significant impacts were identified for the following environmental topic areas: land use (adjacent land uses and land use policy); parks and recreation (expansion of existing park facilities on environment and increase demand for facilities); public services (fire protection); aesthetics (shadow, conflict with existing policies); noise (in excess of applicable standards); and hydrology and water quality (exposure to loss or risk of death). No impacts were identified for agricultural or forestry resources, and mineral resources.

The LMSAP EIR also identified significant unavoidable impacts were identified for the following environmental topic areas: transportation/circulation (roadway segment operations); air quality (exposure of sensitive receptors to toxic air contaminants, cumulative impacts); and cultural resources (changes to historic resources). Due to the potential for significant unavoidable impacts, a Statement of Overriding Considerations was adopted as part of the City's approvals.

Previous Mitigation Measures and Standard Conditions of Approval

The CEQA Checklist provided in Section VII of this document evaluates the potential project-specific environmental effects of the proposed Modified Project, and evaluates whether such impacts were adequately analyzed and addressed in the 2011 EIR (as well as the Program EIRs described in Section IV) to allow the CEQA streamlining provisions to apply. The analysis conducted incorporates by reference the information contained in the 2011 EIR and each of the previous Program EIRs. The Modified Project is legally required to incorporate and/or comply with any applicable requirements and mitigation measures identified in the 2011 EIR. These mitigation measures identified in the 2011 EIR are no longer be required due to changes in the Modified Project or existing conditions (e.g., the fire loss of the Harrison Street historic structure) and City's SCAs, and are discussed under the respective environmental topics.

Application of SCAs in General

The City established its Standard Conditions of Approval and Uniformly Applied Development Standards in 2008, and they have since been amended and revised several times. The City's SCAs are incorporated into new and changed projects as conditions of approval regardless of a project's environmental determination. The SCAs incorporate policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection Ordinance, Stormwater Water Management and Discharge Control Ordinance, Oakland Protected Trees Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, California Building Code and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects. The SCAs are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental effects.

Application of SCAs in this CEQA Document

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

Mitigation measures that were identified in the 2011 EIR and that would apply to the Modified Project are listed in Attachment A. Certain mitigation measures identified in the 2011 EIR have since been adopted by the City as SCAs for all projects (e.g., for construction-period toxic air contaminants). Therefore, some of the previously identified mitigation measures have been modified, and in some cases wholly replaced to reflect the City's current standard language and requirements, which provide equally effective mitigation. All mitigation measures and SCAs that are applicable to the Modified Project are listed in Attachment A. Many of these SCAs were also identified in the LMSAP EIR and the 2010 Oakland Housing Element Update EIR and 2014 Addendum. The 1998 LUTE EIR was developed prior to the City's application of SCAs.

Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—e.g., **SCA-AIR-1, SCA-AIR-2**. The SCA title is also provided—e.g., **SCA-AIR-1: Construction-Related Air Pollution (Dust and Equipment Emissions)**.

Consistent with the requirements of CEQA, a determination of whether the project would have a significant impact has occurred prior to the approval of the proposed project and, where applicable, SCAs have been identified that will mitigate them. In some instances, exactly how the SCAs identified will be achieved awaits completion of future studies, an approach that is legally permissible where SCAs are known to be feasible for the impact identified, where subsequent compliance with identified federal, state, or local regulations or requirements apply, where specific performance criteria is specified and required, and where the proposed project commits to developing measures that comply with the requirements and criteria identified.

V. Project Description

Background

On July 21, 2011, the Oakland Planning Commission approved the Original Project. The Original Project would demolish the existing commercial and residential buildings and add 380 residential units, 6,795 sf of retail space, and 9,110 sf of office space in two, high-rise tower (20 stories and 27-stories) over a four-story parking podium that includes one underground level of parking.

Project Location

The 0.8-acre (35,500 sf) site is in the Chinatown neighborhood of downtown Oakland on the northwest corner of 7th and Harrison streets and bounded by 6th and Webster streets in addition to 7th and Harrison streets (**Figure 2**). The site consists of nine parcels at 325 7th Street (Assessor Parcel Numbers 001-0189-003-00 through 001-0189-009-00; 001-0189-013-00, and 001-0189-014-01). Regional access is provided by Interstate 580 (I-580), I-880, and I-980. The Lake Merritt Bay Area Rapid Transit (BART) station is approximately 0.25 mile east of the Modified Project site at 800 Madison Street and the 12th Street/Oakland City Center BART station lies within 0.5 mile to the northwest at 1245 Broadway. An existing Alameda–Contra Costa Transit District (AC Transit) bus stop at the corner of 7th Street and Harrison Street (serving routes 11 and 62) would also provide transit options for the Modified Project, as would numerous other AC Transit stops within 0.25 mile of the Modified Project site.

Existing Conditions and Surrounding Land Uses

The existing site is completely developed, containing four existing structures that would be demolished as part of the Modified Project, a vacant commercial lot, and a surface parking lot accessible from 7th Street.[2] The site is surrounded by single-story and low-rise commercial and residential development, as well as other urban uses (**Figure 3)**.

The existing site contains no landscape vegetation, but does include two existing street trees along 7th Street. Ruderal species (weeds) are found on the surface lot and on the vacant commercial lot. Sidewalks exist along both sides of 7th Street and Harrison Street, and along the north side of 6th Street.

The existing site is an infill site within 0.5 mile of two major transit stops and a High Quality Transit Corridor (Broadway), and is near community services within reasonable walking and biking distance.

Land uses surrounding the site include the Chinese Garden Park to the east and I-880 to the south. Several single-story and low-rise residential and commercial developments lie to the east, west, and north of the site, with midrise residential and commercial development existing a few blocks further to the north and west.

Chinese Garden Park is regarded as historically significant because it remains in its original location and has retained nearly its original size since it was formally designated as a park shortly after the City of

[2] The Original Project proposed to demolish five existing structures. The residential structure at 617-621 Harrison Street has since been destroyed by fire and the parcel is vacant.

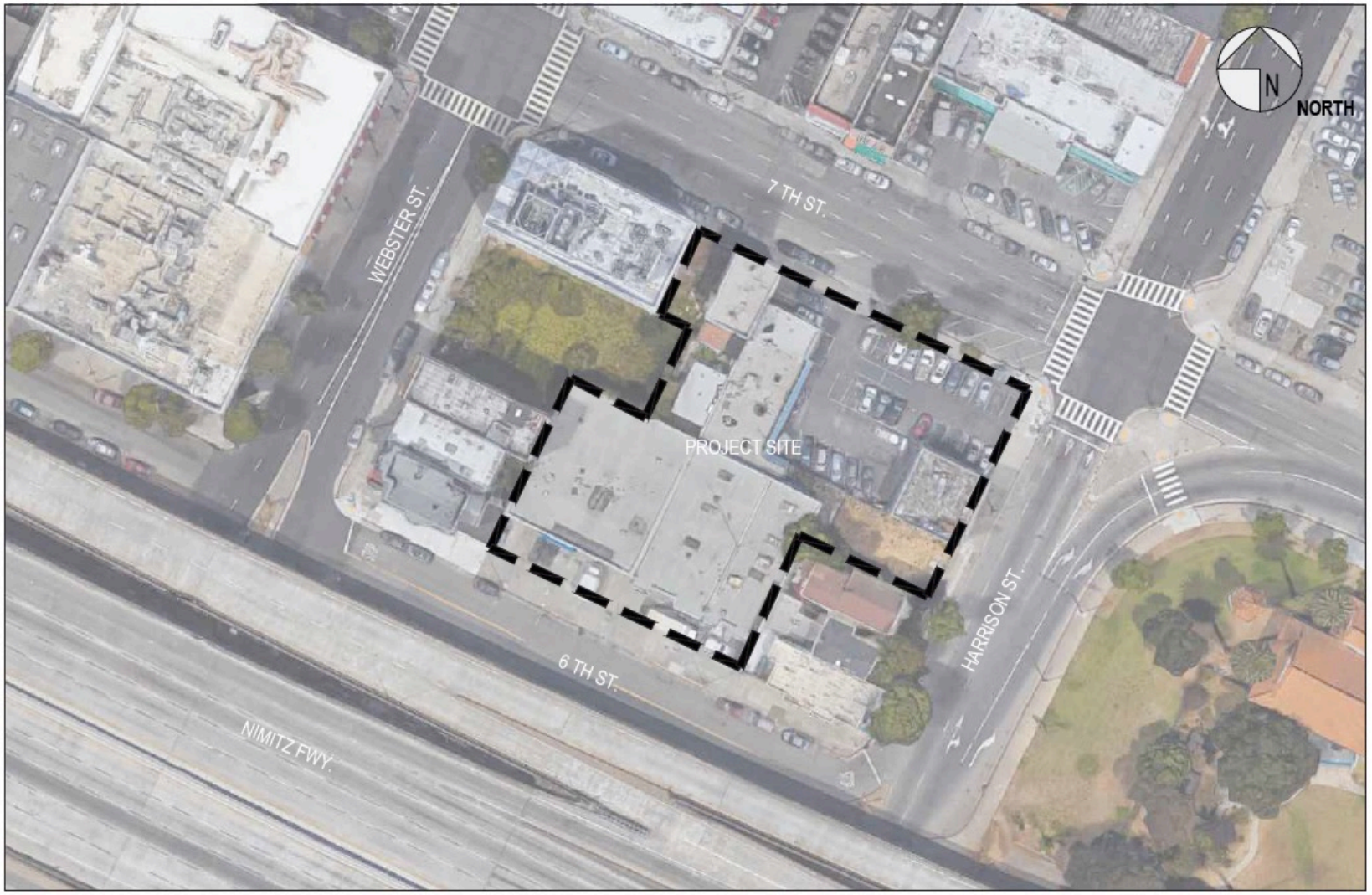

Figure 2. Project Location

Source: YHLA Architects

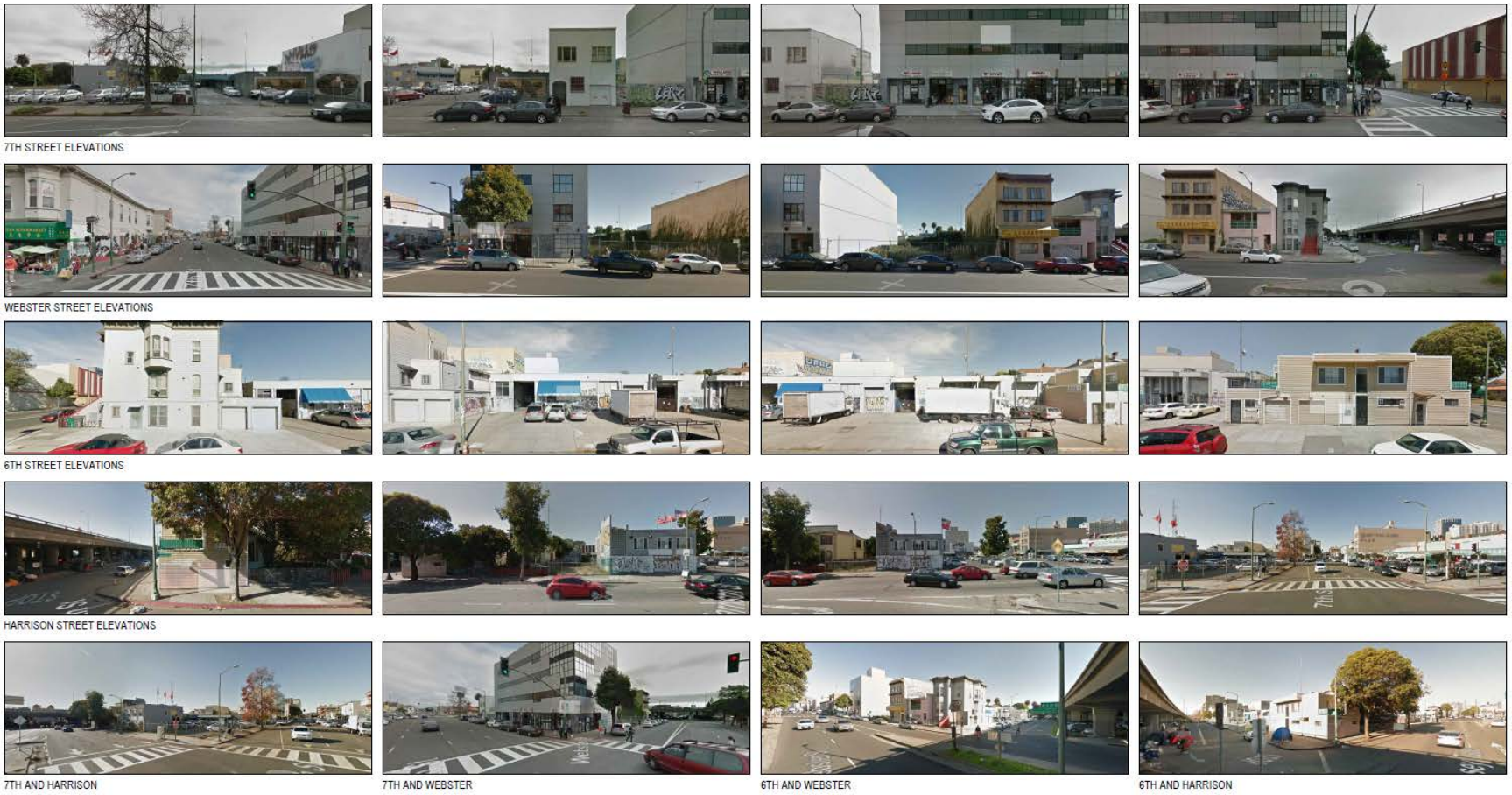

Figure 3. Site and Surrounding Properties

Source: YHLA Architects

Oakland was founded. Chinese Garden Park is also a contributor to the 7th Street/Harrison Historic District.

General Plan and Zoning Designations

The Oakland General Plan designates the site and vicinity as Central Business District (CBD). The intent of the CBD classification is to encourage, support, and enhance the downtown area as a high-density, mixed-use urban center of regional importance. The CBD classification includes a mix of large-scale offices, commercial, urban high-rise residential, institutional, open space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses. For sites in the CBD, the maximum floor area ratio (FAR) is 20.0, and the maximum allowable residential density is 300 dwelling units (DUs) per gross acre.

The site is zoned as D-LM-2 and D-LM-4. The Lake Merritt Station Area District Pedestrian Commercial – 2 (D-LM-2) Zone seeks to create, maintain, and enhance areas of the LMSAP District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential uses. The Lake Merritt Station Area District Mixed Commercial – 4 Zone (D-LM-4) designates areas of the LMSAP District appropriate for a wide range of residential, commercial, and compatible light industrial uses. The site is in Height Area LM-275, which allows a maximum podium height of 45 feet and allows for up to 85 feet with approval of a Conditional Use Permit. The maximum building height allowed within this zone is 275 feet.

Proposed Project

The Modified Project would include demolition of the four existing structures on-site, removal of the surface parking lot, and construction of a six-story building accommodating a multi-family residential midrise over ground-floor retail and parking uses. The Modified Project would be a wood-frame structure over concrete podium building with ground floor, mezzanine level, five stories of residential uses, and an underground parking garage accommodating approximately 109 vehicle spaces (**Figures 4a–4e**). The total building footprint would be approximately 35,081 sf (98% lot cover) and the ground floor would occupy nearly the entire surface area of the Modified Project site. The Modified Project would have a total floor area of 218,231 sf with a FAR of 6.14.

Along 7th Street, the ground floor would include retail uses, main entrance/lobby, underground parking garage vehicle egress, and stairwell and elevator access, as shown in Figure 4a. The total ground-level floor area would be 35,081 sf. The retail and lobby spaces would be accessible from 7th Street, with additional retail access at the corner of 7th and Harrison streets. Stairwell access would also be provided along Harrison and 6th streets. Underground parking garage vehicle ingress and egress would be provided along 6th Street, as would off-street loading.

As shown in Figure 4b, the mezzanine level would be partially open to the ground floor retail uses, which would be open to the public. The remaining portion of the mezzanine level would accommodate resident-specific uses, including residential and bicycle storage areas, a bike workshop, community room, gym, and multipurpose room, as well as elevator and stairwell access. The total mezzanine floor area would be 17,095 sf.

The five-story residential midrise would be composed of a mix of 3-bedroom (5 units), 2-bedroom (20 units), 1-bedroom (105 units), and studio (30 units) condominiums totaling 160 DUs (see Figures 4c and 4d). Open space, including courtyards and decks, would also be provided. The total residential floor area would be 166,055 sf (33,211 sf per level). The Modified Project design would incorporate a ventilation

Figure 4a. Site Plan – Ground Floor

Source: YHLA Architects

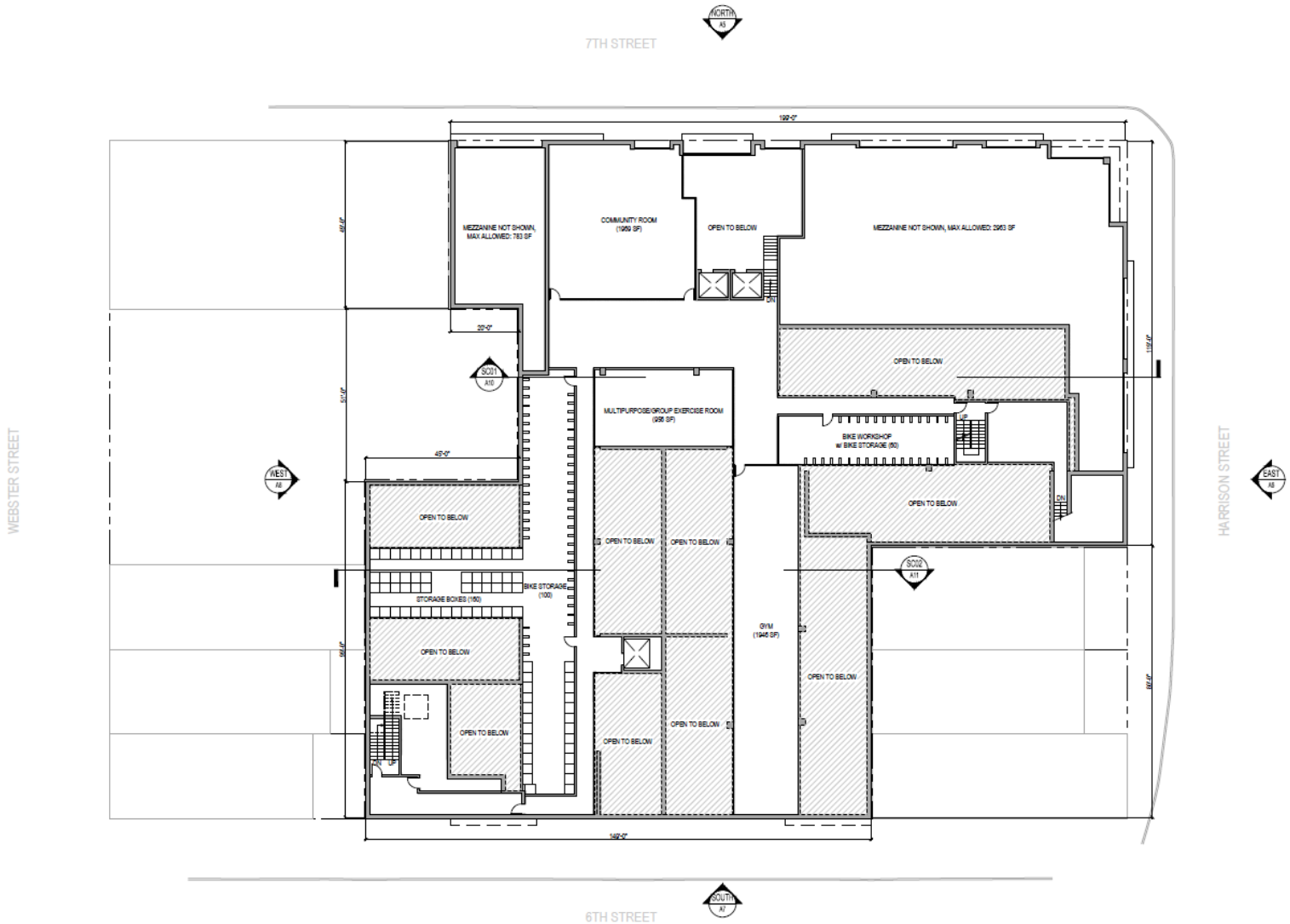

Figure 4b. Site Plan – Mezzanine

Source: YHLA Architects

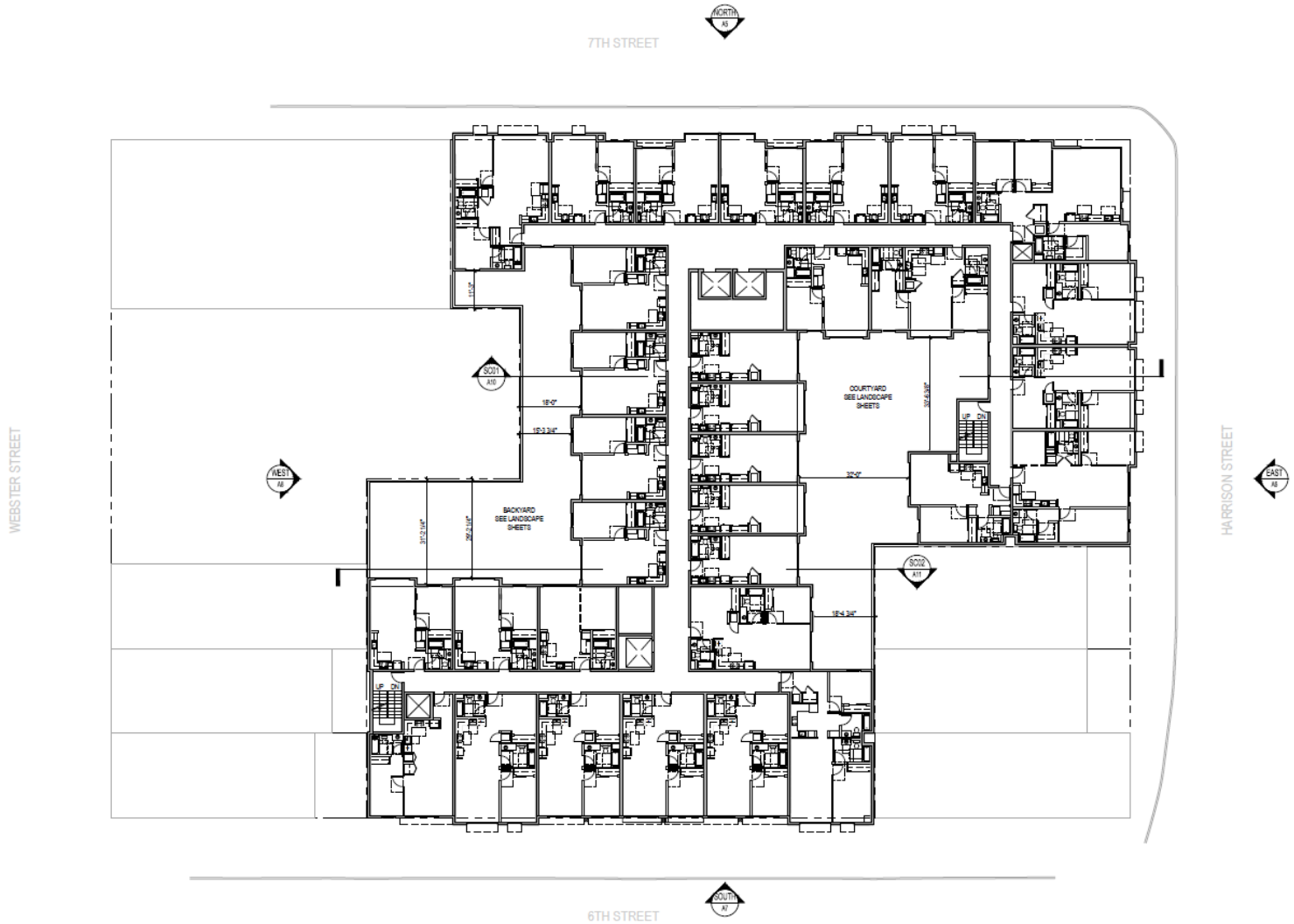

Figure 4c. Site Plan – Typical Upper Floor (2nd – 5th)

Source: YHLA Architects

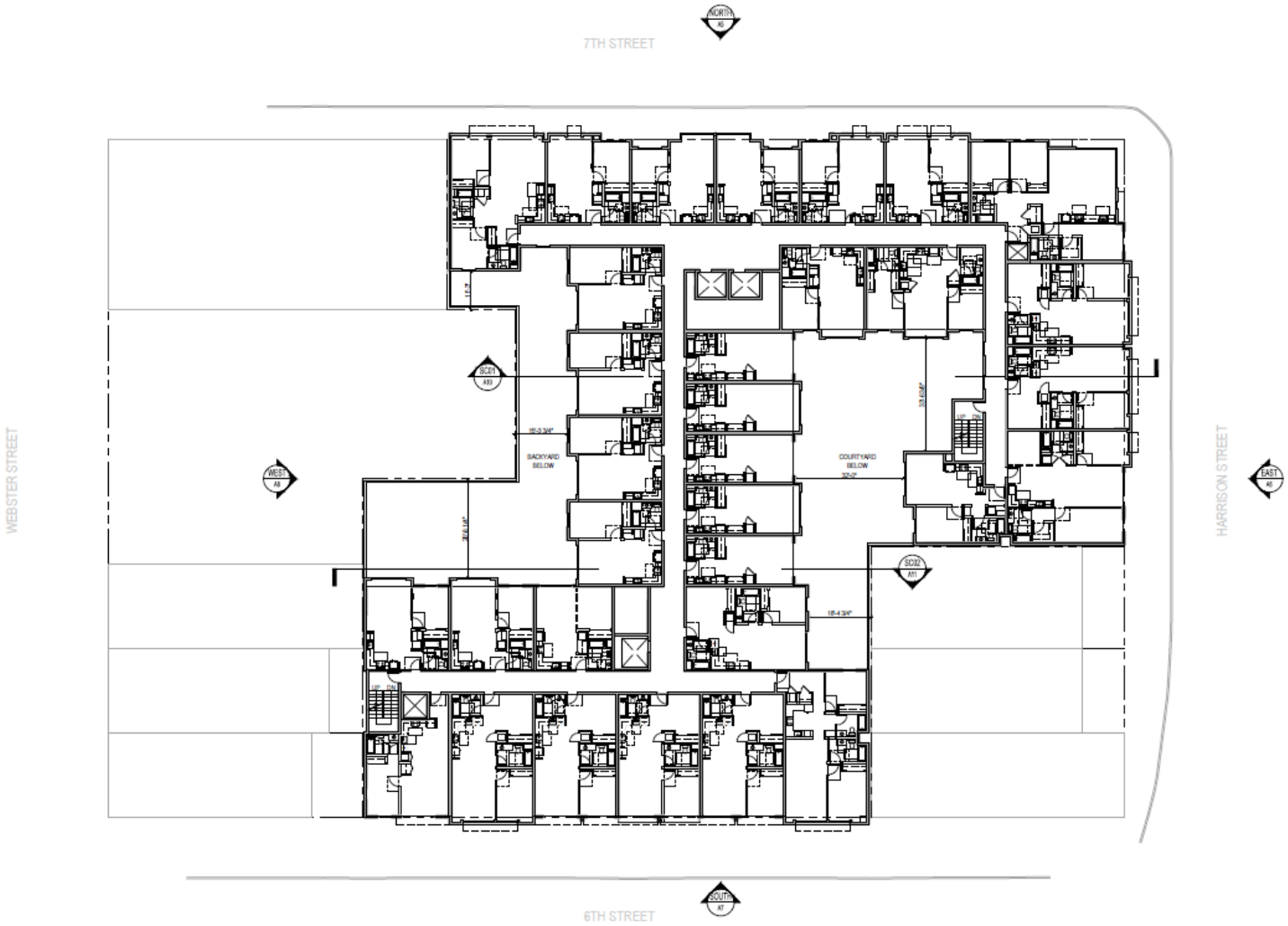

Figure 4d. Site Plan – Sixth Floor

Source: YHLA Architects

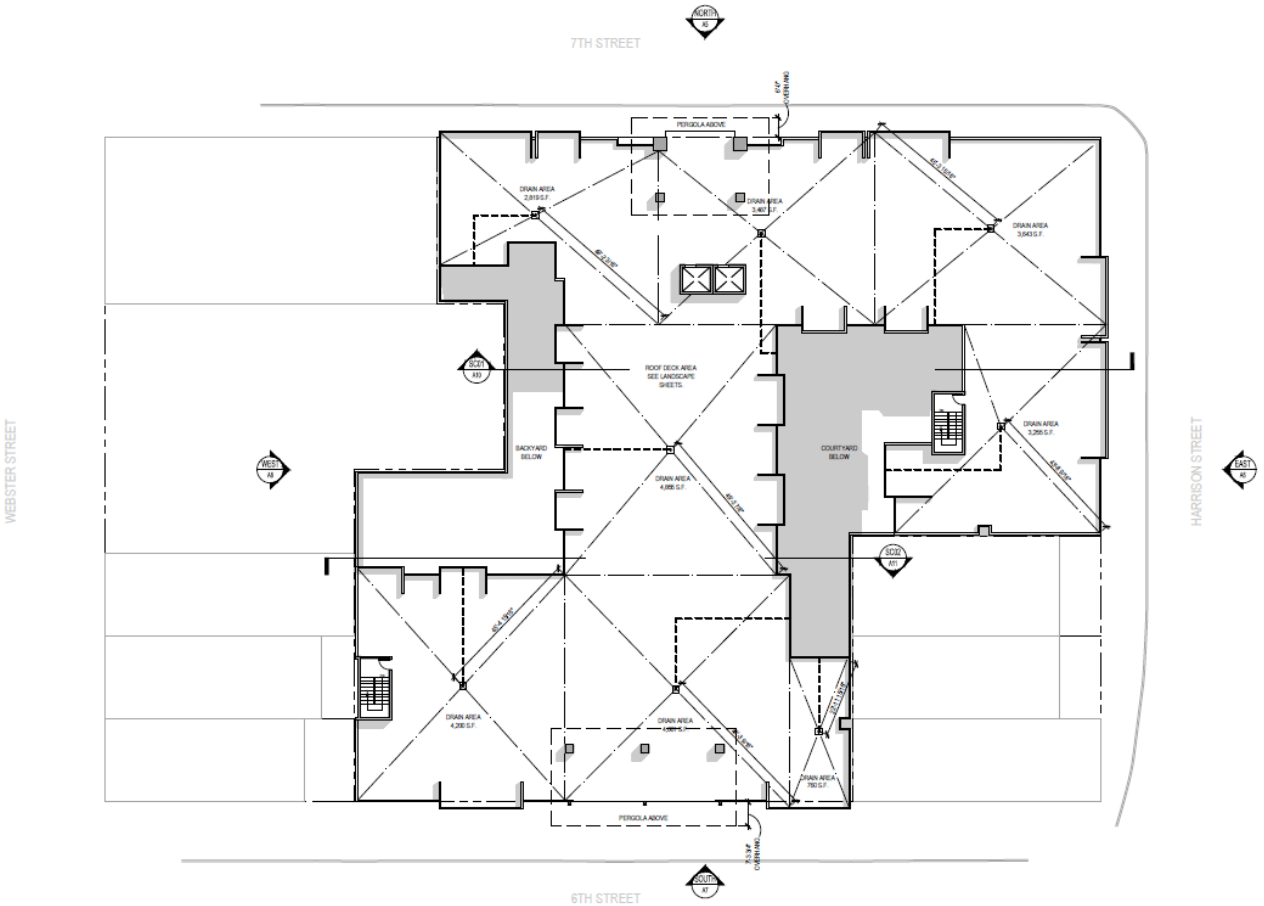

Figure 4e. Site Plan – Roof Deck

Source: YHLA Architects

(filtration) system consistent with American Society of Heating, Refrigeration and Air Conditioning Engineers standards.

The Modified Project would also include other improvements such as hardscape, storm drain, and utility connections. Design Review discretionary approval is required for the Modified Project. **Table 1** provides additional development detail in comparison with the Original Project.

Table 1. Project Development Summary – Comparison between Original Project and Modified Project

Description	Original Project	Description	Modified Project
Lot Area	35,500 sf (approx. 0.8 acre)	Lot Area	35,500 sf (approx. 0.8 acre)
Demolition	5 structures[1]	Demolition	4 structures[2]
Building Height	Tower 1: 275 feet to roofline Tower 2: 207 feet to roofline	Building Height	72 feet to roof
Commercial/Retail Space	6,795 sf retail and 2,315 sf office	Commercial/Retail Space	11,243 sf
Dwelling Units	380	Dwelling Units	160 (196 DU/ac)
Open Space	10,221 sf	Open Space[3]	16,809 sf
Vehicle Parking Spaces	399	Vehicle Parking Spaces[4]	109
Bicycle Parking Spaces	none	Bicycle Parking Spaces	160

[1] Includes 617-621 Harrison Street (a CEQA historic resource)
[2] Does not include historic resource at 617-621 Harrison Street, which was destroyed in a fire
[3] Includes 6,451 sf on second level and roof deck open space
[4] Zero off-street parking spaces are required in the D-LM zone

Access and Circulation

As noted above, vehicular site access (entry and exit) would be provided via 6th Street, which would lead to underground parking and a loading area. Approximately 109 off-street parking spaces would be provided, including accessible spaces. The loading area would be designed in accordance with all City standards to avoid conflicts with all streets, driveways, and service lanes. Loading and service facilities would also be located to avoid pedestrian facilities and residences to the maximum extent feasible. A one-way vehicle exit would be provided from the parking garage to 7th Street, which is also one-way.

Pedestrian access to retail and the lobby would be from 7th Street, with additional retail access at 7th and Harrison streets. Pedestrians and residents would access underground parking via 6th Street, 7th Street, and Harrison Street. Stairwells and elevators would provide pedestrian and residential linkages within the parking garage and ground level to the lower public areas (garage and ground floor) and upper mezzanine and residential midrise levels.

Pedestrian circulation would be provided by sidewalks along 7th Street, Harrison Street, and 6th Street. The Modified Project would retain the existing sidewalks. The sidewalk widths on the perimeter of the Modified Project are 10 feet along 7th Street, 11 feet along Webster Street, 13 feet along Harrison Street, and 17 feet on the north side of 6th Street.

Landscape and Design

The Modified Project design would include new evergreen and deciduous street trees on the northern, eastern, and southern perimeters, and one of the two existing street trees would be removed and replaced. The design would also include planters at the main building entry and shrubs at the 6th Street vehicle access, as well as a vegetated roof deck (**Figures 5a** and **5b**). Per City of Oakland Planning Code 17.58.070:

> *At least fifty percent (50%) of rooftop or courtyard usable open space area shall include landscaping enhancements. At least thirty percent (30%) of public ground floor plaza shall include landscaping enhancements. Landscaping enhancements shall consist of permanent features, such as trees, shrubbery, decorative planting containers, fountains, boulders or artwork (sculptures, etc.). The remainder of the space shall include user amenities such as seating, decorative paving, sidewalk cafes, or playground structures.*

The Modified Project is contemporary in design, using a variety of materials including, but not limited to, cement plaster, cement panels, metal panels on the podium, stone or brick, and concrete, as well as storefront glazing and aluminum windows at the exterior street facades and vinyl windows at the interior courtyard facades (**Figures 6a–6d**). The Modified Project would incorporate green building features such as energy-efficient lighting and would be GreenPoint rated in compliance with the City's Green Building Ordinance.

Utilities

On-site utilities would include gas, electricity, water, wastewater, and storm drainage. All on-site utilities would be designed in accordance with applicable codes and current engineering practices. The Modified Project is not anticipated to require any off-site public water infrastructure improvements.

Project Construction

The Modified Project is currently in the design phase and no details are as-yet available regarding the construction schedule and phasing or site grading. For the purpose of this analysis and the greenhouse gas emissions modeling (see Attachment F), however, the following is assumed: On-site construction work is expected to span approximately 17 months. The first month would consist of building demolition followed by one month of site preparation. Grading and excavation for the underground garage would span approximately 2 months. The remainder of the construction period would consist of building construction.

Grading work would include surface preparation, utility connections, and excavations for underground parking, the foundation, footings, and utility services.

Typical equipment used during construction would include an excavator, backhoe, trencher, tower crane, man hoist, forklift, gradall, and paving equipment. Staging would occur as much as possible within the project site. Street frontages and parking lanes will need to be used at times for deliveries and removals of materials and equipment. Parking lanes on one or more of the street frontages may be temporarily closed for concrete trucks, pumps, and compressors.

Construction activities would include demolition of 18,480 sf of existing buildings. Construction would require removal of the existing surface pavement and excavation below grade for foundation construction, generating approximately 4,500 cubic yards of material to be disposed of offsite.

Figure 5a. Landscape Plan – Ground Floor

Source: YHLA Architects

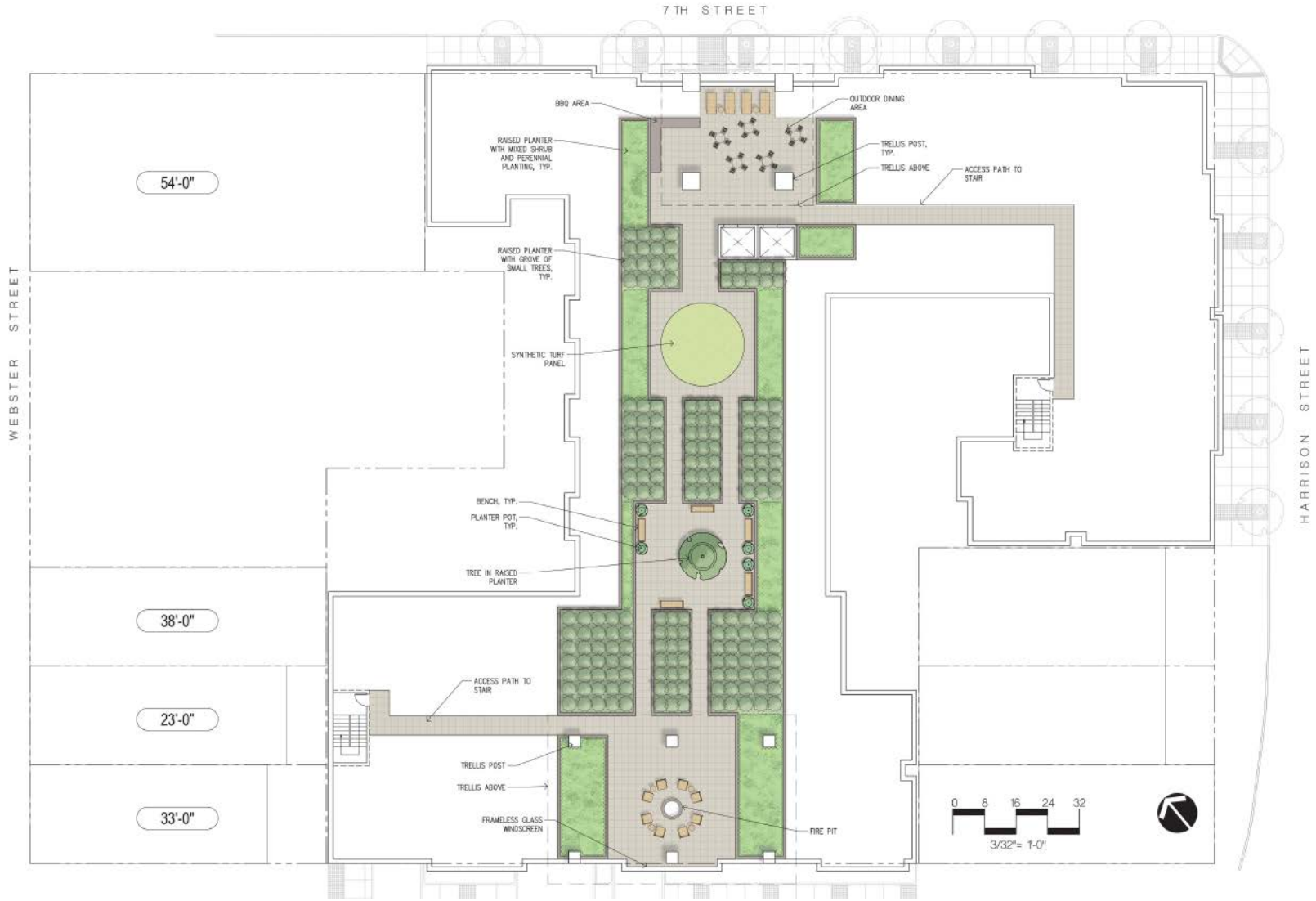

Figure 5b. Landscape Plan – Roof Deck

Source: YHLA Architects, Keller Mitchell & Co. Landscape Architecture

Figure 6a. North Elevation

Source: YHLA Architects

Figure 6b. East Elevation

Source: YHLA Architects

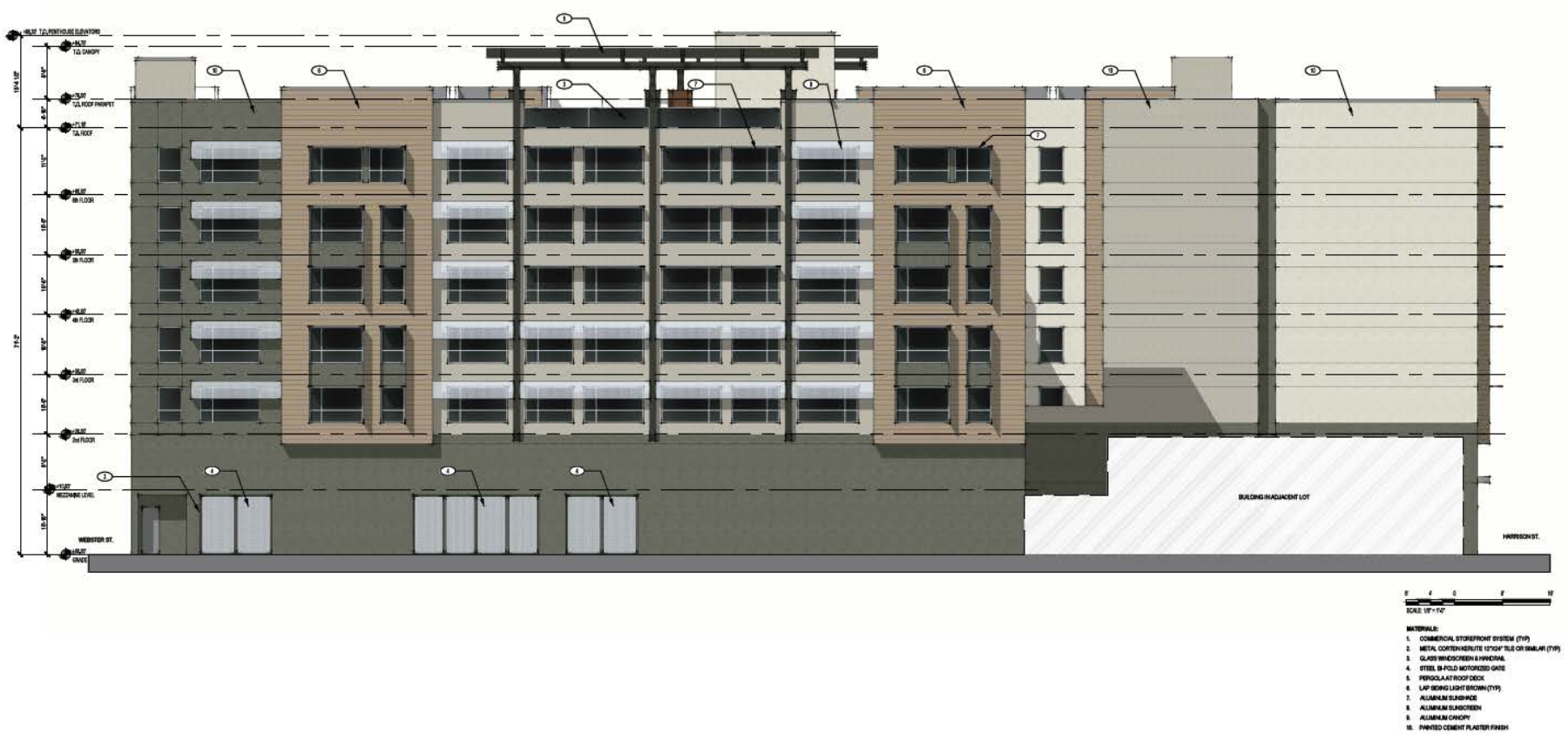

Figure 6c. South Elevation

Source: YHLA Architects

Figure 6d. West Elevation

Source: YHLA Architects

Project Approvals Required

Actions by the City of Oakland

The Modified Project requires the following discretionary actions/approvals, including without limitation:

- Major Conditional Use Permit for projects involving more than 100,000 sf of floor area in the D-LM Zone
- Regular Design Review for new construction
- Tree removal permit
- Encroachment permits for work within and close to public rights-of-way (Chapter 12.08 of the Oakland Municipal Code)
- Grading permits and building permits

Actions by Other Agencies

A number of other public agencies' approval and authorization will or may be required to implement the Modified Project. These agencies and their approvals include:

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

VI. CEQA Findings

An evaluation of the Modified Project is provided in the CEQA Analysis below. This evaluation concludes that the Modified Project qualifies for an addendum to the 2011 EIR and an exemption from additional environmental review. The Modified Project is consistent with the development density and land use characteristics established by existing zoning and General Plan policies for which an EIR was certified (i.e., the Program EIRs). As such, the Modified Project would be required to comply with the applicable mitigation measures identified in the Program EIRs, as well as any applicable City of Oakland SCAs (see Attachment A for a complete list of SCAs referred to and required by this CEQA Analysis). With implementation of the applicable mitigation measures and SCAs, the Modified Project would not result in a substantial increase in the severity of significant impacts that were previously identified in the General Plan or any new significant impacts that were not previously identified in the Previous EIRs.

In accordance with California Public Resources Code Sections 21116 21094, 21094.5, 21116, 21159.23, and 21159.24; and CEQA Guidelines Sections 15164, 15162, and 15183.3, the Modified Project qualifies for an addendum, streamlined review, and exemption because the following findings can be made:

- **Addendum.** The analysis conducted indicates that an addendum to the 2011 EIR applies. The conclusions reached in the 2011 EIR, which was certified by the Planning Commission on July 21, 2011, remain valid and no supplemental environmental review is required for the Modified Project. The Modified Project would not cause new significant impacts not previously identified in the 2011 EIR, or result in a substantial increase in the severity of previously identified significant impacts in the 2011 EIR. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the Original Project approvals that would cause significant environmental impacts to which the Modified Project would contribute to a significant level, and no new information has been put forward that shows that the Modified Project would cause significant environmental impacts.
- **Community Plan Exemption.** The following analysis demonstrates that the Modified Project is consistent with the development density established by existing zoning and General Plan policies for which an EIR was certified (i.e., the Program EIRs). The Modified Project is consistent with the Lake Merritt Station Area Plan and will not result in significant impacts that were not previously identified as significant project-level, cumulative, or offsite effects in the LMSAP EIR.
- **Program EIRs**: The analyses in the 1998 LUTE EIR, 2010 Housing Element EIR and its 2014 Addendum, and this CEQA Analysis demonstrate that the Modified Project would not result in substantial changes or involve new information that would warrant preparation of a subsequent EIR, per CEQA Guidelines Section 15162, because the level of development proposed for the site is within the broader development assumptions analyzed in the previous EIRs. The effects of the Modified Project have been addressed in those EIRs and no further environmental documents are required in accordance with CEQA Guidelines Sections CEQA Guidelines Section 15168 (c).
- **Qualified Infill Exemption.** The following analysis demonstrates that the Modified Project is located in an urban area on a site that has been previously developed; satisfies the performance standards provided in CEQA Guidelines Appendix M; and is consistent with the General Plan land use designation, density, building intensity and applicable policies. As such, this environmental review is limited to an assessment of whether the project may cause any project-specific effects, and relies on uniformly applicable development policies or standards to substantially mitigate cumulative effects.

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

_____ _____

Darin Ranelletti Date
Environmental Compliance Officer

VII. CEQA Checklist

The analysis in this CEQA Checklist provides a summary of the potential environmental impacts that may result from approval and implementation of the Modified Project. It evaluates those potential environmental impacts in relation to the impacts evaluated in the 2011 EIR and Program EIRs.

Given the timespan between preparation of the 2011 EIR and this CEQA document, variations in the specific environmental topics addressed and significance criteria exist, but as discussed throughout this Checklist, the overall environmental impacts identified in each are largely the same with any notable differences noted. This CEQA Checklist hereby incorporates by reference the discussion and analysis of all potential environmental impact topics as presented in the certified 2011 EIR.

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

- Equal or Less Severity of Impact Previously Identified in the 2011 EIR
- Substantial Increase in Severity of Previously Identified Significant Impact in 2011 EIR
- New Significant Impact

Where the severity of the impacts of the Modified Project would be the same as or less than the severity of the impacts described in the 2011 EIR, the checkbox for Equal or Less Severity of Impact is checked. If the checkbox for Substantial Increase in Severity of Previously Identified Significant Impact or New Significant Impact were to be checked, such a check box would indicate that there are significant impacts that are either:

- peculiar to project or project site (pursuant to CEQA Guidelines Sections 15183 or 15183.3);
- not identified in the 2011 EIR (per CEQA Guidelines Sections 15183 or 15183.3), including offsite and cumulative impacts (per CEQA Guidelines Section 15183);
- due to substantial changes in the project (per CEQA Guidelines Section 15162 and 15168);
- due to substantial changes in circumstances under which the project will be undertaken (per CEQA Guidelines Sections 15162 and 15168); or
- due to substantial new information not known at the time the 2011 EIR was certified (per CEQA Guidelines Sections 15162, 15168, 15183, or 15183.3).

In such a circumstance, a new EIR would be required for the Modified Project. None of these conditions were found for the Modified Project, as demonstrated throughout the following CEQA Checklist. The Modified Project meets the criteria and standards specified in the CEQA Guidelines sections identified above for an Addendum to the 2011 EIR.

1. Aesthetics

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

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

Scenic vistas, scenic resources, visual character, and light and glare, and shadow were analyzed in the 1998 LUTE EIR, which found that the effects to these topics would be less than significant. The 1998 LUTE EIR also identified significant and unavoidable impacts regarding wind hazards for wind speeds at locations in the Downtown Showcase District. The 1998 LUTE EIR identified mitigation that is functionally equivalent to the SCAs to reduce potential effects; however, the impacts remained significant and unavoidable. Although the Modified Project is in the Downtown Showcase District, the building height would be below the 100-foot threshold for the City's required wind analysis; therefore, the recommended mitigation measure would not apply.

Housing Element EIR Findings

Scenic vistas, scenic resources, visual character, and light and glare, and shadow were analyzed in the Housing Element EIR, which found that the effects to these topics would be less than significant. The Housing Element EIR cited applicable SCAs related to landscaping that would ensure visual quality effects would be less than significant, including a landscape plan for new construction, landscape requirements for street frontages and downslope lots, and landscape completion and maintenance.

Lake Merritt Station Area Plan EIR Findings

The 2014 LMSAP EIR determined that with implementation of SCAs, impacts related to aesthetics would be less than significant with development occurring under the LMSAP. Individual projects would be subject to the design guidelines outlined in the LMSAP and would be required to comply with the height limits identified in the LMSAP. The LMSAP did not analyze potential wind hazards, determining that such analysis shall be undertaken for specific projects, as applicable pursuant to the City of Oakland's thresholds of significance.

2011 EIR Findings

Scenic Vistas, Views and Scenic Resources (Criterion a)

The 2011 EIR found that the Original Project site is not within a protected scenic vista or corridor, no scenic vistas or visual resources have been identified near the site and there would be no adverse effects. Development of the site would result in the construction of two 23-story towers in an area where existing building heights are generally 2 to 3 stories; however, the height, massing, and design would not constitute a demonstrable negative aesthetic effect (**Figure 7**). Visual impacts would be less than significant. The Original Project's cumulative contribution to building height and massing would not constitute a demonstrably negative cumulative aesthetic effect, and the cumulative visual impact was considered less than significant.

Light and Glare (Criterion b)

The 2011 EIR concluded that development of the Original Project would create a new source of light and glare, but that project design and compliance with City SCAs would minimize potential light spill onto adjacent properties and would ensure that light and glare impacts were less than significant.

Figure 7. Previously Approved Project Rendering

Source: YHLA Architects

Shadows (Criteria c, d)

The 2011 EIR found that impacts on shading solar energy collection features in the vicinity were less than significant, given the apparent absence of such features.

Shadow modeling was conducted for the Original Project. The 2011 EIR found that development of the Original Project would result in shadows cast on existing buildings along and west of Webster Street, the outer edge of Chinese Garden Park (contributor to 7thStreet/Harrison Historic District), and the Asian Resource Center (a designated historic resource). Given the limited duration of the shadows, the Original Project would not substantially impair the beneficial use of Chinese Garden Park or materially alter the historic significance of the Asian Resource Center, Chinese Garden Park or the 7th Street/Harrison Square Residential Historic District to which it contributes. Shadow impacts were considered less than significant.

Adequate Lighting (Criterion e)

The 2011 EIR found that proposed development would not require any exception (variance) to any existing policies or regulations, and would not fundamentally conflict with any policies or regulations that address the provision of adequate light for new development. No impact was found.

Wind (Criterion f)

The 2011 EIR found that wind conditions in pedestrian areas on and around the site would not likely exceed the City of Oakland significance criterion for wind creation, and impacts were considered less than significant. Although wind-related impacts would be less than significant, a Wind Reduction Plan (Aesth-4) was recommended to address windy conditions at the Original Project's upper courtyards. The Original Project's cumulative contribution to increased wind conditions was considered less than significant.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Scenic Vistas, Views and Scenic Resources (Criterion a)

The Modified Project site is in an urbanized area with no significant scenic vistas or designated or eligible scenic highways in the vicinity. Development of the Modified Project would add a new mixed-use building of similar scale and bulk as other buildings in the area to a blighted property (**Figure 8**). This infill development would help unify the visual character of development in the area, and would provide an overall positive improvement to the existing visual character of the area. The Project would be contemporary in design and include amenities such as street trees, planters, and lighting. The primary façade materials would include painted cement plaster, metal tiles, glass windscreen, aluminum shading and screening, and a roof deck pergola. The Modified Project would not adversely affect a scenic vista or visual resources. Implementation of **SCA-AES-1: Graffiti Control** and **SCA-AES-2: Landscape Plan** would be required for the Modified Project to discourage graffiti defacement and ensure continued compliance with applicable landscaping requirements. Visual impacts would be ***less than significant*** with implementation of SCAs AES-1 and AES-2.

Figure 8. Modified Project Rendering – 7th Street and Harrison Street

Source: YHLA Architects

Overall, the effects of the Modified Project related to scenic vistas, views, and scenic resources would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to scenic vistas, views, and scenic resources would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not result in a significant effect, it would not contribute to a cumulative effect related to scenic vistas, views, and scenic resources.

Light and Glare (Criterion b)

The Modified Project would create new sources of light and glare, introducing light from upper-story residential uses as well as ground-level lighting. Glare can result from daytime reflection of sunlight off flat and reflective building surfaces, and could annoy residences and impair motorists driving by along roads that have direct views of the reflective material. Implementation of **SCA-AES-3: Lighting** would be a requirement for the Modified Project to ensure the development does not significantly increase light or glare in the area. Compliance with lighting power allowances pursuant to Title 24, Parts 1 and 6 in the Building Energy Efficiency Standards would also be required. Impacts related to light and glare would be ***less than significant*** with implementation of SCA-AES-3.

Overall, the effects of the Modified Project related to light and glare would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to light and glare would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not result in a significant effect, it would not contribute to a cumulative effect related to light and glare.

Shadows (Criteria c, d)

There are no adjacent buildings using solar collectors or employing passive solar design that would be impaired by shadows cast by the Modified Project. Shadow diagrams showing the shadow from the Modified Project on the summer and winter solstices were prepared. **Figures 9a and 9b** show the Modified Project casts a shadow near the Chinese Garden Park, but the Modified Project, which is substantially shorter than the Original Project, would not cast shadows that would substantially impair the beneficial use of Chinese Garden Park or materially alter the historic significance of Chinese Garden Park or the 7th Street/Harrison Square Residential Historic District to which it contributes. Shadow impacts would be ***less than significant***.

Overall, the effects of the Modified Project related to shadows would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to shadows would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to shadows.

Adequate Light (Criterion e)

The Modified Project would not fundamentally conflict with any policies or regulations that address the provision of adequate light for new development and there would be ***no impact***. The Modified Project will be required to conform with the City's design review process (per Chapter 17.136 of the Oakland Planning Code) to ensure that proposed development will provide adequate light for its occupants and users, as well as occupants and users in other structures.

Figure 9a. Project Shadows – Summer Solstice, 3pm

Source: YHLA Architects

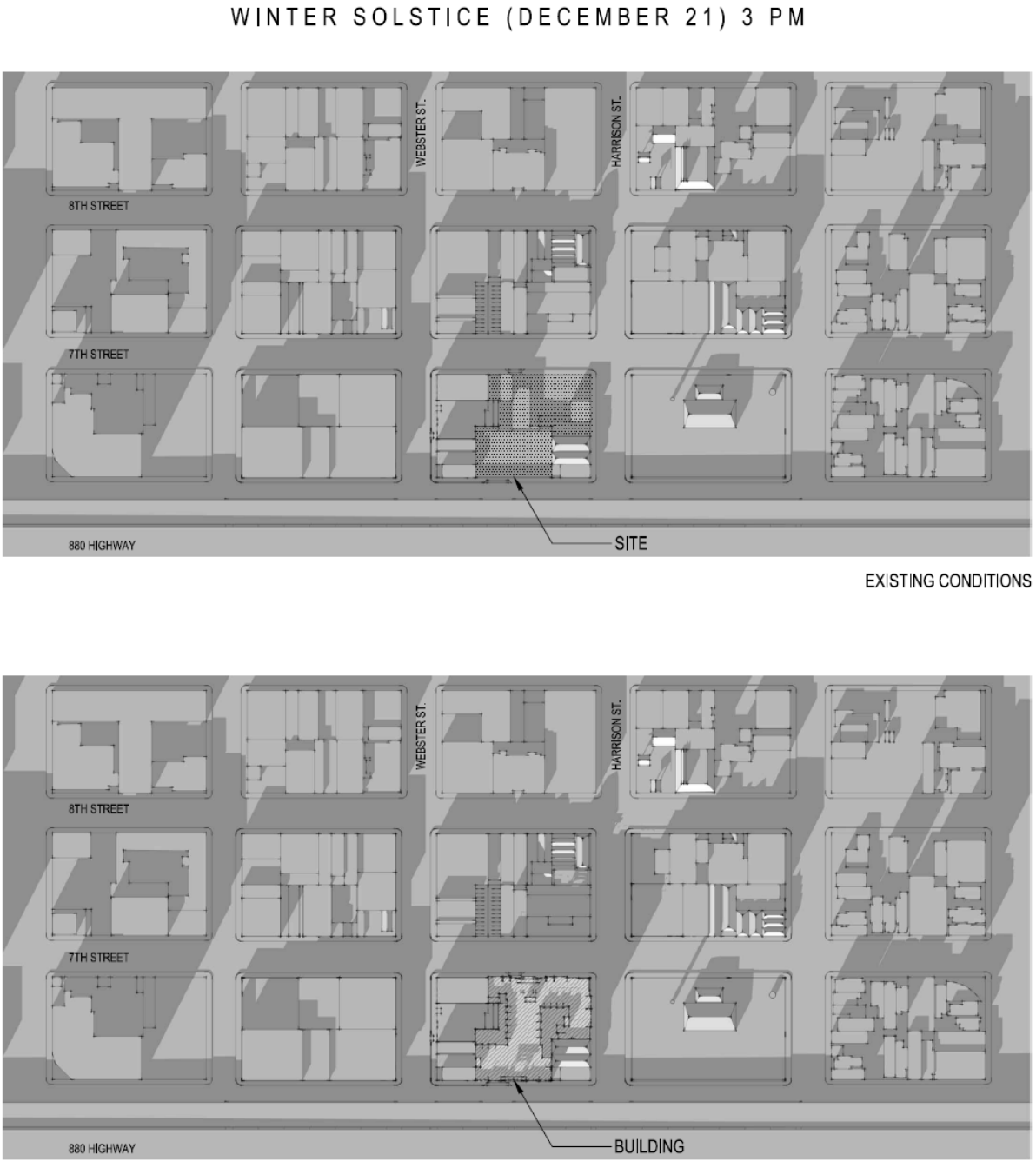

Figure 9b. Project Shadows – Winter Solstice, 3pm

Source: YHLA Architects

Overall, the effects of the Modified Project related to adequate light would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to adequate light would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to adequate light.

Wind (Criterion f)

The height of the building under the Modified Project would be 72 feet, which is below the 100-foot threshold for the City's required wind analysis. Because the Modified Project is lower than 100 feet high (72 feet), no significant wind impacts would occur and the Wind Reduction Plan (Aesth-4) identified in the 2011 EIR would not be required for the Modified Project. Impacts would be ***less than significant***.

Overall, the effects of the Modified Project related to wind would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to wind would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to wind.

Conclusions – Aesthetics

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to aesthetics or visual resources that were not identified in those EIRs. The wind reduction plan identified in the 2011 EIR as mitigation for the Original Project is not required for the Modified Project. The Previous EIRs did not identify any additional mitigation measures related to aesthetics or visual resources, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to aesthetics, will apply to the Modified Project (SCA-AES-1: Graffiti Control, SCA-AES-1: Landscape Plan, and SCA-AES-3: Lighting).

2. Agricultural and Forest Resources

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?	☑	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☑	☐	☐
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☑	☐	☐
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☑	☐	☐
e) Result in the loss of forest land or conversion of forest land to non-forest use?	☑	☐	☐

Previous EIRs

Program EIR Findings

Agricultural and forest resources were not expressly analyzed in the 1998 LUTE EIR or the LMSAP EIR. Under CEQA, lack of discussion of a topic in the environmental analysis implies an assumption that impacts were not significant in that topic area. The Housing Element found no impacts related to agricultural resources.

2011 EIR Findings

Agricultural Resources Use (Criteria a–c)

The 2011 EIR found that there was no impact on agricultural resources because there are no mapped important farmlands on the site or in the vicinity, the site is not currently farmed, the site is not zoned for agricultural use, and a Williamson Act contract does not exist on the property.

Forest Resources (Criteria d, e)

The potential for conflict with forest land zoning or conversion of forest land were not analyzed in the 2011 EIR.

Modified Project Analysis

The existing conditions pertaining to agricultural and forest resources remain unchanged from the 2011 EIR. The Modified Project site is completely developed and is surrounded by single-story and low-rise commercial and residential development, as well as other urban uses.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Agricultural Resources Use (Criteria a–c)

Development of the Modified Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses; would not conflict with existing zoning for agricultural use or a Williamson Act contract; and would not result in the conversion of farmed land to non-agricultural uses. There would be ***no impact*** on agricultural resources.

Overall, the effects of the Modified Project related to agricultural resources would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to agricultural resources would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to agricultural resources.

Forest Resources (Criteria d, e)

The Modified Project site is zoned as D-LM-2 and D-LM-4—both designations are intended to support mixed uses with the zones. There are no forest resources on the site. Development of the Modified Project would not result in a conflict with zoning for forest land or timberland and would not result in the loss of forest land or conversion of forest land to non-forest use. There would be ***no impact*** on forest resources.

Overall, the effects of the Modified Project related to forest resources would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to forest resources would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to forest resources.

Conclusions – Agricultural and Forest Resources

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to agricultural and forest resources that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures or SCAs related to agricultural and forest resources, and none would be necessary for the Modified Project.

3. Air Quality

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

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified Transportation Control Measures (TCMs) as recommended by the Bay Area Air Quality Management District as mitigation measures that would address operational emissions effects for projects in Downtown and the Coliseum Showcase District. TCMs are measures to reduce emissions and ambient concentrations of particulate matter, as well as population exposure to particulate matter. These measures addressing particulate matter emissions are functionally equivalent to the current City SCAs that would reduce the potential construction and operational emissions effects to less than significant, including specifically in the Downtown area. The 1998 LUTE EIR did not quantify or address cumulative health risks. Under CEQA, lack of discussion of a topic in the environmental analysis implies an assumption that impacts were not significant in that topic area.

Housing Element EIR Findings

The Housing Element Update EIR found that impacts related to criteria air pollutants would be less than significant. Potential impacts related to diesel particulate matter (DPM) from mobile and stationary sources were identified and the Housing Element EIR required an SCA reducing each site's exposure to DPM through the installation of air filtration systems or other equivalent measures to reduce indoor DPM to acceptable levels and to reduce potential impacts to less than significant. Significant and unavoidable impacts were identified regarding cumulative health risks from toxic air contaminants (TACs) emitted locally from stationary sources after implementation of the SCA recommending project-specific health risk assessments.

Lake Merritt Station Area Plan EIR Findings

The 2014 LMSAP EIR identified less than significant impacts regarding consistency with the Bay Area 2010 Clean Air Plan, with implementation of applicable SCAs. The LMSAP EIR also identified impacts associated with potential exposure of sensitive receptors to substantial health risks from TACs from sources including DPM and gaseous emissions. The LMSAP EIR identified SCAs to reduce DPM exposure to less than significant levels, but risk from gaseous TACs (plan and cumulative level) would be a significant and unavoidable impact. The LMSAP EIR also identified potential impacts associated with the installation of back-up generators (a source of TACs) and identified SCAs to reduce the potential effect to less than significant. Moreover, BAAQMD does not permit any new generators that may have emissions levels that pose adverse health impacts. The LMSAP EIR did not quantitatively assess criteria air pollutants from construction or operation, determining that such analysis shall be undertaken for specific projects, as applicable pursuant to the City of Oakland's thresholds of significance.

2011 EIR Findings

Construction and Operational Emissions (Criterion a)

Construction-period Emissions

The 2011 EIR found that construction activities (e.g., demolition, grading, hauling) would generate fugitive dust in the short-term and short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. Construction activities may result in significant quantities of dust, and as a result, local visibility and PM_{10} and $PM_{2.5}$ concentrations may be adversely affected on a temporary and intermittent basis during the construction period. Emissions generated from construction activities include inhalable particulate matter and equipment exhaust emissions inclusive of particulate matter (PM_{10} and $PM_{2.5}$) and other criteria pollutants including reactive organic gas (ROG), nitrogen oxides (NO_x), carbon monoxide (CO) and sulfur oxides (SO_x). Modeling conducted for the Original Project, however, demonstrated that project-related emissions would not exceed City or BAAQMD significance thresholds for ROG, NO_x, PM_{10}, or $PM_{2.5}$. Construction-period emissions were considered effectively reduced to a level of less than significant with implementation of required City SCAs and compliance with the requirements found under the City Municipal Code (Section 15.36.100; Dust Control Measures).

Operational Emissions

Modeling conducted for the Original Project demonstrated that operational emissions of criteria pollutants (ROG, NO_x, PM_{10} and $PM_{2.5}$), even when combined with anticipated area source emissions, are not expected to exceed BAAQMD significance thresholds. Additionally, the Original Project (with 380

dwelling units) would be below the screening level criterion and therefore was considered to result in a less than significant cumulative impact on air quality from criteria pollutant and precursor emissions.

Toxic Air Contaminants (*Criterion b*)

Construction-period Emissions

The 2011 EIR found that construction activities would generate construction-related TAC emissions from traditional diesel-powered equipment such as bulldozers, generators, and cranes. Nearby sensitive receptors could be exposed to these DPM emissions, resulting in increased cancer risk or non-cancer health concerns. The generation of TAC emissions and exposure of sensitive receptors were considered to be temporary. Modeling conducted for the Original Project demonstrated that the project-specific construction-period TAC exposure risk for nearby sensitive receptors would exceed the significance thresholds for cancer and $PM_{2.5}$ exposure, even with the implementation of City SCAs to reduce DPM emissions. Cumulative construction-period TAC exposure risk for nearby sensitive receptors would also exceed the significance thresholds for cancer and $PM_{2.5}$ exposure, and were considered to contribute to a cumulatively significant adverse air quality impact.

The following additional mitigation measure was therefore recommended for the Original Project to reduce increased cancer risk and $PM_{2.5}$ exposure to levels of less than significant:

> **Mitigation Measure Air-7:** The Project applicant shall develop a Diesel Emission Reduction Plan including, but not limited to alternatively fueled equipment, engine retrofit technology, after treatment products and add-on devices such as particulate filters, and/or other options as they become available, capable of achieving a project wide fleet-average of 85 percent particulate matter (PM) reduction compared to the most recent California Air Resources Board (CARB) fleet average. This fleet-wide average reduction is consistent with the 1st Tier (highest possible) reduction measures specified in the URBEMIS model's output calculations. This Plan shall be submitted for review and approval by the City, and the Project applicant shall implement the approved Plan.

As required for all development projects involving demolition of existing buildings, the project applicant would be required to implement and comply with the City SCA concerning asbestos in structures, thereby reducing potential impacts related to airborne asbestos to a level of less than significant.

Operational Emissions

The 2011 EIR determined that residential, retail, and office uses associated with the Original Project would not result in significant ground-level concentrations of TACs, and impacts were considered less than significant.

The 2011 EIR found that future residential uses associated with the Original Project would be within approximately 60 feet of the I-880 freeway, potentially exposing future residents to substantial levels of TACs.[3] The primary pollutants of concern for project residents would be DPM and PM_{10}. To reduce the exposure of project residents to DPM and PM_{10}, the project design incorporates a centralized ventilation

[3] CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally not required to be analyzed or mitigated under CEQA. The 2011 EIR nevertheless analyzed potential effects of the environment on the project, which is presented here in order to provide information to the public and decision-makers.

(filtration) system with a minimum efficiency reporting value 13 and efficiency consistent with American Society of Heating, Refrigeration and Air Conditioning Engineers 52.2 standards, which studies indicate has the potential to remove between 75 percent and 90 percent of particulate emissions.

The Health Risk Assessment prepared for the Original Project evaluated the possible risks of exposure to TACs at the site and found that future residents would be exposed to an inhalation cancer risk of 7.9 in 1,000,000, which is less than the threshold of 10 in 1,000,000; a maximum Acute Hazard index of 0.00004, which is below the threshold of 1.0 for the maximum exposed individual; and a maximum chronic hazard index of 0.0049, which is below the threshold of 1.0. The assessment was conducted without the consideration of the proposed central ventilation/filtration system for the Original Project.

The 2011 EIR therefore found that the exposure risk to future residents of the Original Project related to substantial pollutant concentrations and TACs would not exceed the BAAQMD thresholds of significance for cancer or acute health risks. Sources of air pollutant emissions complying with applicable BAAQMD permit requirements generally would not be considered to have an individually significant air quality impact.

Modified Project Analysis

The existing conditions of the Modified Project site remain generally unchanged from the 2011 EIR. The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Construction and Operational Emissions (Criterion a)

Construction-period Emissions

Construction activities associated with the Modified Project would generate fugitive dust in the short-term, including PM_{10} and $PM_{2.5}$, on a temporary and intermittent basis during the construction period. Construction-related emissions are not peculiar because the Modified Project would use standard construction equipment such as loaders, backhoes, cranes, and haul trucks, similar to other projects under construction in Oakland and the site's proximity to sensitive receptors is typical of other project sites in the urban downtown area. Implementation of **SCA-AIR-1: Construction Management Plan** and **SCA-AIR-2: Construction-Related Air Pollutant Controls (Dust and Equipment Emissions)** will be required to ensure reductions in construction-period fugitive dust emissions. Compliance with the requirements found under the City Municipal Code (Section 15.36.100; Dust Control Measures) would also be required.

Implementation of SCA-AIR-1 and SCA-AIR-2, as well as compliance with the City's Dust Control Measures would ensure ***less than significant*** impacts related to construction-period fugitive dust impacts.

Construction activities associated with the Modified Project would also generate short-term emissions of criteria pollutants (CO, ROG, NO_x, PM_{10}, $PM_{2.5}$, and SO_x), but implementation of SCA-AIR-1 would further reduce the level of these emissions and impacts would be ***less than significant***.

Overall, the effects of the Modified Project related to construction-period emissions would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to construction-period emissions would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to construction-period emissions.

Operational Emissions

The Modified Project would not exceed the applicable BAAQMD screening level size of 494 dwelling units for mid-rise residential use, and thus would not exceed the City thresholds for criteria pollutants. Impacts related to operational criteria pollutant emissions would be ***less than significant***.

Overall, the effects of the Modified Project related to operational emissions would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to operational emissions would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to operational emissions.

Toxic Air Contaminants (Criterion b)

Construction-period Emissions

Construction and demolition activities associated with the Modified Project would generate construction-related TAC emissions, including the potential for asbestos-containing materials, resulting in increased cancer risk or non-cancer health concerns for nearby sensitive receptors. The construction-period TAC exposure risk for nearby sensitive receptors would exceed City significance thresholds for cancer and $PM_{2.5}$ exposure and contribute to a project-specific and cumulatively significant adverse air quality impact. Implementation of **SCA-AIR-3: Exposure to Air Pollution (Toxic Air Contaminants)** will be required for the Modified Project. As required for all development projects involving demolition of existing buildings, the project applicant will be required to implement and comply with **SCA-AIR-4: Asbestos in Structures**, thereby reducing potential impacts related to airborne asbestos to a level of less than significant.

The mitigation measure recommended (as Air-7) in the 2011 EIR to further reduce increased cancer risk and $PM_{2.5}$ exposure is no longer a requirement for the Modified Project because it has since been incorporated into **SCA-AIR-2: Construction-Related Air Pollutant Controls (Dust and Equipment Emissions)** and adopted for all City projects.

Effective implementation of SCA-AIR-2 and SCA-AIR-3 would reduce TAC emissions and resultant exposure to health risks to ***less than significant***. There is nothing particular or unusual about the Modified Project that would cause it to generate uncharacteristically high DPM and $PM_{2.5}$ emissions during construction.

Overall, the effects of the Modified Project related to construction-period TACs would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to construction-period TACs would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to construction-period TACs.

Operational Emissions

The residential and retail uses associated with the Modified Project would not result in significant ground-level concentrations of TACs. Implementation of **SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants)** will be required for the Modified Project due to the need for an on-site backup generator. The 2011 EIR found that the Original Project operational emissions would not exceed the BAAQMD thresholds of significance for cancer or acute health risks. As noted above, existing conditions for the Modified Project site remain generally unchanged from the 2011 EIR. Therefore, the smaller

Modified Project would also not exceed BAAQMD thresholds and the impact would be ***less than significant***.

The Modified Project would locate new residential uses within approximately 60 feet of the I-880 freeway, potentially exposing these residents to substantial TAC emissions, particularly DPM and PM_{10}.[4] Because the Modified Project involves a new residential development and it is within 1,000 feet of roadways with significant traffic (I-880, Broadway, and Harrison), implementation of **SCA-AIR-3: Exposure to Air Pollution (Toxic Air Contaminants)** will be required. To further reduce the exposure of project residents to DPM and PM_{10}, the project design would incorporate a ventilation (filtration) system consistent with American Society of Heating, Refrigeration and Air Conditioning Engineers standards and SCA-AIR-3.

The resultant exposure risk to future residents of the Modified Project related to substantial pollutant concentrations and TACs would not exceed City significance thresholds for cancer or acute health risks.

Overall, the effects of the Modified Project related to operational TACs and exposure risk would be similar to or less than those discussed in the 2011 EIR. The effects of the Modified Project related to operational TACs and exposure risk would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not exceed City significance thresholds, it would not contribute to a cumulative effect related to operational TACs and exposure risk.

Conclusions – Air Quality

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to air quality that were not identified in those EIRs. The mitigation measure identified in the 2011 EIR is not applicable to the Modified Project because it has since been adopted by the City as an SCA for all projects. SCAs identified in Attachment A at the end of the CEQA checklist and related to air quality will apply to the Modified Project (SCA-AIR-1: Construction Management Plan, SCA-AIR-2: Construction-Related Air Pollutant Controls [Dust and Equipment Emissions], SCA-AIR-3: Exposure to Air Pollution [Toxic Air Contaminants], SCA-AIR-4: Asbestos in Structures, and SCA-AIR-5: Stationary Sources of Air Pollution [Toxic Air Contaminants]).

[4] CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally **not** required to be analyzed or mitigated under CEQA. However, this document nevertheless analyzes potential effects of the environment on the project in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

4. Biological Resources

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;	☑	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;	☑	☐	☐
c) 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;	☑	☐	☐
d) 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;	☑	☐	☐
e) Fundamentally conflict with any applicable habitat conservation plan or natural community conservation plan;	☑	☐	☐
f) Fundamentally conflict with the City of Oakland Tree Protection Ordinance (Oakland Municipal Code Chapter 12.36) by removal of protected trees under certain circumstances; or	☑	☐	☐
g) Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources.	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR determined that impacts on biological resources would be less than significant.

Housing Element EIR Findings

The Housing Element identified less than significant impacts on biological resources.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR identified 12 special status species that are known to have the potential to occur within the LMSAP Area. Within the Plan Area, Lake Merritt and the Lake Merritt Channel are places where there are particularly sensitive areas with regard to biological resources. The Modified Project site is approximately 0.5 mile from Lake Merritt and the Lake Merritt Channel.

2011 EIR Findings

Biological Resources (Criteria a–g)

The Original Project site is in a densely developed urban area with no habitat value to flora or fauna. The site is fully developed and nearly entirely covered with impervious surfaces. The 2011 EIR determined that development of the site would have no impact on candidate, sensitive, or special status species; protected wetlands, riparian areas, or other sensitive habitat; nor would it conflict with a habitat conservation plan or natural community conservation plan, the City of Oakland Creek Protection Ordinance. Although development of the site would not interfere substantially with the movement of any native resident or migratory wildlife species, the 2011 EIR found that development could result in increased migratory bird mortality.

The 2011 EIR concluded that development of the Original Project would require the removal of two trees, one of which is protected by the City of Oakland Tree Protection Ordinance. Oakland Municipal Code Chapter 12.36 applies to the removal of protected and provides that the removal of any tree or community of trees protected by the Tree Protection Ordinance would be required to obtain a permit from the City and comply with any conditions of the permit, including replacement plantings and protection of remaining trees during construction. City SCAs pertaining to tree permit requirements and tree protection during construction, as well as tree removal during bird breeding season (to protect potentially nesting birds) were required to ensure these potential impacts were less than significant.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged since publication of the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Biological Resources (Criteria a–g)

Development of the Modified Project would have ***no impact*** on candidate, sensitive, or special status species; protected wetlands, riparian areas, or other sensitive habitat; nor would it conflict with a habitat conservation plan or natural community conservation plan, the City of Oakland Creek Protection Ordinance.

The Modified Project would remove one of the two existing street trees and incorporate 18 new street trees (see Figure 5a). Implementation of **SCA-BIO-1: Tree Removal During Bird Breeding Season** and **SCA-BIO-2: Tree Permit** will be required to ensure compliance with the City's Tree Preservation and Removal Ordinance and to reduce potential impacts on nesting birds in the existing on-site trees.

Development of the Modified Project site would reduce the number of towers from two to one midrise with a height of to approximately 72 feet. The Modified Project would not interfere substantially with the movement of any native resident or migratory wildlife species, but could result in increased migratory bird mortality, considering the proximity of the Oakland Estuary (approximately 0.3 mile) and

Lake Merritt (approximately 0.5 mile) and the site's position between these water bodies. The Modified Project would include a vegetated roof deck (see Figure 5b), which may serve as an attractant to migratory or other birds using the Oakland Estuary or Lake Merritt. This impact would be ***less than significant***. Implementation of **SCA-BIO-3: Bird Collision Reduction Measures** is recommended to reduce potential bird collision impacts.

Impacts related to biological resources would be ***less than significant*** with implementation of SCAs BIO-1, BIO-2, and BIO-3.

Overall, the effects of the Modified Project related to biological resources would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to biological resources would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to biological resources.

Conclusions – Biological Resources

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to biological resources that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures related to biological resources, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to tree removal, tree permits, City of Oakland Tree Protection Ordinance, construction activity and operations, and migratory birds, will apply to the Modified Project (SCA-BIO-1: Tree Removal During Bird Breeding Season, SCA-BIO-2: Tree Permit, and SCA-BIO-3: Bird Collision Reduction Measures).

5. Cultural Resources

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines section 15064.5;	☑	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 15064.5;	☑	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;	☑	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries	☑	☐	☐
e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☑	☐	☐
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified potentially significant impacts to historic resources, and identified mitigation measures to reduce the impact to less than significant. The LUTE EIR identified mitigation measures to reduce the effects to archaeological resources, paleontological resources, and human remains to less than significant. These mitigation measures are now incorporated into the applicable City SCAs, as described below:

G.2. Establish criteria and procedures for determining when ground-disturbing activities should be subject to special conditions to safeguard potential archaeological resources.

(*now* ***SCA-CUL-1: Archaeological and Paleontological Resources–Discovery During Construction****,* ***SCA-CUL-2: Human Remains–Discovery During Construction****, and* ***SCA-CUL-4: Archaeologically Sensitive Areas – Pre-Construction Measures***)

Housing Element EIR Findings

The Housing Element EIR found potentially significant impacts on existing or undiscovered cultural resources would be reduced to a level of less than significant with implementation of City SCAs related to property relocation, vibrations and adjacent historic structures, archaeological resources, human remains, and paleontological resources.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR does not include a project-level analysis of historic resources, indicating project-level analysis shall be conducted for individual development projects in the LMSAP. The LMSAP EIR further determined that impacts on archaeological resources, paleontological resources, and human remains would be less than significant with the implementation of applicable SCAs. The LMPSAP EIR indicates that paleontological sensitivity of the geologic units underlying the Plan Area is considered low to moderate.

2011 EIR Findings

Historic Resources (Criterion a)

The 7th Street/Harrison Square Residential Historic District is designated in the Oakland Cultural Heritage Survey as an Area of Primary Importance and appears eligible for listing on the State and National Register of Historic Places. The most northerly edge of this District extends one parcel deep into the block on which the project site is located, and includes 617-621 Harrison Street, which was considered for demolition during development of the Original Project (**Figure 10**). The Oakland Cultural Heritage Survey rates this building's significance as a "C" (secondary importance) and its National Register of Historic Places status as "3D" (appears eligible only as a part of a district). None of the other structures on the project site are considered historic resources.

The 2011 EIR concluded that demolition of the historic structure at 617-621 Harrison Street would be a significant impact and recommended mitigation (Hist-2a and Hist-2b). The applicant was required to make good faith efforts to relocate the structure to a location consistent with its historical or architectural character. A successful relocation effort would reduce the impacts on this historic resource

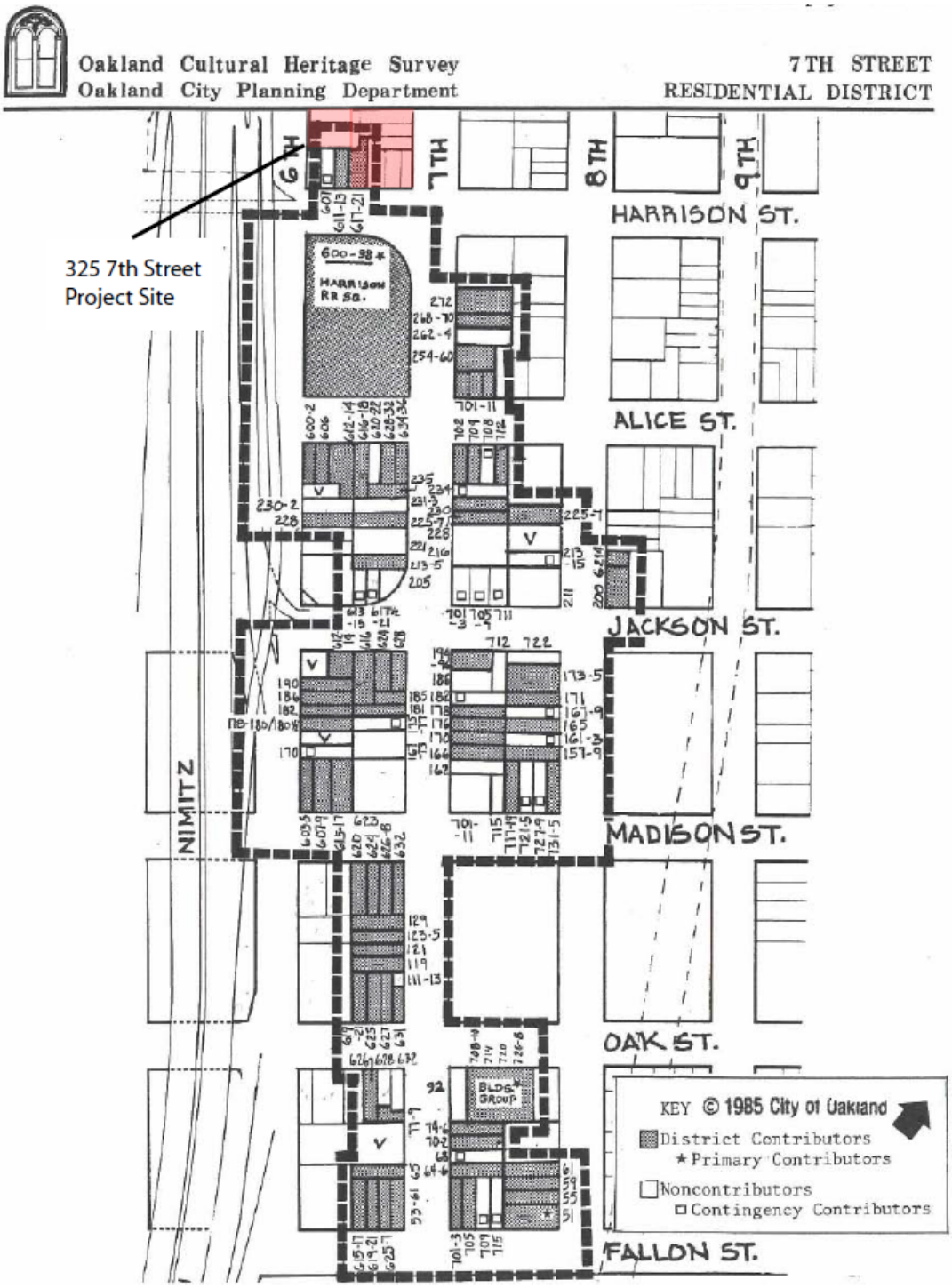

Figure 10. 7th Street / Harrison Square Residential Historic District

Source: City of Oakland

to less than significant. The 2011 EIR found that if relocation or re-design efforts were unsuccessful or not feasible, demolition of the 617-621 Harrison Street structure would result in a significant and unavoidable impact.

The 2011 EIR also concluded that construction effects adjacent to two buildings identified as contributors to the 7th Street/Harrison Square Residential Historic District could potentially damage, but would not materially impair these historic resources. Although they would be adjacent to a modern structure (the Original Project), the historical significance of these structures would not be materially impaired, since the physical characteristics that convey their historical significance and justify listing on the Oakland Cultural Heritage Survey would not change. Additionally, demolition (or relocation) of the 617-621 Harrison Street structure would result in the loss of 1 of the 80 Area of Primary Importance contributors. The remaining contributing structures would retain their historic integrity, as would the relationships among them, such that the integrity of the District would be retained. The impact on the District was considered less than significant.

Archaeological or Paleontological Resources, or Human Remains (Criteria b–d)

The 2011 EIR found that, while no archaeological resources are known to exist within the project area, the possibility exists for discovery of buried archaeological resources or of historic-period archaeological resources, including those related to historic-period settlement of Oakland Chinatown, during site preparation and construction activities at the project site. With implementation of City of Oakland SCAs, the 2011 EIR found this impact was less than significant.

Modified Project Analysis

The existing conditions of the Modified Project site have changed since the 2011 EIR with regard to cultural resources. The historic resource identified at 617-621 Harrison Street has been destroyed by fire since the approval of the 2011 EIR and that lot is now vacant.

The Modified Project would be similar to but smaller than the Original Project, and includes fire loss of the 617-621 Harrison Street structure, as indicated in Table 1.

Historic Resources (Criterion a)

The two adjacent structures that contribute to the 7th Street/Harrison Square Residential Historic District could be potentially damaged, but not materially impaired, by development of the Modified Project. The historical significance of these structures would not be materially impaired, and there would be no loss of the Area of Primary Importance contributors. The integrity of the District would be retained, and the impact would be ***less than significant***. Mitigation measures recommended in the 2011 EIR (Hist-2a and Hist-2b) would not apply to the Modified Project because the structure at 617-621 Harrison Street, identified in the 2011 EIR as a contributor to the 7th Street/Harrison Square Residential Historic District and historic structure, was destroyed in a fire.

Overall, the effects of the Modified Project related to historic resources would be similar to or less than those discussed in the 2011 EIR and would be less than significant. The effects of the Modified Project related to historic resources would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to historic resources.

Archaeological or Paleontological Resources, or Human Remains (Criteria b–d)

The possibility exists for discovery of buried archaeological resources or of historic-period archaeological resources, including those related to historic-period settlement of Oakland Chinatown, during construction activities associated with the Modified Project. Implementation of **SCA-CUL-1: Archaeological and Paleontological Resources–Discovery During Construction**, **SCA-CUL-2: Archaeologically Sensitive Areas–Pre-Construction Measures**, and **SCA-CUL-3: Human Remains–Discovery During Construction** will be required to reduce potential impacts on undiscovered archaeological resources.

Impacts on archaeological resources, paleontological resources, or human remains would be ***less than significant*** with the implementation of SCAs CUL-1, CUL-2, and CUL-3.

Overall, the effects of the Modified Project related to archaeological resources, paleontological resources, or human remains would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to archaeological resources, paleontological resources, or human remains would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to archaeological resources, paleontological resources, or human remains.

Tribal Cultural Resources (Criterion e)

Tribal cultural resources were not analyzed in the 2011 EIR for the Original Project as it was not then required under CEQA. In 2014, Assembly Bill 52 created a new category of cultural resources, tribal cultural resources, and new requirements under CEQA for consultation with Native American tribes. Assembly Bill 52 builds upon Government Code section 65351 and 65352 which established a procedure to help tribes and jurisdictions define tribal cultural resources and sacred areas more clearly. Under Assembly Bill 52, lead agencies are required to offer to consult with Native American tribes that have an interest in tribal cultural resources located within its jurisdiction on CEQA documents and take an active role in the CEQA process to protect tribal cultural resources. Lead agencies are required to provide tribes with notice of a proposed project, including the project description, location, and the lead agency contact. Tribes have 30 days to respond and request consultation. If consultation is requested, the lead agency must initiate it within 30 days. Representatives of Native American tribes traditionally associated with the area surrounding the site were contacted on December 18, 2007, pursuant to Government Code sections 65351 and 65352. No response was received and there is no indication that the site may contain Native American cultural resources. The notice given complies with the intent and requirements of Assembly Bill 52, and there would be **no impact**.

Conclusions – Cultural Resources

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to cultural resources that were not identified in those EIRs. The mitigation measures identified in the 2011 EIR are not applicable to the Modified Project due to loss of the historic structure. SCAs identified in Attachment A at the end of the CEQA checklist and related to archaeological and paleontological resources and human remains will apply to the Modified Project (SCA-CUL-1: Archaeological and Paleontological Resources–Discovery During Construction SCA-CUL-2: Archaeologically Sensitive Areas–Pre-Construction Measures, and SCA-CUL-3: Human Remains–Discovery During Construction).

6. Geology and Soils

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Expose people or structures to substantial risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, lateral spreading, subsidence, collapse, or landslides?	☑	☐	☐
b) Result in substantial soil erosion or loss of topsoil, creating substantial risks to life, property, or creeks/waterways?	☑	☐	☐
c) Be located on expansive soil, as defined in section 1802.3.2 of the California Building Code (2007, as it may be revised), creating substantial risks to life or property?	☑	☐	☐
d) Be located above a well, pit, swamp, mound, tank vault, or unmarked sewer line, creating substantial risks to life or property?	☑	☐	☐
e) Be located above landfills for which there is no approved closure and post-closure plan, or unknown fill soils, creating substantial risks to life or property?	☑	☐	☐
f) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified that impacts related to geology, soils, and geohazards would be less than significant.

Housing Element EIR Findings

The Housing Element EIR identified that impacts related to geology, soils, and geohazards would be less than significant with required implementation of SCAs requiring best management practices, mandating site-specific studies and requiring setbacks, and regulating design and setting of future development within the City.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that with implementation of SCAs, impacts related to seismic hazards and unstable soils would be less than significant.

2011 EIR Findings

Earthquake fault, Ground Shaking and Seismic-related Ground Failure, Expansive Soils (Criteria a, c)

*CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally **not** required to be analyzed or mitigated under CEQA. The 2011 EIR nevertheless analyzed potential effects of the environment on the project, which is presented here in order to provide information to the public and decision-makers.*

No faults have been identified on the site or in the vicinity and the site is not within an Alquist-Priolo zone. The 2011 EIR found that geologic and soils hazards at the site include the potential for very strong seismic ground shaking and seismic-related ground failure, expansive soils, and high liquefaction hazard. These hazards are fully addressed through compliance with the Seismic Hazards Mapping Act and the California Building Code, as well as the seismic requirements of the City of Oakland Building Code. A geotechnical investigation and soils report would also be required pursuant to City SCAs to reduce the geologic and soil hazard potential.

Landslides (Criterion a)

The 2011 EIR found that the project site was not subject to instability resulting from a landslide.

Erosion or Loss of Topsoil (Criterion b)

Although the project site has been previously developed, the 2011 EIR concluded that construction activities could result in soil erosion or the loss of any remaining topsoil at the site. Compliance with the grading permit pursuant to City SCAs was found to reduce this potential impact to less than significant.

Other Geology and Soils Hazards (Criteria d–f)

The 2011 EIR determined that there are no known wells, pits, swamps, mounds, tank vaults, or unmarked sewer lines located below the surface of the site that would be disturbed by project development, and there is no evidence to suggest that the site had been previously used as a landfill. The site would continue to be served by existing municipal sewage systems. No impact was found.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Earthquake fault, Ground Shaking and Seismic-related Ground Failure, Expansive Soils (Criteria a, c)

*CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally **not** required to be analyzed or mitigated under CEQA. However, this document nevertheless analyzes potential effects of the environment on the project*

in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.

As noted in the 2011 EIR, the Modified Project site would be subject to strong seismic ground shaking in the event of an earthquake. The site also has the potential for expansive soils. A recent review of the Association of Bay Area Governments (ABAG) Liquefaction Susceptibility Map indicates the site has moderate potential for liquefaction.[5] Implementation of **SCA-GEO-1: Construction-Related Permit(s)** and **SCA-GEO-2: Seismic Hazards Zone** will be required for the Modified Project to reduce the risks associated with seismic hazards (liquefaction). Project design and construction shall also comply with the Seismic Hazards Mapping Act and the California Building Code, as well as the seismic requirements of the City of Oakland Building Code.

Overall, the effects of the Modified Project related to earthquake fault, ground shaking and seismic-related ground failure, and expansive soils hazards would be similar to or less than those discussed in the 2011 EIR. The effects of the Modified Project related to these geologic hazards would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not exceed City significance thresholds, it would not contribute to a cumulative effect related to earthquake fault, ground shaking and seismic-related ground failure, and expansive soils hazards.

Landslides (Criterion a)

The Modified Project site would not be subject to landslide hazards and there would be ***no impact***.

Overall, the effects of the Modified Project related to landslides would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to landslides would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to landslides.

Erosion or Loss of Topsoil (Criterion b)

Development of the Modified Project would result in construction activities that could result in soil erosion or the loss of any remaining topsoil at the previously developed site. Implementation of **SCA-HYDR-1: Erosion and Sedimentation Control Measures for Construction** will be required for the Modified Project to reduce the risk of soil erosion. Impacts would be ***less than significant*** with implementation of SCA-HYDR-1.

Overall, the effects of the Modified Project related to soil erosion would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to soil erosion would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to soil erosion.

[5] ABAG. 2016. Liquefaction Susceptibility Map. http://resilience.abag.ca.gov/earthquakes/#LIQUEFACTION

Other Geology and Soils Hazards (Criteria d–f)

The Modified Project site does not include a well, pit, swamp, mound, tank vault, or unmarked sewer line, landfill, or proposed septic tanks or alternative wastewater systems. There would be ***no impact*** related to this topic.

Overall, the effects of the Modified Project related to other geology and soils hazards would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to other geology and soils hazards would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to other geology and soils hazards.

Conclusions – Geology and Soils

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to geology and soils that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures related to geology and soils, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to obtaining construction-related permits, liquefaction hazards, and construction-related soil erosion, will apply to the Modified Project (SCA-GEO-1: Construction-Related Permit(s), SCA-GEO-2: Seismic Hazards Zone, and SCA-HYDR-1: Erosion and Sedimentation Control Measures for Construction).

7. Greenhouse Gas Emissions

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, specifically involving stationary sources that produce total emissions of more than 10,000 metric tons of CO_2e annually?	☑	☐	☐
b) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, specifically involving a land use development that produces total emissions of more than 1,100 metric tons of CO_2e annually AND more than 4.6 metric tons of CO_2e per service population annually?	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

Climate change and greenhouse gas (GHG) emissions were not expressly addressed in the 1998 LUTE EIR.

Housing Element EIR Findings

The Housing Element Update EIR identified less than significant GHG impacts and no mitigation measures were necessary.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR included GHG emissions and impacts analyses, and identified less than significant impacts with the incorporation of the applicable City SCAs, and no mitigation measures were necessary. The LMSAP EIR determined that development occurring under the LMSAP would not generate GHG emissions that would have a significant impact on the environment at the plan level or at the project-level. The estimate of emissions from service population annually, was less than the applicable significance threshold, and implementation of the LMSAP would not fundamentally conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing GHG emissions. The LMSAP EIR determined that development of specific projects under the Plan would be subject to all applicable regulatory requirements adopted for the purpose of reducing GHG emissions.

2011 EIR Findings

Greenhouse Gas Emissions (Criteria a, b)

The BAAQMD significance thresholds provide project-specific GHG emissions thresholds of 1,100 metric tons carbon dioxide equivalent ($MTCO_2e$) per year, and more than 4.6 $MTCO_2e$ per service population annually. Although construction and operation of the Original Project would exceed (2,891 $MTCO_2e$) the project-specific GHG emissions thresholds of 1,100 $MTCO_2e$ per year, it would not exceed (3.65 $MTCO_2e$) the 4.6 $MTCO_2e$ per service population threshold. The 2011 EIR found that construction and operation of the Original Project would therefore not result in a cumulatively considerable increase in GHG emissions because it would not exceed the 4.6 $MTCO_2e$ per service population threshold. Additionally, the Original Project would comply with applicable plans, policies and regulations adopted for the purpose of reducing GHG emissions. Impacts were considered less than significant.

Modified Project Analysis

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Greenhouse Gas Emissions (Criterion a)

Based on the findings of the LMSAP EIR, the Modified Project is required to quantify the GHG emissions from project construction and operation to determine whether a GHG Reduction Plan is required per the City's GHG Reduction Plan SCA.

An analysis of the Modified Project using the May 2011 BAAQMD CEQA Guidelines was conducted (see below and Attachment F) and found that the Modified Project would not result in a significant cumulative effect relating to GHG emissions, as shown below. BAAQMD, the California Air Pollution Control Officers Association, and the City of Oakland consider GHG impacts, by their nature, to be cumulative impacts because one project by itself cannot cause global climate change. Therefore, the evaluation of GHG emissions impacts evaluates whether the Modified Project would make a considerable contribution to cumulative climate change effects.

Construction and operation of the Modified Project would contribute additional sources of GHG emissions, though primarily through consumption of fuel for transportation and energy usage on an ongoing basis. The City's threshold of significance for GHGs would be exceeded if the Modified Project's emissions exceed 1,100 $MTCO_2e$ per year *and* the efficiency threshold of 4.6 $MTCO_2e$ per service population per year.

Construction GHG Emissions

The City does not have a separate threshold of significance for construction-related GHG emissions, though recommends quantification and a determination regarding significance in relation to meeting Assembly Bill 32 goals. Consistent with standard practice, the City requires that construction emissions be annualized over 40 years (an average building life) and added to the operational emissions as a conservative analysis.

The Modified Project's GHG emissions were modeled using the California Emissions Estimator Model (CalEEMod). Details of the Modified Project were used in the model analysis, otherwise, model defaults were used. Note that this is likely to result in conservative (overestimated) emissions as trip characteristics and trip lengths and the resultant vehicle emissions would be lower in this area than model defaults. CalEEMod inputs and results are included in Attachment F and summarized in **Table 2**.

Table 2. Greenhouse Gas Emissions

Description	Metric Tons CO_2e per Year
Existing Emissions	260
Project Emissions, Operational	372
Net New Emissions, Operational	116
Project Emissions, Construction (averaged over 40 years)	19
Project Emissions, Total	**135**
Project Service Population	343
Project Emissions, Total (per Service Population)	**0.4**
Project Service Population Significance Threshold	*4.6*

Source: Lamphier-Gregory compiled CalEEMod results included as Attachment F.

Notes: The compiled CalEEMod results reflect the most conservative analysis as they include mobile source emissions, which are not required for Transit Priority Projects. Even when including mobile source emissions (1,346), the Modified Project would not exceed the 4.6 $MTCO_2e$ per service population threshold.

CO_2e is carbon dioxide equivalent units, the standard measure of total greenhouse gases.

Service Population is the population calculated by assuming 1.97 persons per unit, per the 2011 EIR, plus 28 employees (at 1 employee per 400 sf for retail).

This is a conservative analysis, as operational emissions were modeled for the Project and do not discount the existing operational emissions.

As shown in Table 2, construction of the Modified Project would not exceed either the 1,100 $MTCO_2e$ per year or the 4.6 $MTCO_2e$ per service population threshold. The Modified Project would therefore not result in a cumulatively considerable increase in GHG emissions. Impacts would be less than significant.

City SCAs that would contribute to minimizing potential GHG emissions from construction and operation of development projects would apply to the Modified Project; they pertain to alternative transportation facilities (bicycles and BART), construction equipment emissions, transportation demand management, construction waste reduction and recycling, and California Green Building Standards (see Attachment A).

Operational GHG Emissions

Although the Modified Project may use back-up diesel generators for elevator safety, project-specific stationary sources of GHGs would not generate emissions approaching the stationary source threshold of 10,000 $MTCO_2e$ per year. Any new stationary sources will be subject to BAAQMD's requirement for New Source Review, and BAAQMD may impose conditions that would lead to emissions reductions from any new stationary sources that may be proposed.

The Modified Project would be served by the Lake Merritt BART station (approximately 0.25 mile to the east), the 12th Street/Oakland City Center BART station (within 0.5 mile to the northwest), and numerous AC Transit stops within 0.25 mile of the Modified Project site. The proximity of the Modified Project to these transit opportunities would serve to reduce GHG emissions.

As shown in Table 2, operation of the Modified Project would not exceed either the 1,100 $MTCO_2e$ per year or the 4.6 $MTCO_2e$ per service population threshold. The Modified Project would therefore not result in a cumulatively considerable increase in GHG emissions. Impacts would be less than significant.

City SCAs that would contribute to minimizing potential GHG emissions from construction and operation of development projects would apply to the Modified Project; they pertain to transportation demand management (SCA-TRANS-1), alternative transportation facilities (bicycles and BART; SCA-TRANS-1 and SCA-TRANS-3), construction equipment emissions (SCA-AIR-1 and SCA-AIR-2), construction waste reduction and recycling (SCA-AIR-1 and SCA-UTIL-1), and California Green Building Standards (SCA-UTIL-4; see Attachment A).

Overall, the effects of the Modified Project related to GHG emissions would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to GHG emissions would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to GHG emissions.

Consistency with Greenhouse Gas Emissions Plans and Policies (Criterion b)

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

Specifically, the Modified Project would be consistent with the State's Updated Climate Change Scoping Plan and the City of Oakland's Energy and Climate Action Plan because it would include a number of sustainability design features. The Modified Project would be GreenPoint rated in compliance with the City's Green Building Ordinance. Additionally, as discussed in Attachment D, the Modified Project is within the Downtown and Jack London Square Priority Development Area pursuant to Plan Bay Area, and meets all conditions for qualification as a transit priority project with respect to the Sustainable Communities Strategy, as discussed below.

Transit Priority Project

Per CEQA Guidelines Section 15183.5(c), environmental documents for certain residential and mixed-use projects and transit priority projects, as defined in Section 21155 of the Public Resources Code, need not analyze global warming impacts resulting from cars and light duty trucks if the projects are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in an applicable Sustainable Communities Strategy or alternative planning strategy. Consequently, if a project meets the requirements of a transit priority project, its mobile source emissions need not be included in the assessment of GHG impacts.

Section 21155 of the California Public Resources Code defines transit priority projects as projects that:

1. Contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;
2. Provide a minimum net density of at least 20 dwelling units per acre; and
3. Are located within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the

> applicable regional transportation plan. For purposes of this section, a high-quality transit corridor means a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours. A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have not more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor.

The Modified Project proposes approximately 166,055 sf of residential uses and approximately 52,176 sf of nonresidential use (76 percent residential use). Therefore, the Modified Project meets condition (1) above for qualification as a transit priority project. The Modified Project proposes approximately 160 DUs on a parcel of approximately 0.8 acre, which is equivalent to approximately 200 DUs per acre. Consequently, the Modified Project meets condition (2) above for qualification as a transit priority project.

As defined in Section 21064.3 of the California Public Resources Code, a major transit stop is a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute period. The Lake Merritt station is approximately 0.25 mile east of the Modified Project site and the 12th Street/Oakland City Center BART station lies within 0.5 mile to the northwest. An existing AC Transit bus stop at the corner of 7th Street and Harrison Street (serving routes 11 and 62) would also provide transit options for the Modified Project, as would numerous other AC Transit stops within 0.25 mile of the Modified Project site. Consequently, the Modified Project meets condition (2) above for qualification as a transit priority project.

Because the Modified Project meets all three conditions for qualifying as a transit priority project, the mobile source emissions of the Modified Project need not be included in the assessment of GHG impacts in the environmental document pursuant to Section 15183.5(c) of the CEQA Guidelines.

Nonetheless, the global warming impacts resulting from cars and light duty trucks (i.e., mobile emissions) were conservatively included in the GHG emissions analysis of the Modified Project (see Table 2).

Overall, the effects of the Modified Project related to consistency with GHG emissions plans and policies would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project would also be similar to or less severe than those identified in the Program EIRs (specifically, the Housing Element and the LMSAP EIRs) considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to consistency with GHG emissions plans and policies.

Conclusions – Greenhouse Gas Emissions

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to GHG emissions that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures or SCAs related to GHG emissions, and none would be necessary for the Modified Project.

8. Hazards and Hazardous Materials

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☑	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☑	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☑	☐	☐
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	☑	☐	☐
e) Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and would result in a safety hazard for people residing or working in the Project Area; or be located within the vicinity of a private airstrip, and would result in a safety hazard for people residing or working in the Project Area?	☑	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☑	☐	☐
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR found effects regarding hazards and hazardous materials including risk of upset in school proximity and emergency response/evacuation plans would be less than significant. The LUTE EIR identified mitigation measures requiring the preparation and implementation of site-specific health and safety plans to reduce potentially significant effects from hazardous substance exposure of workers and the public to less than significant. These mitigation measures are now incorporated into the applicable City of Oakland SCAs.

Housing Element EIR Findings

The Housing Element EIR found effects regarding hazards and hazardous materials including risk of upset in school proximity and emergency response/evacuation plans would be less than significant.

Impacts associated with hazardous materials transport, use, and disposal would be less than significant and compliance with the Municipal Code. Compliance with the City of Oakland SCAs requiring the preparation and implementation of site-specific health and safety plans, a Phase I and/or Phase II Environmental Site Assessment and implementation of recommended remediation, site review by the fire services division, lead-based paint/coatings, asbestos, or PCB occurrence assessment, lead-based paint remediation, best management practices for soil and groundwater hazards, and implementation of a vegetation management plan, as well as the Municipal Code would ensure that hazardous building materials and/or contaminated soils and/or groundwater would be properly identified, handled, removed, and/or remediated; protect the health and safety of construction workers on sites where hazardous materials have been identified and reduce impacts associated with wildland fires to a level of less than significant.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that with implementation of SCAs, impacts related to hazards and hazardous materials would be less than significant with development occurring under LMSAP.

2011 EIR Findings

Hazardous Materials (Criteria a–d)

The 2011 EIR found that demolition of existing on-site structures could result in the release of hazardous materials, including asbestos and lead-based paint, which may be present given the age of those structures. The Original Project was required to implement City SCAs to ensure a less than significant impact related to release of hazardous materials.

The 2011 EIR found that construction workers and future site users and residents may be exposed to small quantities of hazardous materials routinely used in construction or commercial operations if materials are improperly handled or stored. Improper management of hazardous materials could result in the accidental release of those materials and pose a substantial hazard to human health and the environment. Management of hazardous materials during construction and operations shall comply with applicable laws and the Original Project was required to implement City SCAs to ensure less than significant impacts.

The Original Project site is within 0.25 mile of Lincoln Elementary School; however, proposed development would not result in hazardous emissions or the need to handle hazardous materials, substances, or waste.

The Phase I Environmental Site Assessment and the Phase II Subsurface Investigation prepared for the 2011 EIR found that, although the Original Project site is not on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, a plume of contaminated groundwater migrated to the site from off-site leaking underground storage tanks. The potential presence of contaminated groundwater poses an environmental risk and potential health risk during construction activities, which could potentially disperse contaminants into the environment and expose construction workers and the public to these contaminants.

The Phase II Subsurface Investigation recommended reporting its results as required by city, county, and state regulations. The report also recommended a follow-up subsurface investigation to investigate the lateral and vertical extent of the two areas of groundwater contamination and determine the necessity of remediation. Additionally, the Department of Toxic Substances Control recommended that a follow-up investigation be conducted to include sampling and analyses to address information gaps it noted in the Phase II report. Ultimately, the EIR found that risks associated with possible exposure to contaminated groundwater, metals that may be found in the soil, or other chemicals that may have been released would be reduced to a level of less than significant with implementation of required SCAs and compliance with regulatory requirements of the Department of Toxic Substances Control, BAAQMD, RWQCB, Alameda County Department of Environmental Health, California Occupational Safety and Health Administration, and the City Fire Department.

Other Hazards (Criteria e–g)

Harrison Street adjacent to the Original Project site has been identified as an evacuation route. The 2011 EIR found that development of the Original Project would not impair implementation of, or physically interfere with, an emergency response or evacuation plan. Implementation of the City's SCA that requires an encroachment permit for work within street rights-of-way and standard construction-period notification requirements to first responders would ensure construction of the Original Project would not significantly interfere with emergency response plans. The Original Project would not include vehicular access or loading areas along the one-way Harrison Street frontage, and it would not be possible for vehicles exiting the site to turn directly onto Harrison Street. Potential impacts related to interference with an emergency response plan or emergency evacuation plan resulting from project development were found to be less than significant.

The 2011 EIR found that the Original Project site is not within an Airport Land Use Plan Area or within two miles of a public or private airport. Development of the Original Project was found to have no impact related to airport hazards.

The Original Project site is in urbanized downtown Oakland and there or no wildlands on site or in the vicinity that could pose a risk of wildland fires Development of the Original Project was found to have no impact related to wildland fires.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Hazardous Materials (Criteria a–d)

Construction and operational activities associated with development of the Modified Project could result in the accidental release of hazardous materials (including asbestos and lead-based paint) and may involve the handling, transport, or use of small quantities of hazardous materials. Development of the Modified Project would not result in hazardous emissions or the need to handle substantial quantities of hazardous materials, substances, or waste within 0.25 mile of an existing school. The Modified Project, however, would be required to conform to Title 49 of the Code of Federal Regulations; US Department of Transportation; State of California; and local laws, ordinances, and procedures. Implementation of **SCA-HAZ-1: Hazards Materials Related to Construction**, **SCA-HAZ-2: Hazardous Building Materials and Site Contamination**, **SCA-HAZ-3: Hazardous Materials Business Plan**, and **AIR-4:**

Asbestos in Structures will be required for the Modified Project to minimize the risk of hazardous materials exposure to the public. Impacts related to the handling, transport, use, or accidental release of hazardous materials during construction and operation would be ***less than significant*** with implementation of SCAs HAZ-1, HAZ-2, HAZ-3, and AIR-4.

Criterion 15300.2(e) of the CEQA Guidelines precludes CEQA exemptions for projects that are on sites included on any list compiled pursuant to Section 65962.5 of the Government Code identifying prior releases of hazardous materials that, because of such a listing, would create a significant hazard to the public or the environment. The Modified Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[6, 7] There is, however, a nearby leaking underground storage tank site north of 7th Street and east of Harrison Street which had previously affected the project site. A monitoring well was therefore established on the southwest corner of 7th and Harrison streets (the project site).

As discussed in the 2011 EIR, a plume of contaminated groundwater had migrated to the site from the known off-site leaking underground storage tank. A review of the most recent data from the groundwater monitoring well on the site indicates that contamination levels appear to have been at their maximum concentrations in 2004, and were reduced to zero in 2011.[8] The follow-up subsurface investigation recommended by the Phase II Subsurface Investigation prepared for the 2011 EIR has not yet occurred, as much of that investigation could only be completed once the site has been cleared of existing structures. Therefore, the follow-up subsurface investigation remains a requirement for the Modified Project to determine if remediation will be necessary. Compliance with regulatory requirements of the Department of Toxic Substances Control, BAAQMD, RWQCB, Alameda County Department of Environmental Health, California Occupational Safety and Health Administration, and the City Fire Department, as well as the implementation of SCA HAZ-1 would reduce potential impacts to a level of ***less than significant***.

Overall, the effects of the Modified Project related to hazardous materials would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to hazardous materials would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to hazardous materials.

Other Hazards (Criteria e–g)

Development of the Modified Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Emergency access would be maintained to properties in the vicinity during construction. Any need for traffic lane reductions or street closure due to construction would be short-term and temporary. Implementation of **SCA-AIR-1: Construction Management Plan** and **SCA TRAN-2: Construction Activity in the Public Right-of Way** will be required for the Modified Project. Impacts related to emergency access would be ***less than significant*** with implementation of SCAs AIR-1 and TRAN-2.

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6 State Water Resources Control Board GeoTracker Database, website accessed July 21, 2016 at http://geotracker.waterboards.ca.gov/.

7 Department of Toxic Substances Control EnviroStor Database, website accessed July 21, 2016 at http://www.envirostor.dtsc.ca.gov/public/.

8 State Water Resources Control Board GeoTracker Database, website accessed July 21, 2016 at http://geotracker.waterboards.ca.gov/.

Consistent with the conclusions of the 2011 EIR, the Modified Project site is not within an Airport Land Use Plan Area, nor is it within two miles of a public airport, public use airport, or a private airstrip. The Modified Project would have ***no impact*** related to airport hazards.

The Modified Project site, located in urbanized downtown Oakland is not within a Fire Hazard Severity Zone subject to significant wildfire hazard.[9] The Project would have ***no impact*** related to wildland fires.

Overall, the effects of the Modified Project related to other emergency response, airport hazards, and wildland fire would be similar to or less than those discussed in the 2011 EIR and would remain less than significant or would have no impact. The effects of the Modified Project related to emergency response, airport hazards, and wildland fire would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to emergency response, airport hazards, and wildland fire.

Conclusions – Hazards and Hazardous Materials

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to hazards and hazardous materials that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures related to hazards and hazardous materials, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to hazards and hazardous materials will apply to the Modified Project (SCA-HAZ-1: Hazards Materials Related to Construction, SCA-HAZ-2: Hazardous Building Materials and Site Contamination, SCA-HAZ-3: Hazardous Materials Business Plan, SCA-AIR-1: Construction Management Plan, SCA-AIR-4: Asbestos in Structures, and SCA-TRAN-2: Construction Activity in the Public Right-of Way). Adherence to the Phase I and Phase II recommendation as well as federal, state, and local regulatory requirements is also required for the Modified Project.

[9] California Department of Forestry and Fire Protection. Alameda County Fire Hazard Severity Zone Map. Website accessed August 24, 2016. http://www.fire.ca.gov/fire_prevention/fhsz_maps_alameda

9. Hydrology and Water Quality

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

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR found impacts on hydrology or water quality would be less than significant, primarily given required adherence to existing regulatory requirements. The LUTE EIR acknowledged that areas considered under that EIR could potentially occur within a 100-year flood boundary. Adherence to existing regulatory requirements that are incorporated in the City of Oakland's SCAs would address potentially significant effects regarding flooding.

Housing Element EIR Findings

The Housing Element EIR found less than significant impacts on hydrology and water quality, primarily given required adherence to existing regulatory requirements, many of which are incorporated in the City's SCAs. The Housing Element EIR also found less than significant impacts related to flooding and risks from flooding.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that with implementation of SCAs impacts on hydrology and water quality, groundwater, and flooding would be less than significant with development occurring under the LMSAP.

2011 EIR Findings

Water Quality, Stormwater, Groundwater (Criteria a–h)

The 2011 EIR determined that construction and operational activities could potentially introduce pollutants into stormwater runoff, resulting in degradation of downstream water quality. The Original Project was required to comply with the City of Oakland and Alameda County stormwater quality protection requirements. The Original Project was also required to demonstrate compliance with the requirements of Provision C.3 of the National Pollutant Discharge Elimination System (NPDES). These C.3 provisions require preparation and approval of a Stormwater Pollution Management Plan to limit the discharge of pollutants in stormwater to the maximum extent practicable, including design measures to reduce the amount of impervious surface area, source control measures to limit the potential for stormwater pollution, and stormwater treatment measures to remove pollutants from runoff. Storage and use of hazardous materials at the Original Project site during construction activities would comply with best management practices (BMPs) as specified in the required Stormwater Pollution Prevention Plan (SWPPP) and pursuant to City SCAs, reducing potential impacts to a level of less than significant.

The 2011 EIR concluded that development of the Original Project would not result in any change in existing groundwater recharge, and would not deplete groundwater. The Phase I Environmental Site Assessment and the Phase II Subsurface Investigation prepared for the 2011 EIR suggest that water generated from any potential dewatering may contain contaminants from a known off-site leaking underground storage tank. If the follow-up investigation determines that remediation of groundwater contamination is recommended, City SCAs were required to reduce risk of contaminated groundwater exposure during dewatering and to ensure compliance with water quality or waste discharge standards.

The 2011 EIR determined that the Original Project would not increase the impervious surface area of the site. The City's Storm Drainage Design Guidelines require a net reduction of 25 percent in the peak

stormwater runoff rate from the site to the extent possible and may be incorporated into the C.3 stormwater quality control requirements.

The 2011 EIR found that development of the Original Project site would not result in any changes to existing drainage patterns. The Original Project would be connected to the City of Oakland's stormwater drainage system. All drainage and stormwater runoff is conveyed via underground pipes and conduits to pumping plants, which discharge runoff into the San Francisco Bay.

Flood Hazards (Criteria i–j)

The 2011 EIR found that no portion of the Original Project site is within a 100-year flood hazard area, no housing or other structures would be placed within such an area, and development would not expose people or structures to hazards associated with flooding. No impact related to flooding or flood-related hazards was found. The Original Project site is not in an area subject to tsunami, seiche, or mudslides and no impact related to these hazards was found. Because there are no creeks flowing through or adjacent to the site, no impact related to creek alteration or the City of Oakland Creek Protection Ordinance was found.

Modified Project Analysis

The existing hydrology conditions and immediate surroundings of the Modified Project site are generally unchanged since certification of the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Water Quality, Stormwater, Groundwater (Criteria a–h)

Development of the Modified Project site would include grading and excavation over an approximately 0.8-acre area, potentially resulting in siltation and downstream sedimentation of stormwater runoff, and construction activities could result in pollutants entering stormwater runoff and downstream receiving waters. Operation of the Modified Project would also have the potential to introduce pollutants into stormwater runoff that could result in degradation of downstream water quality. The Modified Project will be required to obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board. Coverage under this permit requires preparation of a SWPPP for review and approval by the City, and evidence of approval of the SWPPP by the State Water Resources Control Board. At a minimum, the SWPPP will include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; a list of provisions to eliminate or reduce discharge of materials to stormwater; BMPs; and an inspection and monitoring program.

Implementation of **SCA-HYDR-1: Erosion and Sedimentation Control Measures for Construction** and **SCA-HYDR-2: NPDES C.3 Stormwater Requirements for Regulated Projects** will be required for the Modified Project to reduce the pollutants in stormwater runoff during construction and operation of the Modified Project. Impacts on water quality would be ***less than significant*** with implementation of SCAs HYDR-1 and HYDR-2.

Development of the Modified Project would not result in any change in existing groundwater recharge, and would not deplete groundwater. If dewatering is required and the follow-up investigation determines that remediation of groundwater contamination is recommended, compliance with federal, state, and local regulatory requirements, as well as the implementation of SCA HAZ-1 would reduce any potential impacts to a level of ***less than significant***.

The Modified Project would create and replace 10,000 sf or more of new or existing impervious surface area and therefore would be a regulated project under the NPDES C.3 requirements. Project design includes treatment of 12,425 sf of impervious area through use of 497 sf of planters, resulting in 35% of low impact development treatment.

Development of the Modified Project would not substantially alter existing drainage patterns of the area. Development of the Modified Project would not likely result in a substantial volume of surface runoff or adversely affect drainage patterns or capacity. Impacts would be ***less than significant***.

Overall, the effects of the Modified Project related to water quality, stormwater, and groundwater would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to water quality, stormwater, and groundwater would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to water quality, stormwater, and groundwater.

Flood Hazards (Criteria i–j)

Development of the Modified Project would not result in substantial flooding on- or off-site; would not expose people or structures to a substantial risk of loss, injury, or death involving flooding; would not impede or redirect flood flows or place within a 100-year flood hazard area structures which would impede or redirect flood flows; nor would it place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Map. The Modified Project site is not subject to tsunami inundation.[10] There would be ***no impact*** related to flood hazards.

Overall, the effects of the Modified Project related to flood hazards would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to flood hazard would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to flood hazard.

Conclusions – Hydrology and Water Quality

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to hydrology and water quality that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures related to hydrology and water quality, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to hydrology and water quality will apply to the Modified Project (SCA-HYDR-1: Erosion and Sedimentation Control Measures for Construction, SCA-HYDR-2: NPDES C.3 Stormwater Requirements for Regulated Projects, and SCA-HAZ-1: Hazards Materials Related to Construction).

[10] California Department of Conservation. 2016. http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Alameda

10. Land Use

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

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR found impacts related to land use, plans, and policies would be less than significant, and no mitigation measures were warranted.

Housing Element EIR Findings

The Housing Element EIR found impacts related to land use, plans, and policies would be less than significant and no mitigation measures were warranted.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that impacts related to land use and planning would be less than significant with development occurring under the LMSAP. No mitigation measures were required and no City SCAs apply. Compliance with LUTE Policies Dl0.2, N5.2, and N8.2 would ensure that development under the LMSAP would not conflict with surrounding land uses, or with existing plans, policies, and regulations adopted for the purpose of mitigating an environmental effect.

2011 EIR Findings

Land Use (Criteria a–d)

The Original Project site is in the Chinatown neighborhood of downtown Oakland, which has already been physically divided by the presence of the I-880 freeway. The 2011 EIR found that development of the Original Project would not physically divide the community or result in a fundamental conflict

between adjacent or nearby land uses. Development of the site would be consistent with the City's General Plan, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect and result in a physical change in the environment, and would not conflict with any habitat conservation plan. No impact related to land use was found.

Modified Project Analysis

The existing conditions of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Land Use (Criteria a–d)

The Modified Project site has been identified in the LMSAP as an Opportunity Site within the I-880 Freeway Corridor Plan District (Opportunity Site #32), and is categorized as a site under approved development (the Original Project). The intent of the LMSAP and its Opportunity Sites is to encourage revitalization, economic growth, and community enhancement in the area around Lake Merritt BART Station. Development of the Modified Project would result in the revitalization of this blighted property with a mixed-use building containing residential and retail uses. Development of the Modified Project would help improve existing conditions and contribute to the existing community and would not physically divide an established community. The Modified Project would be consistent with the General Plan land use designation and would not conflict with any applicable land use plan or habitat conservation plan. There would be ***no impact*** related to land use.

Overall, the effects of the Modified Project related to land use would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to land use would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to land use.

Conclusions – Land Use

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to land uses, plans, or policies that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures or SCAs related to land uses, plans, or policies, and none would be necessary for the Modified Project.

11. Mineral Resources

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☑	☐	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☑	☐	☐

Previous EIRs

Program EIR Findings

Mineral resources were not expressly addressed in the 1998 LUTE EIR or the LMSAP EIR. Under CEQA, lack of discussion of a topic in the environmental analysis implies an assumption that impacts were not significant in that topic area. The Housing Element EIR found no impacts on known mineral resources or significant mineral resources.

2011 EIR Findings

Mineral Resources (Criteria a, b)

The 2011 EIR found that there are no known mineral resources or mineral resource recovery activities on or near the site. Development of the Original Project would not result in the loss of known mineral resources or the availability of a locally important mineral resource recovery site. No impact on mineral resources was found.

Modified Project Analysis

The existing conditions and uses of the and near the Modified Project site remain generally unchanged from the 2011 EIR. The Modified Project site is completely developed and is surrounded by single-story and low-rise commercial and residential development, as well as other urban uses.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Mineral Resources (Criteria a, b)

Development of the Modified Project would occur on the same site as analyzed in the 2011 EIR. The site does not contain mineral resources or uses. Development of the Modified Project would not result in the loss of known mineral resources or the availability of a locally important mineral resource recovery site. There would be ***no impact***.

Overall, the effects of the Modified Project related to mineral resources would be similar to or less than those discussed in the 2011 EIR and there would be no impact. The effects of the Modified Project related to mineral resources would also be similar to or less severe than those identified in the Program

EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to mineral resources.

Conclusions – Mineral Resources

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to mineral resources that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures or SCAs related to mineral resources, and none would be necessary for the Modified Project.

12. Noise

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project result in:			
a) Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code section 17.120.050) regarding construction noise, except if an acoustical analysis is performed that identifies recommended measures to reduce potential impacts?	☑	☐	☐
b) Generate noise in violation of City nuisance standards (Oakland Municipal Code section 8.18.020) regarding persistent construction-related noise?	☑	☐	☐
c) Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code section 17.120.050) regarding operational noise?	☑	☐	☐
d) Generate noise resulting in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or, if under a cumulative scenario where the cumulative increase results in a 5 dBA permanent increase in ambient noise levels in the project vicinity without the project, a 3 dBA permanent increase is attributable to the project?	☑	☐	☐
e) Expose residents to interior Ldn or CNEL greater than 45 dBA per California Noise Insulation Standards?	☑	☐	☐
f) Expose the project to community noise in conflict with the land use compatibility guidelines of the Oakland General Plan after incorporation of all applicable Standard Conditions of Approval?	☑	☐	☐
g) Expose persons to or generate noise levels in excess of applicable standards established by a regulatory agency (e.g., occupational noise standards of the Occupational Safety and Health Administration?	☑	☐	☐
h) During either project construction or project operation, expose persons to or generate groundborne vibration that exceeds the criteria established by the Federal Transit Administration?	☑	☐	☐
i) Be located within an airport land use plan and would expose people residing or working in the project area to excessive noise levels?	☑	☐	☐
j) Be located within the vicinity of a private airstrip, and would expose people residing or working in the project area to excessive noise levels?	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified mitigation measures to address potential noise conflicts between different land uses. These measures included requirements for the City to establish design requirements for large-scale commercial development to provide a buffer from residential uses and to rezone mixed residential nonresidential neighborhoods, as well as other strategies and policies to reduce conflicts. Regarding construction noise, the LUTE EIR identified a significant and unavoidable construction noise and vibration impact in Downtown, even after the incorporation of mitigation measures.

Housing Element EIR Findings

The Housing Element EIR identified potentially significant impacts related to construction noise and operational noise. After implementation of SCAs requiring restrictions on noise-generating activities, reductions in noise levels from construction activities, notification of construction activities and complaint procedures, retention of a structural engineer to determine potentially damaging vibration thresholds, and inclusion of project design measures to reduce interior noise and groundborne vibration to acceptable levels within the buildings, these impacts would be reduced to a level of less than significant. Traffic and airport noise impacts were determined to be less than significant.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that with implementation of SCAs, construction-period and operational noise impacts would be less than significant for development occurring under the LMSAP. The LMSAP EIR determined that while construction activities could expose nearby residential uses to noise levels exceeding the General Plan standard of 80 and 85 dBA, construction of individual development projects implemented under the LMSAP would be temporary in nature and associated impacts would be less than significant with implementation of applicable SCAs. The LMSAP EIR also determined that operational noise associated with projects developed under the Plan would be less than significant, and implementation of applicable SCAs would ensure that impacts are reduced to a less than significant level.

2011 EIR Findings

Construction and Operational Noise (Criteria a–d, g, h)

The 2011 EIR found that construction activities would temporarily increase noise levels near the Original Project site. With the required implementation of City of Oakland SCAs regarding construction noise (see **SCA-NOS-1: Construction Days/Hours**, **SCA-NOS-2: Construction Noise**, **SCA-NOS-3: Extreme Construction Noise**, and **SCA-NOS-4: Construction Noise Complaints** in Attachment A), the 2011 EIR found that construction noise impacts were less than significant.

The 2011 EIR also found that there would be some noise generated through routine activity in the commercial space and residential units, but operational activities would be unlikely to generate noise in violation of the City's Noise Ordinance. Given the high ambient noise levels present near the Original Project site (due to proximity to a major freeway), it is unlikely that operational activities would result in a permanent 5 dBA increase in ambient noise. Traffic associated with the new residential units would

not be expected to result in a doubling of existing traffic volumes on any roadway near the site; there would be no noticeable increase in project-generated traffic noise.

Interior Noise (Criteria e, f, i, j)

*CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally **not** required to be analyzed or mitigated under CEQA. The 2011 EIR nevertheless analyzed potential effects of the environment on the project, which is presented here in order to provide information to the public and decision-makers.*

The Original Project site is within approximately 60 feet of the I-880 freeway. The 2011 EIR found that new residential and other noise-sensitive land uses could be exposed to existing noise levels that exceed the City's acceptable noise level standard for multi-family residential land uses. The noise exposure of 83 dBA L_{dn} falls in the "clearly unacceptable" category set forth in the City's noise and land use compatibility guidelines. Compliance with the City SCA (see **SCA-NOS-5: Operational Noise in Attachment A)** and the building design requirements of Title 24, would reduce the interior noise to acceptable levels.

Additionally, the Original Project site is not near a public airport or within an airport plan area. The Original Project would not expose persons residing at the site to excessive noise levels as a result of proximity to an airport.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Construction and Operational Noise (Criteria a–d, g, h)

Construction of the Modified Project would generate noise from construction activities such as demolition, site grading, foundation work, framing, and construction of the new building.

Implementation of **SCA-NOS-1: Construction Days/Hours**, **SCA-NOS-2: Construction Noise**, **SCA-NOS-3: Extreme Construction Noise**, and **SCA-NOS-4: Construction Noise Complaints** will be required for the Modified Project to reduce the effects of construction noise by requiring reasonable limits on construction hours and implementation of a noise reduction program.

Operation of the Modified Project would generate noise from new sources such as heating, ventilation, and air conditioning equipment, and potentially from the residential and commercial uses. Implementation of **SCA-NOS-5: Operational Noise** will be required for the Modified Project to reduce operational noise.

The marginal increase in traffic and traffic noise associated with the Modified Project has been fully accounted for in the 2011 EIR, which found that there would be no noticeable increase in project-generated traffic noise from the Original Project. Given the Modified Project would generate less traffic than the Original Project, it follows that development of the Modified Project would not result in a 5 dBA permanent increase above existing traffic noise levels, and would not generate significant traffic noise.

Impacts related to construction and operational noise would be ***less than significant*** with implementation of SCAs NOS-1, NOS-2, NOS-3, NOS-4, and NOS-5.

Overall, the effects of the Modified Project related to construction and operational noise would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to construction and operational noise would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to construction and operational noise.

Interior Noise (Criteria e, f, i, j)

*CEQA requires the analysis of potential adverse effects of the project on the environment. Potential effects of the environment on the project are legally **not** required to be analyzed or mitigated under CEQA. However, this document nevertheless analyzes potential effects of the environment on the project in order to provide information to the public and decision-makers. Where a potential significant effect of the environment on the project is identified, the document, as appropriate, identifies City Standard Conditions of Approval and/or project-specific non-CEQA recommendations to address these issues.*

The Modified Project site is within approximately 60 feet of the I-880 freeway and existing noise levels exceed the City's acceptable noise level standard for multi-family residential land uses. The Modified Project would expose new residential uses to existing and anticipated future noise sources, including traffic noise from local arterial roadway. Compliance with the building design requirements of Title 24, would reduce the interior noise to acceptable levels.

Implementation of **SCA-NOS-6: Exposure to Community Noise** will be required for the Modified Project to reduce the noise exposure of residents. Furthermore, the Modified Project will be required to comply with the City's Municipal Code requirements that specify noise standards for commercial operations to ensure that the noise environment both indoors and outdoors does not increase in a manner that worsens existing land use compatibility and exposes noise-sensitive land uses to unacceptable noise levels.

Overall, the effects of the Modified Project related to interior noise would be similar to or less than those discussed in the 2011 EIR. The effects of the Modified Project related to interior noise would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not exceed City significance thresholds, it would not contribute to a cumulative effect related to interior noise.

Conclusions – Noise

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to noise that were not identified in those EIRs. Mitigation identified in the LUTE EIR to address noise and land use conflicts would not apply as there are no such conflicts for the Modified Project. The Previous EIRs did not identify any additional mitigation measures related to noise, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to reducing construction noise, operational noise, and interior noise, will apply to the Modified Project (SCA-NOS-1: Construction Days/Hours, SCA-NOS-2: Construction Noise, SCA-NOS-3: Extreme Construction Noise, SCA-NOS-4: Construction Noise Complaints, SCA-NOS-5: Operational Noise, and SCA-NOS-6: Exposure to Community Noise).

13. Population and Housing

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

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR found less than significant impacts related to population, housing, and potentially significant impacts related to employment. The LUTE EIR identified mitigation requiring the City to develop a database of vacant and underutilized parcels to address unanticipated employment growth (compared to regional ABAG projections); no other mitigation was warranted.

Housing Element EIR Findings

The Housing Element EIR found less than significant impacts related to population, housing, and employment and no mitigation measures were warranted.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that impacts related to population and housing would be less than significant with development occurring under the LMSAP. No mitigation measures or SCAs would be required. The LMSAP EIR assumes that associated growth in the number of households and population occurring from development under the LMSAP would be in line with regional growth projections, including ABAG's 2009 growth forecast for 2035 and would not result in unplanned population growth.

2011 EIR Findings

Population and Housing (Criteria a–d)

The 2011 EIR found that, although the residential units at 617-621 Harrison Street and the residents of those units would be displaced, the removal of the residential structure would not result in substantial loss of existing housing units in Oakland or the displacement of substantial numbers of people. Development of the Original Project would result in the addition of 382 new DUs, which would more than replace the loss of residential units. The addition of 382 DUs would induce population growth, which has been anticipated in the City's Housing Element. The high-density residential development and ground-floor commercial uses are consistent with the City of Oakland's land use policies directing future growth in downtown Oakland. The 2011 EIR therefore found this impact was less than significant.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain mostly unchanged from the 2011 EIR. The residence at 617-621 Harrison Street has been destroyed by fire since the approval of the 2011 EIR and the lot is now vacant.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Population and Housing (Criteria a–d)

The General Plan designation and zoning for the Modified Project site allows for mixed commercial and residential uses. Development of the Modified Project would add new housing where none currently exists and would not result in the displacement of housing or people. Development of the Modified Project would also add retail uses and would not include changes in the General Plan designation or site zoning to non-commercial uses. Development of the Modified Project would include demolition of the existing businesses on-site, but would not amount to a substantial displacement of businesses or jobs.

The Modified Project would provide 160 new dwelling units above ground-floor retail. The increase in population growth associated with the Modified Project has been accounted for in the buildout projections of the Housing Element, which are consistent with ABAG projections of household growth. The infill growth resulting from the Modified Project is not considered substantial. Additionally, the Modified Project aligns with Oakland General Plan and LMSAP policies that support additional housing opportunities near the Lake Merritt BART station. Impacts would be ***less than significant***.

Overall, the effects of the Modified Project related to population and housing would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to population and housing would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to population and housing.

Conclusions – Population and Housing

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to population and housing that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures or SCAs related to population and housing, and none would be necessary for the Modified Project.

14. Public Services and Recreation

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives?	☑	☐	☐
b) Result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives?	☑	☐	☐
c) Result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, or the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives?	☑	☐	☐
d) Result in substantial adverse physical impacts associated with the provision of other new or physically altered government facilities, or the need for other new or physically altered government facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives?	☑	☐	☐
e) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☑	☐	☐
f) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified a significant and unavoidable impact for fire safety, with mitigation measures pertaining to construction of a fire station in the North Oakland Hills area; the LUTE EIR

identified additional significant impacts related to public services, and identified mitigation measures that are functionally equivalent to the SCAs to reduce potential effects to less than significant. Mitigation for potentially significant impacts related to police and fire protection, schools, and libraries are specific policies or strategies for the City to implement—such as considering the availability of police and fire protection services, park and recreation services, schools, and library services during review of major land use or policy decisions—and specific to Oakland Unified School District—such as reassigning students among district schools to account for changing population and new development.

Housing Element EIR Findings

The Housing Element EIR found less than significant impacts related to schools, libraries, and parks. Potentially significant impacts on police and fire facilities and services were reduced to a level of less than significant with implementation of SCAs requiring Fire Services Division Approval to ensure that the site design and fire safety features of the project adequately address fire hazards, spark arrestors on construction equipment to further reduce the risk of construction-period fires, as well as the mitigation identified in the LUTE.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR determined that the increase in demand for public services (i.e., fire, police, and schools) and park and recreation services from development under the LMSAP would be less than significant. The Oakland Police Department and Fire Department would adjust service capacity as needed and the City is responsible for coordinating service provisions to adjust to the expected increase in demand for these services. New development is required to adhere to appropriate building and fire code requirements that would be incorporated into project construction. The LMSAP area is well-served by libraries, and the LMSAP includes the creation of new parks and open spaces, and improved access to the regional parks system. Potential impacts to public services would be less than significant with implementation of SCAs. No mitigation measures or SCAs were required regarding recreation.

2011 EIR Findings

Fire Protection (Criterion a)

The 2011 EIR found that development of the Original Project would be expected to result in an incremental increase in the number of emergency calls; however, this increase would not be anticipated to be substantial. The impacts related to fire protection were found to be less than significant with implementation of City SCAs and compliance with all applicable federal, state, regional, and local requirements, as well as normal development review and permitting procedures, and building and fire code requirements.

Police Protection (Criterion b)

The 2011 EIR found that development of the Original Project would incrementally increase the demand for police services, but the increased demand generated by 382 new DUs would not be substantial. The impacts related to police protection were found to be less than significant.

Schools (Criterion c)

The 2011 EIR found that development of the Original Project could be expected to add approximately 268 new students to local enrollment in public schools. Prior to the issuance of building permits, the applicant would be required to pay all school impact fees to offset any impacts on school facilities

associated with the Original Project. The impacts related to schools were found to be less than significant.

Parks and Recreation (Criteria d–f)

The Original Project site is served by a number of existing parks, including the adjacent Chinese Garden Park and Lakeside Park (approximately 0.5 mile from the site). In addition, the recreational opportunities of the Jack London Square area are also within 0.5 mile. The 2011 EIR found that development of the Original Project would not be expected to result in significant impacts on existing park and recreational facilities such that substantial deterioration would occur, nor would existing facilities need expansion. This impact was found to be less than significant.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Fire Protection (Criterion a)

Development of the Modified Project would slightly increase the demand for local fire service and result in an associated increase in service calls, but not to an extent that would result in the need for new or physically altered fire protection facilities. The Modified Project would be subject to the policies, regulations, standards, and SCAs of the City, including appropriate standards for emergency access roads, emergency water supply, and fire preparedness, capacity, and response. Impacts related to fire protection would be ***less than significant***.

Overall, the effects of the Modified Project related to fire protection would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to fire protection would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to fire protection.

Police Protection (Criterion b)

Development of the Modified Project would slightly increase the demand for local police service, but not to an extent that would result in the need for new or physically altered police protection facilities. Impacts related to police protection would be ***less than significant***.

Overall, the effects of the Modified Project related to police protection would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to police protection would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to police protection.

Schools (Criterion c)

Development of the Modified Project may slightly increase the enrollment in local Oakland Unified School District schools; however, the District has capacity within its existing facilities to accommodate new students generated by the Modified Project. The applicant's contribution of the required school

impact fee to offset any impacts on school facilities from the Modified Project would result in a ***less than significant*** impact.

Overall, the effects of the Modified Project related to schools would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to schools would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to schools.

Parks and Recreation (Criteria d–f)

Development of the Modified Project would slightly increase the demand for local parks and recreation facilities, but not to an extent that would result in a substantial physical deterioration of existing facilities and would not accelerate the need for new facilities. Impacts related to parks and recreation would be ***less than significant***.

Overall, the effects of the Modified Project related to parks and recreation would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to parks and recreation would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to parks and recreation.

Conclusions – Public Services and Recreation

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to public services or park and recreational facilities that were not identified in those EIRs. Mitigation identified in the LUTE EIR to address potential impacts in the North Oakland Hills areas would not apply. The Previous EIRs did not identify any additional mitigation measures or SCAs related to public services or park and recreational facilities, and none would be needed for the Modified Project.

15. Transportation/Traffic

	Equal or Less Severity of Impact Previously Identified in the Previous EIRs	Substantial Increase in Severity of Previously Identified Significant Impact in Previous EIRs	New Significant Impact
Would the project:			
a) Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of serve or other measures of vehicle delay)?	☑	☐	☐
b) Cause substantial additional VMT per capita, per service population, or other appropriate efficiency measure:	☑	☐	☐
iii. For residential projects, would the project cause substantial VMT by exceeding existing regional household VMT per capita minus 15 percent?			
iv. For office projects, would the project cause substantial VMT by exceeding existing regional VMT per employee minus 15 percent?			
v. For retail projects, would the project cause substantial VMT by exceeding existing regional VMT per capita minus 15 percent?			
c) Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network?	☑	☐	☐

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified significant and unavoidable impacts regarding intersection and/or roadway segment operations. Various mitigation measures are identified. Other transportation/circulation effects identified in each of the document are reduced to less than significant with adherence to mitigation measures. The LUTE EIR identified significant and unavoidable impacts regarding degradation of the level of service (LOS) for several roadway segments citywide. A mitigation measure was identified for one Downtown intersection to reduce the intersection operations to less than significant. All other topics were found less than significant. The LUTE EIR did not identify an impact at the intersections that are affected by the Modified Project.

Housing Element EIR Findings

The Housing Element EIR also found significant and unavoidable traffic impacts at numerous intersections and/or roadway segments. Other transportation/circulation impacts identified in the

Housing Element EIR were found to be reduced to less than significant with adherence to the City SCAs. However, the Housing Element EIR did not identify an impact at those intersections potentially affected by the Modified Project.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR evaluated 45 intersections and 10 freeway segments in and near the LMSAP area (including the City of Alameda) for potential LOS impacts. Under Existing Plus Project conditions, significant impacts at a total of seven intersections were identified. Impacts at three of these intersections would be reduced to a less than significant level with implementation of the recommended mitigation measures. However, impacts on the remaining four intersections would be significant and unavoidable. Under Existing Plus Project conditions, impacts on one freeway segment would be significant and unavoidable. In addition, under Existing Plus Project conditions, impacts related to pedestrian circulation at two City of Alameda intersections would be significant and unavoidable because the City of Oakland does not have the authority to construct recommended improvements. Under Interim 2020 Plus Project conditions, significant unavoidable impacts were identified at three intersections. Under Cumulative 2035 Plus Project conditions, significant unavoidable impacts were identified at 13 intersections. In addition, impacts to one roadway segment would be significant and unavoidable.

Several SCAs related to transportation and circulation were identified as required to be implemented for projects developed under the LMSAP, three of which are applicable to the Modified Project (see Attachment A).

2011 EIR Findings

Conflict with an Applicable Plan, Ordinance, or Policy – Intersection Performance

The 2011 EIR determined that the Original Project would not conflict with adopted transportation policies, plans, or programs supporting alternative transportation, and would be required to comply with City SCAs that require preparation and implementation of a Parking and Transportation Demand Management Plan. The Original Project was found to not cause a significant impact on the Alameda County Congestion Management Program or the Metropolitan Transportation System roadways in the vicinity.

Existing plus Project Intersection Level of Service

Of the 13 intersections analyzed in the 2011 EIR, 9 were found to continue operating at LOS D or better with the addition of traffic from the Original Project. The 2011 EIR found that the addition of project traffic would result in three intersections—5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9)—operating below acceptable standards.

Mitigation Measures Traf-7 (intersection #1), Traf-8 (intersection #14), and Traf-9 (intersection #9) were recommended to reduce these impacts to less than significant. Because the City could not implement Traf-7 and Traf-8 without the approval of Caltrans, however, these impacts were considered significant and unavoidable.

Year 2015 Baseline plus Project Intersection Level of Service

Intersection operations were also analyzed under year 2015 baseline conditions to determine the effect the Original Project in combination with the projected growth between the model base year (2005) and the future year (2015). Of the 13 intersections analyzed in the 2011 EIR, 9 were found to continue

operating at LOS D or better under year 2015 baseline conditions with the addition of traffic from the Original Project.

The Previous EIR found that the three intersections—5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9)—that operate at LOS E or F in either the AM or PM peak hour would continue to do so under 2015 baseline conditions, but with increased delays.

Mitigation Measures Traf-7 (intersection #1), Traf-8 (intersection #14), and Traf-9 (intersection #9) were recommended to reduce these impacts to less than significant. Because the City could not implement Traf-7 and Traf-8 without the approval of Caltrans, however, these impacts were considered significant and unavoidable.

2030 Cumulative plus Project Intersection Level of Service

Intersection operations were also analyzed under year 2030 conditions to determine the effect the Original Project in combination with the projected growth. Of the 13 intersections analyzed in the 2011 EIR, 9 were found to continue operating at LOS D or better under year 2030 cumulative conditions with the addition of traffic from the Original Project. Additionally, although the intersection of 7th Street/Harrison Street (#5) operates at LOS F during the AM and PM peak hours, the addition of project-generated traffic would result in less than a one-second increase in the average intersection delay over the 2030 condition, and would not increase the average delay over the 2030 condition during either the AM or PM peak hours.

The Previous EIR found that the three intersections—5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9)—that operate at LOS F in either the AM or PM peak hour would continue to do so under 2030 cumulative conditions, but with increased delays.

Mitigation Measures Traf-7 (intersection #1), Traf-8 (intersection #14), and Traf-9 (intersection #9) were recommended to reduce these impacts to less than significant. Because the City could not implement Traf-7 and Traf-8 without the approval of Caltrans, however, these impacts were considered significant and unavoidable.

Construction-period Traffic Impacts

The 2011 EIR found that construction activities associated with the Original Project would temporarily disrupt transportation and pedestrian movement, as well as reduce parking availability in the area. Compliance with the City's SCAs, including the preparation and implementation of a Construction Traffic and Parking Management Plan, would ensure these impacts were considered less than significant.

Adequate Emergency Access

The 2011 EIR found that access would be provided from 6th Street and 7th Street via two driveways. Development of the Original Project would not result in inadequate emergency access and impacts were less than significant.

Pedestrian and Traffic Safety

The 2011 EIR found that development of the Original Project would increase pedestrian activity and vehicular traffic in the vicinity. Additional pedestrian volumes would be accommodated by existing sidewalks and crosswalks. Impacts were less than significant. Pedestrian enhancements such as audible and countdown signals, however, were recommended to improve pedestrian access and flow.

Increased Travel Time for AC Transit

The 2011 EIR found that development of the Original Project would not increase peak hour travel times along nearby transit corridors by more than a few seconds, and would have a minimal effect on transit travel times outside the peak hours. Impacts were less than significant.

Non-CEQA Transportation Issues

Transit Services

The 2011 EIR found that development of the Original Project was not likely to have an impact on AC Transit or BART services in the area.

Parking

The 2011 EIR found that the Original Project would provide 399 parking spaces, 9 of which would be designated for disabled use, thereby meeting City of Oakland Planning Code Section 17.116.060 requirements. The parking demand could range from 241 to 485 spaces; therefore, the potential exists for the demand to exceed the number of spaces provided by the Original Project. The Original Project was required to comply with City of Oakland SCAs, including implementation of an effective Transportation Demand Management program.

The Original Project would also provide two off-street loading spaces, thereby meeting Oakland Municipal Code Chapter 17.116.120-140 requirements. The Bicycle Parking Ordinance did not apply to the Original Project as the project application was considered complete prior to adoption of the ordinance.

Site Access, Circulation, and Site Distance

The 2011 EIR found that the Original Project did not cause significant sight distance restriction impacts and there were no roadway configurations, natural hills, or sharp horizontal curves in the roadway that would impede vehicular sight distance.

95th Percentile Queues

The 2011 EIR found that the increase in queuing that would result from the addition of the Original Project traffic was small. The addition of traffic would not cause an increase in 95th percentile queue length[11] of 25 feet or more at any of the study intersections and no improvements were required.

Modified Project Analysis

The existing conditions of the Modified Project site remain generally unchanged from the 2011 EIR. Fehr and Peers conducted a focused traffic study to update the analysis from the 2011 EIR. A VMT Assessment was also conducted by Fehr and Peers to evaluate potential impacts of the Modified Project under the recently adopted City thresholds for VMT. These studies are combined in the Transportation Assessment included as Attachment G.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

[11] The 95th Percentile queue length is an approximation of a worst-case scenario queue length calculated using the average queues over the course of a given peak hour.

Conflict with a Plan, Ordinance, or Policy (Criterion a)

Transit Safety and Performance

The LUTE, as well as the City's Public Transit and Alternative Mode and Complete Streets policies, states a strong preference for encouraging the use of non-automobile transportation modes, such as transit, bicycling, and walking. The Modified Project would encourage the use of non-automobile transportation modes by providing residential and commercial uses with minimal parking in a dense, walkable urban environment that is well-served by local and regional transit.

Development of the Modified Project would not likely have an impact on AC Transit or BART services in the area. Impacts on transit safety and performance would be ***less than significant*** and the Modified Project would therefore be consistent with adopted transportation policies, plans, and ordinances addressing the safety and performance of public transit.

Roadway Safety and Performance

Furthermore, the Modified Project would be consistent with the previously published LMSAP EIR which evaluated the impacts of a larger development at the project site. As noted in the LMSAP EIR, the Development Program represents the reasonably foreseeable development expected to occur in the next 20 to 25 years in the Plan area. The Specific Plan and the EIR intend to provide flexibility in the location, amount, and type of development. Thus, as long as the trip generation for the overall Plan area remains below the levels estimated in the EIR, the traffic impact analysis presented in the EIR continues to remain valid. Trip generation for development projects to date, including the Modified Project, within the LMSAP area amounts to 5,614 total daily trips, or 37% of the estimated total trip generation of 26,837 daily trips.

Since the uses proposed by the Modified Project are consistent with the assumptions in LMSAP EIR and the Modified Project would generate fewer automobile trips than assumed in LMSAP EIR, the Modified Project would not result in additional impacts on traffic operations at the intersections analyzed in the LMSAP EIR.

Development of the Modified Project would increase vehicular traffic in the vicinity; however, the marginal increase in traffic generated by the Modified Project would be accommodated by existing roadways.

Impacts on roadway safety and performance would be ***less than significant***. The Modified Project would be consistent with adopted transportation policies, plans, and ordinances addressing the safety and performance of the circulation system. Mitigation measures from the 2011 EIR that required actions such as signal timing no longer apply as are now standard operating procedures for intersection operations and would not apply to the Modified Project.

Adequate Emergency Access

Emergency vehicles would access the site via 7th Street and Harrison Street, as well as the 6th Street entrance. Development of the Project would not result in inadequate emergency access and impacts would be ***less than significant***.

Construction-Period Impacts

Construction of the Modified Project may involve new paving and infrastructure replacement, and sidewalk improvements, and result in temporary construction-period transportation, bicycle, and

pedestrian movement disruption. The Modified Project would be required to implement. Compliance with **SCA-TRAN-2: Construction Activity in the Public Right-of-Way** will ensure these impacts would be ***less than significant***.

Bicycle Lane Safety and Performance

The Modified Project is consistent with both the City's Pedestrian Master Plan and Bicycle Master Plan as it would not make major modifications to existing pedestrian or bicycle facilities in the surrounding areas and would not adversely affect installation of future facilities.

Implementation of the Modified Project could increase bicycle activity at the site and in the vicinity. Additional bicycle volumes, however, would be accommodated by existing bicycle lanes/access. The marginal increase in bicycle traffic attributable to the Modified Project would not be significant. The Modified Project will be required to implement **SCA-TRAN-3: Bicycle Parking**.

Impacts on bicycle lane safety and performance would be ***less than significant*** and the Modified Project would therefore be consistent with adopted transportation policies, plans, and ordinances addressing the safety and performance of bicycle lanes.

Pedestrian Safety

The Modified Project is consistent with the City's Pedestrian Master Plan as it would not make major modifications to existing pedestrian facilities in the surrounding areas and would not adversely affect installation of future facilities.

Pedestrian access to the site would be provided along 7th Street. Implementation of the Modified Project would increase pedestrian activity at the site and in the vicinity, but would not affect the safety or performance of sidewalks and crosswalks in the area. Impacts on pedestrian safety would be ***less than significant*** and the Modified Project would therefore be consistent with adopted transportation policies, plans, and ordinances addressing the safety of pedestrian uses.

Summary

Development of the Modified Project would not conflict with adopted transportation policies, plans, or ordinances addressing the safety or performance of the circulation system, and will be required to comply with **SCA-TRAN-1: Transportation and Parking Demand Management**. The Modified Project would not cause a significant impact on the Alameda County Congestion Management Program or the Metropolitan Transportation System roadways in the vicinity. The Modified Project would be consistent with polices, plans, and programs supporting public transit, bicycle, and pedestrian uses. Impacts would be ***less than significant***.

Overall, the effects of the Modified Project related to conflicts with adopted transportation policies, plans, or ordinances would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to conflicts with adopted transportation policies, plans, or ordinances would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to conflicts with adopted transportation policies, plans, or ordinances.

Vehicle Miles Traveled (Criterion b)

VMT impacts would be less than significant for a project if any of the identified screening criteria are met:

1. Small Projects: The project generates fewer than 100 vehicle trips per day
2. Low-VMT Areas: The project meets map-based screening criteria by being located in an area that exhibits below threshold VMT, or 15 percent or more below the regional average, as illustrated on maps provided by MTC
3. Near Transit Stations: The project is located in a Transit Priority Area or within a one-half mile of a Major Transit Corridor or Stop[12] and satisfies the following:
    - Has a FAR of more than 0.75
    - Includes less parking for use by residents, customers, or employees of the project than required (if parking minimums pertain to the site) or allowed without a conditional use permit (if minimums and/or maximums pertain to the site)
    - Is consistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Transportation Commission)

The Modified Project would include 160 multi-family residential units and 11,250 sf of ground floor commercial space. Since the Modified Project would provide less than 50,000 sf of retail space, the retail is considered to be local serving. The Modified Project satisfies the Low-VMT Area screening criteria for VMT analysis, as detailed below.

Small Projects

The Modified Project would generate more than 100 trips per day and therefore does not meet the small project screening criterion.

Low-VMT Area

As shown in **Table 3**, the 2020 average daily VMT per capita for residential uses in transportation analysis zone (TAZ) 968 (the TAZ in which the Project site is located) is 3.6—more than 15 percent below the 2020 regional average daily VMT per capita of 15.0. The 2020 average daily VMT per worker for commercial uses in TAZ 968 is 13.7—more than 15 percent below the 2020 regional average daily VMT per capita of 21.8. Because the Modified Project site is in an area where VMT is 15 percent or less than the 2020 regional average, the Modified Project would not result in substantial additional VMT and impacts would be less than significant.

[12] Major transit stop is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods

Table 3. Daily Vehicle Miles Traveled Summary

	Bay Area				Transportation Analysis Zone 968	
	2020		2040			
Land Use	Regional Average	Regional Average minus 15%	Regional Average	Regional Average minus 15%	2020	2040
Residential (VMT per capita)	15.0	12.8	13.8	11.7	3.6	2.8
Commercial (VMT per worker)	21.8	18.5	20.3	17.3	13.7	11.4

Source: Fehr and Peers Transportation Assessment included as Attachment G.

The Metropolitan Transportation Commission's 2040 cumulative travel mode conditions account for residential and job growth estimates, and reasonably foreseeable transportation investments through 2040. These cumulative conditions are projected to result in a regional average of 13.8 VMT per capita by year 2040. Projected 2040 average daily VMT per capita for residential uses within TAZ 1454 is 7.7. This is 45 percent below the 2040 regional average daily VMT per capita. Because the Project site is in an area where VMT is at least 15 percent below the 2040 regional average, the Project would not result in substantial additional VMT or contribute considerably to any substantial cumulative increase in VMT.

Overall, the Modified Project would satisfy the Low-VMT Area criterion and would have a less than significant impact related to VMT.

Near Transit Stations

The Modified Project would be within one-half mile of the Lake Merritt BART Station and several frequent bus routes along Broadway and 11th and 12th streets. It also meets the following three conditions for the transit station screening criterion:

- The Modified Project has a FAR of 6.14, which is greater than 0.75.
- The Modified Project includes 109 on-site parking spaces, which is less than what is allowed without a conditional use permit, per the City of Oakland Municipal Code Section 117.116.090 requirements for the D-LM Zone.
- The Project is within the Downtown Oakland Area Priority Development Area as defined by Plan Bay Area, and is therefore consistent with the region's Sustainable Communities Strategy

Overall, the Modified Project would satisfy the Near Transit Stations criterion and would have a less than significant impact.

Additional Automobile Travel (Criterion c)

No roadway modifications or additions are planned as part of the Modified Project. There would be ***no impact***.

Non-CEQA Transportation Issues

The 2011 EIR for the 325 7th Street Project analyzed impacts on the transportation system using LOS per the City of Oakland Significance Criteria at the time. Because the 2011 EIR included an LOS analysis, this Addendum to the 2011 EIR includes an updated LOS analysis, although it is no longer required by the City's updated Significance Criteria.[13] It is provided to confirm the applicability of the Addendum and that the LOS analysis in the 2011 EIR continues to apply and to provide additional information, especially relating to the applicability of previously imposed mitigation measures.

The Modified Project would generate 1,198 net new daily vehicle trips, which is 860 trips fewer than the approximately 2,102 daily vehicle trips projected for Original Project. The contribution of daily vehicle trips under the Modified Project would be substantially less than the amount identified in the 2011 EIR. Therefore, the Modified Project would not result in impacts on traffic operations in addition to those analyzed in the 2011 EIR.

Level of Service

Existing plus Project Intersection Level of Service

The addition of Modified Project traffic could result in additional vehicle delay at three intersections—5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9)—that would exceed the City's previous LOS-based significance threshold under which the 2011 EIR transportation analysis was performed.

Year 2015 Baseline plus Project Intersection Level of Service

The addition of Modified Project traffic could result in additional vehicle delay at three intersections—5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9)— that would exceed the City's previous LOS-based significance threshold under which the 2011 EIR transportation analysis was performed.

2030 Cumulative plus Project Intersection Level of Service

The addition of Modified Project traffic could result in additional vehicle delay at three intersections—5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9)—that would exceed the City's previous LOS-based significance threshold under which the 2011 EIR transportation analysis was performed.

2011 EIR Mitigations for Level of Service Impacts

The 2011 EIR identified significant impacts related to intersection LOS at a number of intersections. As mentioned above, however, new VMT Thresholds have been adopted and the Modified Project does not exceed the City's newly adopted VMT Thresholds. Mitigation measures that were included in the 2011 EIR to address LOS impacts, their current status, and their applicability to Modified Project are described below.

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[13] The City of Oakland updated its CEQA Thresholds of Significance and revised guidelines for the review of transportation issues associated with land use development projects. These guidelines became effective April 18, 2017, and replace all previous versions.

- Mitigation Measures Traf-7 (project impact), Traf-10 (cumulative impact), and Traf-13 (cumulative impact) apply to the 5th Street/Oak Street intersection. These Mitigation Measures consist of upgrading signal equipment and updating signal timing at the intersection. Considering that the Modified Project (similar to the Original Project) would increase automobile and pedestrians at these locations, the applicant shall implement the improvements.
- Mitigation Measures Traf-8 (project impact), Traf-11 (cumulative impact), and Traf-14 (cumulative impact) apply to the 6th Street/Jackson Street intersection. These Mitigation Measures consist of upgrading signal equipment and updating signal timing at the intersection.
- Mitigation Measures Traf-9 (project impact), Traf-12 (cumulative impact), and Traf-15 (cumulative impact) apply to the 8th Street/Webster Street intersection. These Mitigation Measures consist of optimizing signal timings at the intersection.

In addition, the 2011 EIR included the following recommended condition, which was not necessary to address a significant CEQA impact, but was recommended to improve pedestrian access and flow within the project site:

- Recommended Condition Traf-3, which would mitigate project impacts, consisted of following pedestrian improvements:
    a. Audible signals should be installed at the intersection of 7th Street/Broadway, both westbound and eastbound.
    b. Pedestrian countdown signals should be installed at the intersection of 7th Street/ Harrison Street.
    c. Enhancement of pedestrian crosswalks and installation of ADA compliant ramps with domes should be conducted at the intersections of 7th Street/Webster Street, 7th Street/Harrison Street, and 8th Street/Harrison Street.

Mitigation Measures Traff-7, Traf-8, Traf-10, Traf-11, Traf-13 and Traf-14 continue to apply to the Modified Project as it increases automobile and pedestrian traffic at the applicable intersections. Some of the improvements considered by the Mitigation Measures are currently underway. The applicant will be responsible for any improvements that remain (e.g., are not done by other project sponsors) at the time the applicant files for permits.

Mitigation Measures Traf-9, Traf-12 and Traf-15 are no longer applicable. The City of Oakland's current practices incorporate basic signal timing changes into routine maintenance of the traffic signal system so optimization of signal timings is no longer considered a mitigation measure. Thus, these Mitigation Measures are not applicable to the Modified Project.

Recommended Condition Traf-3 continues to apply to the Modified Project as it increases automobile and pedestrian traffic at the applicable intersections. Item b, pedestrian countdown signals at the 7th Street/Harrison Street intersection, has already been implemented. The other improvements have not been implemented. The applicant will be responsible for any improvements that have not been completed if found by the City to be feasible

The Modified Project however will also be required to implement **SCA-TRAN-4: Transportation Improvements**, which includes requirements for a transportation and parking demand management plan, physical improvements recommended in the plan, and operational strategies for implementing the plan**.**

Overall, the effects of the Modified Project related to LOS would be similar to or less than those discussed in the 2011 EIR. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to LOS.

Parking

The Modified Project would include 109 parking spaces for the residents, which corresponds to 0.68 spaces parking spaces per unit. Per the City of Oakland Municipal Code Section 17.116.060 for the D-LM-2 zone, the Modified Project is required to provide between minimum of zero and maximum of 1.25 parking spaces per dwelling unit. The proposed parking supply is within the supply range allowed by the Municipal Code. Therefore, the Modified Project would not provide more parking than other typical nearby uses, nor would it provide more parking than required by the City Code. The Modified Project will be required to implement **SCA-TRAN-1: Transportation and Parking Demand Management** because it would generate more than 50 peak hour trips.

Parking demand for residents of the Modified Project is estimated by using average vehicle ownership rates in downtown Oakland. According to estimates, average vehicle ownership in the study area is about 0.63 vehicles per multi-family dwelling unit. Based on this data, residential parking demand would be about 101 parking spaces. Thus, the 109 parking spaces provided on-site would be adequate to meet the parking demand generated by the residents and would result in a parking surplus of about 8 spaces.

The total parking demand for non-residents is about 67 parking spaces. Since the Modified Project would not dedicate any on-site parking spaces to residential or commercial visitors, all commercial employees as well as residential and commercial visitors would park on-street or in nearby public parking facilities.

The parking demand estimate assumes most of the retail visitors would be new to the area. Although specific retail uses have not been determined, the retail component of the Modified Project would likely be local-serving with minimal new automobile trips.

The Modified Project would also provide 160 long-term bicycle parking spaces in compliance with the Bicycle Parking Ordinance, which requires 42 long-term bicycle parking spaces. The Modified Project is required to provide 11 short-term parking spaces pursuant to the Ordinance; however, the site plan does not identify the locations or amount of short-term bicycle parking.

Recommendation TRAF-1: While not required to address a CEQA impact, the following should be considered as part of the final design for the Modified Project:

- Consider relocating all or some of the long-term bicycle parking from the Mezzanine Level to a more convenient location on the ground level.
- Identify location and amount of short-term bicycle parking, consistent with the City of Oakland Bicycle Parking Ordinance. Short-term bicycle parking should be near the entrances to the commercial and both residential components of the project.

The Modified Project would also provide an off-street loading space, meeting Oakland Municipal Code Chapter 17.116.120-140 requirements.

Overall, the effects of the Modified Project related to parking would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to parking would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to parking.

Site Access, Circulation, and Sight Distance

There are no roadway configurations, natural hills, or sharp horizontal curves in the roadway that would impede vehicular sight distance for the Modified Project. However, motorists exiting the garage driveways on 6th and 7th streets may not have adequate sight distance of pedestrians on the adjacent sidewalks.

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

- Ensure that both project driveways on 6th and 7th Streets would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway (Considering that the sidewalk along the project frontage on 6th Street is about 18 feet, one potential design may be to install planter wells adjacent to the 6th Street driveway to move pedestrians away from the driveway to ensure adequate sight distance and continue to maintain adequate sidewalk width). If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveways.
- To ensure adequate sight distance for vehicles, prohibit on-street parking along within 20 feet on the both sides of the 6th Street driveway and on the west side of the 7th Street driveway.

Overall, the effects of the Modified Project related to access and circulation would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to access and circulation would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to access and circulation.

Pedestrian Access and Circulation

Primary pedestrian access for the Modified Project would be through a main lobby midblock on 7th Street, which would connect to residential levels through elevators and a stairwell. Additional pedestrian access would be provided through stairwells on 6th and Harrison streets. The commercial components of the Modified Project would be on the ground level on either side of the main lobby and would be directly accessed from 7th and Harrison streets.

Along the project frontage, 7th Street provides a 10-foot sidewalk, Harrison Street provides a 15-foot sidewalk, and 6th Street provides an 18-foot sidewalk. The Modified Project would continue to maintain these sidewalk widths.

Pedestrian facilities at the intersection adjacent to the site include:

- The 7th Street/Webster Street intersection currently provides diagonal curb ramps on all four corners, high-visibility crosswalks on all four approaches, and advanced stop bars on the southbound and eastbound approaches. The intersection also provides pedestrian countdown signal heads in all directions.
- The 6th Street/Harrison Street intersection currently provides diagonal curb ramps on the west corners, and directional curb ramps on the east corners, high-visibility crosswalks on all approaches, and advanced stop bars on the northbound and eastbound approaches. The intersection provides audible signals, and pedestrian countdown signal heads in all directions. In addition, the intersection provides a bulb-out at the northeast corner, the westbound 6th Street approach narrows from four lanes to three lanes at the intersection with the right-lane cross-

hatched at the intersection, and a pork-chop island separates the northbound right-turn lanes from the through lanes.

At the side-street stop-controlled 6th Street/Webster Street and 6th Street/Harrison Street intersections, no crosswalks are provided across Webster and Harrison streets because of their proximity to the Webster and Posey Tubes.

Recommendation TRAF-3: While not required to address a CEQA impact, the following should be considered as part of the final design for the project, in addition to Mitigation Traf-3 in the 2011 EIR:

- Provide a bulb-out at the southwest corner of the 7th Street/Harrison Street intersection in the currently cross-hatched pavement area if determined feasible by the City. This would allow installation of direction curb ramps at the southwest corner of the intersection and enhancements to the existing bus stop (see Recommendation TRAF-4).

Transit Access

Transit service providers in the vicinity of the Modified Project include BART and AC Transit. BART provides regional rail service throughout the East Bay and across the Bay. The nearest BART station to project site is the Lake Merritt BART Station, about 0.4 miles east. The Modified Project would not modify access between the project site and the BART Station. AC Transit is the primary bus service provider in the City of Oakland. AC Transit operates the following routes in the vicinity:

- Routes 18, 62, and 611 operate along 7th Street with the nearest stop adjacent to the project site just west of Harrison Street. This bus stop provides a bench.
- Routes 18, 51A, 62, 96, 611, and 851 operate along 8th Street with the nearest stop just west of Harrison Street, about 300 feet north of the project site. This bus stop does not provide any amenities.

The routes describe above reflect the changes implemented by AC Transit in March 2017. No other major changes to the bus routes operating in the vicinity of the project are planned and the proposed project would not modify access between the project site and these bus stops.

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

- If Recommendation 3 is implemented, consider enhancing the existing bus stop on eastbound 7th Street just west of Harrison Street by providing a bus shelter.

95th Percentile Queues

The increase in queuing that would result from the addition of the Modified Project traffic would be small. The addition of traffic would be less than under the Original Project and no improvements would be required.

Overall, the effects of the Modified Project related to queuing would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to queuing.

Conclusions – Transportation/Traffic

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified

in the Previous EIRs, nor would it result in new significant impacts related to transportation and traffic that were not identified in those EIRs. Mitigation Measure Traf-7 (as well as Traf-10 and Traf-13 which require implementation of Traf-7) and Mitigation Measure Traf-8 (as well as Traf-11 and Traf-14 which require implementation of Traf-8) as identified in the 2011 EIR for transportation and traffic impacts is still required for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to transportation and traffic will apply to the Modified Project (SCA-TRAN-1: Transportation and Parking Demand Management, SCA-TRAN-2: Construction Activity in the Public Right-of-Way, SCA-TRAN-3: Bicycle Parking, and SCA-TRAN-4: Transportation Improvements).

16. Utilities and Service Systems

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

Previous EIRs

Program EIRs

Land Use and Transportation Element EIR Findings

The 1998 LUTE EIR identified significant effects related to water, wastewater, or stormwater facilities, solid waste, and energy and identified mitigation measures that reduced the effects to less than significant. The mitigation not specific to recommended City policies or strategies is now incorporated into the applicable City SCAs and includes requiring project-specific drainage improvements.

Housing Element EIR Findings

The Housing Element EIR identified significant effects related to wastewater treatment and capacity, as well as stormwater facilities, which were reduced to less than significant with implementation of SCAs requiring the replacement or rehabilitation of existing sewer systems to reduce inflow and infiltration and that new project-specific wastewater systems be constructed to prevent infiltration and inflow to the maximum extent feasible, site design measures for post-construction stormwater management, and implementation of a post-construction stormwater management plan. Impacts related to solid waste and energy were less than significant.

Lake Merritt Station Area Plan EIR Findings

The LMSAP EIR identified less than significant impacts on utilities and service systems, with the incorporation of City SCAs in certain instances where new infrastructure would be required to be constructed. The LMSAP EIR determined that the capacity of existing service systems would meet increased service demand of development analyzed for the LMSAP; wastewater demand would not exceed wastewater treatment requirements or capacity, surface water runoff would not exceed the capacity of the storm drain system, water demand would not exceed available water supplies, and solid waste generated would not exceed landfill capacity.

2011 EIR Findings

Utilities and Service Systems (Criteria a–h)

The 2011 EIR found that development of the Original Project would result in an increased demand for utilities and service systems (water, wastewater treatment, solid waste collection, and energy). This increase in demand has been accounted for in the General Plan and would not likely impose a burden on existing utilities and service systems. Project development would not exceed the wastewater treatment requirements of the RWQCB. Implementation of City SCAs would reduce the burden on utilities and services systems; potential impacts were considered less than significant.

The 2011 EIR also found that although the existing physical condition of the City's storm drainage system is unknown (and there is presently no capital improvement project planned for the storm drainage system in the area), development of the Original Project site would not require the construction of new or expanded stormwater drainage infrastructure. The Original Project would implement a net 25 percent reduction in the peak stormwater runoff rate from the site as required by the City's Storm Drainage Design Guidelines to ensure a less than significant impact.

Modified Project Analysis

The existing conditions and immediate surroundings of the Modified Project site remain generally unchanged from the 2011 EIR.

The Modified Project would be similar to but smaller than the Original Project, as indicated in Table 1.

Utilities and Service Systems (Criteria a–h)

All on-site utilities would be designed in accordance with applicable codes and current engineering practices. The Modified Project would not require any public water infrastructure improvements. Development of the Modified Project would increase demand on utilities and service systems, but not to a substantial degree that it would impose a burden on existing utilities and service systems, considering the reduced size and reduced demand as compared with the larger Original Project. The applicant will pay applicable Sewer Mitigation Fees, which would be used either to replace pipes as part of the local collection system repair, or to perform inflow and infiltration rehabilitation projects off-site. Additionally, the Modified Project design includes 35% of low impact development treatment as required by the City's Storm Drainage Design Guidelines to ensure a less than significant impact.

Implementation of **SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling**, **SCA-UTIL-2: Underground Utilities**, **SCA-UTIL-3: Recycling Collection and Storage Space**, **SCA-UTIL-4: Green Building Requirements**, **SCA-UTIL-5: Sanitary Sewer System**, **SCA-UTIL-6: Storm Drain System**, and **SCA-UTIL-7: Recycled Water** will be required for the Modified Project to address increased demand and potential impacts on utilities and services systems.

Impacts related to utilities and service systems would be ***less than significant*** with implementation of SCAs UTIL-1, UTIL-2, UTIL-3, UTIL-4, UTIL-5, UTIL-6, and UTIL-7.

Overall, the effects of the Modified Project related to utilities and service systems would be similar to or less than those discussed in the 2011 EIR and would remain less than significant. The effects of the Modified Project related to utilities and service systems would also be similar to or less severe than those identified in the Program EIRs considered in this analysis. Because the Modified Project would not create a significant effect, it would not contribute to a cumulative effect related to utilities and service systems.

Conclusions – Utilities and Service Systems

Based on an examination of the analysis, findings, and conclusions of the Previous EIRs, implementation of the Modified Project would not substantially increase the severity of the significant impacts identified in the Previous EIRs, nor would it result in new significant impacts related to utilities and service systems that were not identified in those EIRs. The Previous EIRs did not identify any mitigation measures related to utilities and service systems, and none would be needed for the Modified Project. SCAs identified in Attachment A at the end of the CEQA checklist and related to utilities and service systems, will apply to the Modified Project (SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling, SCA-UTIL-2: Underground Utilities, SCA-UTIL-3: Recycling Collection and Storage Space, SCA-UTIL-4: Green Building Requirements, SCA-UTIL-5: Sanitary Sewer System, SCA-UTIL-6: Storm Drain System, and SCA-UTIL-7: Recycled Water).

Acronyms and Terms

ABAG	Association of Bay Area Governments
AC Transit	Alameda–Contra Costa Transit District
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BMP	best management practice
CARB	California Air Resources Board
CBD	Central Business District
CEQA	California Environmental Quality Act
City	City of Oakland
CO	carbon monoxide
dBA	A-weighted decibel
DPM	diesel particulate matter
DU	dwelling unit
EBMUD	East Bay Municipal Utility District
EIR	Environmental Impact Report
FAR	floor area ratio
GHG	greenhouse gas
I-880	Interstate 880
LMSAP	Lake Merritt Station Area Plan
LOS	level of service
LUTE	Land Use and Transportation Element
Modified Project	proposed 325 7th Street Project
$MTCO_2e$	metric tons carbon dioxide equivalent
NO_x	oxides of nitrogen
NPDES	National Pollution Discharge Elimination System
$PM_{2.5}$	particulate matter, 2.5 micrometers or less
PM_{10}	particulate matter, 10 micrometers or less
2011 EIR	Original 325 7th Street Project EIR
ROG	reactive organic gas
RWQCB	Regional Water Quality Control Board
SCA	Standard Condition of Approval
sf	square feet

SWPPP	Stormwater Pollution Prevention Plan
TAC	toxic air contaminant
VMT	vehicle miles traveled

Attachment A: City of Oakland Standard Conditions of Approval/Mitigation and Monitoring Reporting Program

The City of Oakland's Uniformly Applied Development Standards adopted as Standard Conditions of Approval (Standard Conditions of Approval, or SCAs) were originally adopted by the City in 2008 (Ordinance No. 12899 C.M.S.) pursuant to Public Resources Code section 21083.3) and have been incrementally updated over time. The SCAs incorporate development policies and standards from various adopted plans, policies, and ordinances (such as the Oakland Planning and Municipal Codes, Oakland Creek Protection, Stormwater Water Management and Discharge Control Ordinance, Oakland Tree Protection Ordinance, Oakland Grading Regulations, NPDES permit requirements, Housing Element-related mitigation measures, Green Building Ordinance, historic/Landmark status, California Building Code, and Uniform Fire Code, among others), which have been found to substantially mitigate environmental effects.

These SCAs are incorporated into projects as conditions of approval, regardless of the determination of a project's environmental impacts. As applicable, the SCAs are adopted as requirements of an individual project when it is approved by the City, and are designed to, and will, avoid or substantially reduce a project's environmental effects.

In reviewing project applications, the City determines which SCAs apply based upon the zoning district, community plan, and the type of permits/approvals required for the project. Depending on the specific characteristics of the project type and/or project site, the City will determine which SCAs apply to a specific project. Because these SCAs are mandatory City requirements imposed on a City-wide basis, environmental analyses assume that these SCAs will be imposed and implemented by the project, and are not imposed as mitigation measures under CEQA.

All SCAs identified in the CEQA Analysis—which is consistent with the measures and conditions presented in the City of Oakland General Plan, LUTE EIR—are included herein. To the extent that any SCA identified in the CEQA Analysis was inadvertently omitted, it is automatically incorporated herein by reference.

- The first column identifies the SCA applicable to that topic in the CEQA Analysis.
- The second column identifies the monitoring schedule or timing applicable to the project.
- The third column names the party responsible for monitoring the required action for the project.

In addition to the SCAs identified and discussed in the CEQA Analysis, other SCAs that are applicable to the project are included herein.

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) table presents the mitigation measure necessary to mitigate potentially significant impacts identified for the Original 325 7th Street Project and which is still required for the Modified Project as discussed in the CEQA Analysis. The SCAMMRP also identifies the mitigation monitoring requirements. This SCAMMRP is in compliance with Section 15097 of the CEQA Guidelines, which requires that the Lead Agency "adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects."

The project sponsor is responsible for compliance with any recommendations in approved technical reports and with all SCAs set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific SCA, and subject to the review and approval of the City of Oakland. Overall monitoring and compliance with the SCAs will be the responsibility of the Planning and Zoning Division. Prior to the issuance of a demolition, grading, and/or construction permit, the project sponsor shall pay the applicable mitigation and monitoring fee to the City in accordance with the City's Master Fee Schedule.

Note that the SCAs included in this document are referred to using an abbreviation for the environmental topic area and are numbered sequentially for each topic area—e.g., **SCA-AIR-1**, **SCA-AIR-2**. The SCA title and the SCA number that corresponds to the City's master SCA list are also provided—e.g., **SCA-AIR-1: Construction-Related Air Pollution (Dust and Equipment Emissions; #19)**.

Table 4. Standard Conditions of Approval for the Modified Project

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
Aesthetics, Shadow, and Wind			
SCA-AES-1: Graffiti Control. (#16) a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation: i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces. ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces. iii. Use of paint with anti-graffiti coating. iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED). v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement. b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include: i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system. ii. Covering with new paint to match the color of the surrounding surface. iii. Replacing with new surfacing (with City permits if required).	Ongoing	N/A	Bureau of Building
SCA-AES-2: Landscape Plan. (#17) *a. Landscape Plan Required* The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the approved Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the	Prior to approval of construction-related permit	Bureau of Planning	N/A

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code.			
b. Landscape Installation The project applicant shall implement the approved Landscape Plan unless a bond, cash deposit, letter of credit, or other equivalent instrument acceptable to the Director of City Planning, is provided. The financial instrument shall equal the greater of $2,500 or the estimated cost of implementing the Landscape Plan based on a licensed contractor's bid.	Prior to building permit final	Bureau of Planning	Bureau of Building
c. Landscape Maintenance All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.	Ongoing	N/A	Bureau of Building
SCA-AES-3: Lighting. (#18) Proposed new exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector to prevent unnecessary glare onto adjacent properties.	Prior to building permit final	N/A	Bureau of Building
Air Quality			
SCA-AIR-1: Construction Management Plan. (#13) Prior to the issuance of the first construction-related permit, the project applicant and his/her general contractor shall submit a Construction Management Plan (CMP) for review and approval by the Bureau of Planning, Bureau of Building, and other relevant City departments such as the Fire Department and the Public Works Department as directed. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval (and mitigation measures if applicable) such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management (see applicable Conditions below). The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire	Prior to Approval of Construction-Related Permit	Bureau of Planning, Bureau of Building, et al.	Bureau of Planning

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.			
SCA-AIR-2: Construction-Related Air Pollution (Dust and Equipment Emissions). (#19) The project applicant shall implement all of the following applicable air pollution control measures during construction of the project: a. Water all exposed surfaces of active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever feasible. 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. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. d. Pave all roadways, driveways, sidewalks, etc. within one month of site grading or as soon as feasible. In addition, building pads should be laid within one month of grading or as soon as feasible unless seeding or soil binders are used. e. Enclose, cover, water twice daily, or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.). f. Limit vehicle speeds on unpaved roads to 15 miles per hour. g. Idling times on all diesel-fueled commercial vehicles over 10,000 lbs. shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations). Clear signage to this effect shall be provided for construction workers at all access points. h. Idling times on all diesel-fueled off-road vehicles over 25 horsepower shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five	During construction	N/A	Bureau of Planning

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
minutes and fleet operators must develop a written policy as required by Title 23, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations").			
i. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.			
j. Portable equipment shall be powered by electricity if available. If electricity is not available, propane or natural gas shall be used if feasible. Diesel engines shall only be used if electricity is not available and it is not feasible to use propane or natural gas.			
k. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.			
l. All excavation, grading, and demolition activities shall be suspended when average wind speeds exceed 20 mph.			
m. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.			
n. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for one month or more).			
o. Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.			
p. Install appropriate wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of the construction site to minimize wind-blown dust. Wind breaks must have a maximum 50 percent air porosity.			
q. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.			
r. Activities such as excavation, grading, and other ground-disturbing construction activities shall be phased to minimize the amount of disturbed surface area at any one time.			
s. All trucks and equipment, including tires, shall be washed off prior to leaving the site.			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
t. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel. u. All equipment to be used on the construction site and subject to the requirements of Title 13, Section 2449, of the California Code of Regulations ("California Air Resources Board Off-Road Diesel Regulations") must meet emissions and performance requirements one year in advance of any fleet deadlines. Upon request by the City, the project applicant shall provide written documentation that fleet requirements have been met. v. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., BAAQMD Regulation 8, Rule 3: Architectural Coatings). w. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM. x. Off-road heavy diesel engines shall meet the California Air Resources Board's most recent certification standard. y. Post a publicly-visible large on-site sign that includes the contact name and phone number for the project complaint manager responsible for responding to dust complaints and the telephone numbers of the City's Code Enforcement unit and the Bay Area Air Quality Management District. When contacted, the project complaint manager shall respond and take corrective action within 48 hours.			
SCA-AIR-3: Exposure to Air Pollution (Toxic Air Contaminants). (#20) *a. Health Risk Reduction Measures* The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The project applicant shall choose one of the following methods: i. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with California Air Resources Board (CARB) and Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable	Prior to Approval of Construction-Related Permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
levels, then health risk reduction measures are not required. If the HRA concludes that the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City. – or – ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City: • Installation of air filtration to reduce cancer risks and Particulate Matter (PM) exposure for residents and other sensitive populations in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required. • Where appropriate, install passive electrostatic filtering systems, especially those with low air velocities (i.e., 1 mph). • Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible. • The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall be located as far away as feasible from a loading dock or where trucks concentrate to deliver goods. • Sensitive receptors shall be located on the upper floors of buildings, if feasible. • Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: Pine (*Pinus nigra* var. *maritima*), Cypress (*x Cupressocyparis leylandii*), Hybrid popular (*Populus deltoids x trichocarpa*), and Redwood (*Sequoia sempervirens*).			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
• Sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible. • Existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible. • Emissions from diesel trucks shall be reduced through implementing the following measures, if feasible: • Installing electrical hook-ups for diesel trucks at loading docks. • Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards. • Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels. • Prohibiting trucks from idling for more than two minutes. • Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.			
b. Maintenance of Health Risk Reduction Measures The project applicant shall maintain, repair, and/or replace installed health risk reduction measures, including but not limited to the HVAC system (if applicable), on an ongoing and as-needed basis. Prior to occupancy, the project applicant shall prepare and then distribute to the building manager/operator an operation and maintenance manual for the HVAC system and filter including the maintenance and replacement schedule for the filter.	Ongoing	N/A	Bureau of Building
SCA-AIR-4: Asbestos in Structures. (#23) The project applicant shall comply with all applicable laws and regulations regarding demolition and renovation of Asbestos Containing Materials (ACM), including but not limited to California Code of Regulations, Title 8; California Business and Professions Code, Division 3; California Health and Safety Code sections 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended. Evidence of compliance shall be submitted to the City upon request.	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction
SCA-AIR-5: Stationary Sources of Air Pollution (Toxic Air Contaminants). (#21) The project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to on-site	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
stationary sources of toxic air contaminants.			
Biological Resources			
SCA-BIO-1: Tree Removal During Bird Breeding Season. (#26) To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of birds shall not occur during the bird breeding season of February 1 to August 15 (or during December 15 to August 15 for trees located in or near marsh, wetland, or aquatic habitats). If tree removal must occur during the bird breeding season, all trees to be removed shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to the start of work and shall be submitted to the City for review and approval. If the survey indicates the potential presence of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the California Department of Fish and Wildlife, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 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.	Prior to removal of trees	Bureau of Building	Bureau of Building
SCA-BIO-2: Tree Permit. (#27) *a. Tree Permit Required* Pursuant to the City's Tree Protection Ordinance (OMC chapter 12.36), the project applicant shall obtain a tree permit and abide by the conditions of that permit.	Prior to approval of construction-related permit	Permit approval by Public Works Department, Tree Division; evidence of approval submitted to Bureau of Building	Bureau of Building
b. 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: i. Before the start of any clearing, excavation, construction, or other work on the site, every protected tree deemed to be potentially endangered by said site work shall be securely fenced off at a distance from the base of the tree to be determined by the project's consulting arborist. Such fences shall remain in place for duration of	During construction	Public Works Department, Tree Division	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
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.			
ii. 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 project's consulting arborist from the base of any protected tree at any time. No burning or use of equipment with an open flame shall occur near or within the protected perimeter of any protected tree.			
iii. No storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees shall occur within the distance to be determined by the project's consulting arborist from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within a distance from the base of any protected trees to be determined by the project's consulting arborist. Wires, ropes, or other devices shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.			
iv. Periodically during construction, the leaves of protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit leaf transpiration.			
v. If any damage to a protected tree should occur during or as a result of work on the site, the project applicant shall immediately notify the Public Works Department and the project's consulting arborist shall make a recommendation to the City Tree Reviewer as to whether the damaged tree can be preserved. If, in the professional opinion of the Tree Reviewer, such tree cannot be preserved in a healthy state, the Tree Reviewer shall require replacement of any tree removed with another tree or trees on the same site deemed adequate by the Tree Reviewer to compensate for the loss of the tree that is removed.			
vi. All debris created as a result of any tree removal work shall be removed by the project applicant from the property within two weeks of debris creation, and such debris shall be properly disposed			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
of by the project applicant in accordance with all applicable laws, ordinances, and regulations.			
c. Tree Replacement Plantings Replacement plantings shall be required for tree removals for the purposes of erosion control, groundwater replenishment, visual screening, wildlife habitat, and preventing excessive loss of shade, in accordance with the following criteria: i. No tree replacement shall be required for the removal of nonnative species, for the removal of trees which is required for the benefit of remaining trees, or where insufficient planting area exists for a mature tree of the species being considered. ii. Replacement tree species shall consist of *Sequoia sempervirens* (Coast Redwood), *Quercus agrifolia* (Coast Live Oak), *Arbutus menziesii* (Madrone), *Aesculus californica* (California Buckeye), *Umbellularia californica* (California Bay Laurel), or other tree species acceptable to the Tree Division. iii. Replacement trees shall be at least twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate. iv. Minimum planting areas must be available on site as follows: • For *Sequoia sempervirens*, three hundred fifteen (315) square feet per tree; • For other species listed, seven hundred (700) square feet per tree. v. In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee in accordance with the City's Master Fee Schedule may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians. vi. The project applicant shall install the plantings and maintain the plantings until established. The Tree Reviewer of the Tree Division of the Public Works Department may require a landscape plan showing the replacement plantings and the method of irrigation. Any replacement plantings which fail to become established within one year of planting shall be replanted at the project applicant's expense.	Prior to building permit final	Public Works Department, Tree Division	Bureau of Building
SCA-BIO-3: Bird Collision Reduction Measures. (#25)	Prior to approval of	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
The project applicant shall submit a Bird Collision Reduction Plan for City review and approval to reduce potential bird collisions to the maximum feasible extent. The Plan shall include all of the following mandatory measures, as well as applicable and specific project Best Management Practice (BMP) strategies to reduce bird strike impacts to the maximum feasible extent. The project applicant shall implement the approved Plan. Mandatory measures include all of the following: i. For large buildings subject to federal aviation safety regulations, install minimum intensity white strobe lighting with three second flash instead of solid red or rotating lights. 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 unless shielded by architectural features taller than the attractant that incorporate bird friendly treatments no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule), as explained below. vi. Apply bird-friendly glazing treatments to no less than 90 percent of all windows and glass between the ground and 60 feet above ground or to the height of existing adjacent landscape or the height of the proposed landscape. Examples of bird-friendly glazing treatments include the following: • Use opaque glass in window panes instead of reflective glass. • Uniformly cover the interior or exterior of clear glass surface with patterns (e.g., dots, stripes, decals, images, abstract patterns). Patterns can be etched, fritted, or on films and shall have a density of no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install paned glass with fenestration patterns with vertical and horizontal mullions no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install external screens over non-reflective glass (as close to the glass as possible) for birds to perceive windows as solid objects. • Install UV-pattern reflective glass, laminated glass with a patterned UV-reflective coating, or UV-absorbing and UV-	construction-related permit		

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
reflecting film on the glass since most birds can see ultraviolet light, which is invisible to humans. • Install decorative grilles, screens, netting, or louvers, with openings no more than two inches horizontally, four inches vertically, or both (the "two-by-four" rule). • Install awnings, overhangs, sunshades, or light shelves directly adjacent to clear glass which is recessed on all sides. • Install opaque window film or window film with a pattern/design which also adheres to the "two-by-four" rule for coverage. vi. Reduce light pollution. Examples include the following: • Extinguish night-time architectural illumination treatments during bird migration season (February 15 to May 15 and August 15 to November 30). • Install time switch control devices or occupancy sensors on non-emergency interior lights that can be programmed to turn off during non-work hours and between 11:00 p.m. and sunrise. • Reduce perimeter lighting whenever possible. • Install full cut-off, shielded, or directional lighting to minimize light spillage, glare, or light trespass. • Do not use beams of lights during the spring (February 15 to May 15) or fall (August 15 to November 30) migration. vii. Develop and implement a building operation and management manual that promotes bird safety. Example measures in the manual include the following: • Donation of discovered dead bird specimens to an authorized bird conservation organization or museums (e.g., UC Berkeley Museum of Vertebrate Zoology) to aid in species identification and to benefit scientific study, as per all federal, state and local laws. • Distribution of educational materials on bird-safe practices for the building occupants. Contact Golden Gate Audubon Society or American Bird Conservancy for materials. • Asking employees to turn off task lighting at their work stations and draw office blinds, shades, curtains, or other window coverings at end of work day. • Install interior blinds, shades, or other window coverings in windows above the ground floor visible from the exterior as part			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
of the construction contract, lease agreement, or CC&Rs. • Schedule nightly maintenance during the day or to conclude before 11 p.m., if possible.			
Cultural Resources			
SCA-CUL-1: Archaeological and Paleontological Resources – Discovery During Construction. (#29) Pursuant to CEQA Guidelines section 15064.5(f), in the event that any historic or prehistoric subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant shall notify the City and consult with a qualified archaeologist or paleontologist, as applicable, to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined unnecessary or infeasible by the City. Feasibility of avoidance shall be determined with consideration of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Work may proceed on other parts of the project site while measures for the cultural resources are implemented. In the event of data recovery of archaeological resources, the project applicant shall submit an Archaeological Research Design and Treatment Plan (ARDTP) prepared by a qualified archaeologist for review and approval by the City. The ARDTP is required to identify how the proposed data recovery program would preserve the significant information the archaeological resource is expected to contain. The ARDTP shall identify the scientific/historic research questions applicable to the expected resource, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The ARDTP shall include the analysis and specify the curation and storage methods. Data recovery, in general, shall be limited to the portions of the archaeological resource that could be impacted by the proposed project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practicable. Because the intent of the ARDTP is to save as much of the archaeological resource as possible, including moving the resource, if feasible, preparation and implementation of the ARDTP would reduce the potential adverse	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
impact to less than significant. The project applicant shall implement the ARDTP at his/her expense. In the event of excavation of paleontological resources, the project applicant shall submit an excavation plan prepared by a qualified paleontologist to the City for review and approval. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by a qualified paleontologist, as appropriate, according to current professional standards and at the expense of the project applicant.			
SCA-CUL-2: Archaeologically Sensitive Areas–Pre-Construction Measures. (#30) The project applicant shall implement either Provision A (Intensive Pre-Construction Study) or Provision B (Construction ALERT Sheet) concerning archaeological resources. **Provision A: Intensive Pre-Construction Study.** The project applicant shall retain a qualified archaeologist to conduct a site-specific, intensive archaeological resources study for review and approval by the City prior to soil-disturbing activities occurring on the project site. The purpose of the site-specific, intensive archaeological resources study is to identify early the potential presence of history-period archaeological resources on the project site. At a minimum, the study shall include: a. Subsurface presence/absence studies of the project site. Field studies may include, but are not limited to, auguring and other common methods used to identify the presence of archaeological resources. b. A report disseminating the results of this research. c. Recommendations for any additional measures that could be necessary to mitigate any adverse impacts to recorded and/or inadvertently discovered cultural resources. If the results of the study indicate a high potential presence of historic-period archaeological resources on the project site, or a potential resource is discovered, the project applicant shall hire a qualified archaeologist to monitor any ground disturbing activities on the project site during construction and prepare an ALERT sheet pursuant to Provision B below that details what could potentially be found at the project site. Archaeological monitoring would include briefing construction personnel about the type of artifacts that may be present (as referenced in the ALERT sheet, required per Provision B below) and the procedures to follow if any artifacts are encountered, field recording and sampling in accordance with	Prior to approval of construction-related permit; During Construction	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
the Secretary of Interior's Standards and Guidelines for Archaeological Documentation, notifying the appropriate officials if human remains or cultural resources are discovered, and preparing a report to document negative findings after construction is completed if no archaeological resources are discovered during construction. **Provision B: Construction ALERT Sheet.** The project applicant shall prepare a construction "ALERT" sheet developed by a qualified archaeologist for review and approval by the City prior to soil-disturbing activities occurring on the project site. The ALERT sheet shall contain, at a minimum, visuals that depict each type of artifact that could be encountered on the project site. Training by the qualified archaeologist shall be provided to the project's prime contractor, any project subcontractor firms (including demolition, excavation, grading, foundation, and pile driving), and utility firms involved in soil-disturbing activities within the project site. The ALERT sheet shall state, in addition to the basic archaeological resource protection measures contained in other standard conditions of approval, all work must stop and the City's Environmental Review Officer contacted in the event of discovery of the following cultural materials: concentrations of shellfish remains; evidence of fire (ashes, charcoal, burnt earth, fire-cracked rocks); concentrations of bones; recognizable Native American artifacts (arrowheads, shell beads, stone mortars [bowls], humanly shaped rock); building foundation remains; trash pits, privies (outhouse holes); floor remains; wells; concentrations of bottles, broken dishes, shoes, buttons, cut animal bones, hardware, household items, barrels, etc.; thick layers of burned building debris (charcoal, nails, fused glass, burned plaster, burned dishes); wood structural remains (building, ship, wharf); clay roof/floor tiles; stone walls or footings; or gravestones. Prior to any soil-disturbing activities, each contractor shall be responsible for ensuring that the ALERT sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, and supervisory personnel. The ALERT sheet shall also be posted in a visible location at the project site.			
SCA-CUL-3: Human Remains – Discovery during Construction. (#31) Pursuant to CEQA Guidelines section 15064.5(e)(1), in the event that human skeletal remains are uncovered at the project site during construction activities, all work shall immediately halt and the project applicant shall notify the City and the Alameda County Coroner. If the County Coroner determines that an investigation of the cause of death is	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
required or that the remains are Native American, all work shall cease within 50 feet of the remains until appropriate arrangements are made. In the event that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of section 7050.5 of the California Health and Safety Code. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance, and avoidance measures (if applicable) shall be completed expeditiously and at the expense of the project applicant.			
Geology and Soils			
SCA-GEO-1: Construction-Related Permit(s). (#33) The project applicant shall obtain all required construction-related permits/approvals from the City. The project shall comply with all standards, requirements and conditions contained in construction-related codes, including but not limited to the Oakland Building Code and the Oakland Grading Regulations, to ensure structural integrity and safe construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA-GEO-2: Seismic Hazards Zone (Landslide/Liquefaction). (#36) The project applicant shall submit a site-specific geotechnical report, consistent with California Geological Survey Special Publication 117 (as amended), prepared by a registered geotechnical engineer for City review and approval containing at a minimum a description of the geological and geotechnical conditions at the site, an evaluation of site-specific seismic hazards based on geological and geotechnical conditions, and recommended measures to reduce potential impacts related to liquefaction and/or slope stability hazards. The project applicant shall implement the recommendations contained in the approved report during project design and construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
Hazards and Hazardous Materials			
SCA-HAZ-1: Hazardous Materials Related to Construction. (#39) The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential negative effects on groundwater, soils, and human health. These shall include, at a minimum, the following:	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
a. Follow manufacture's recommendations for use, storage, and disposal of chemical products used in construction; b. Avoid overtopping construction equipment fuel gas tanks; c. During routine maintenance of construction equipment, properly contain and remove grease and oils; d. Properly dispose of discarded containers of fuels and other chemicals; e. Implement lead-safe work practices and comply with all local, regional, state, and federal requirements concerning lead (for more information refer to the Alameda County Lead Poisoning Prevention Program); and f. If soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the project applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notifying the City and applicable regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate.			
SCA-HAZ-2: Building Materials and Site Contamination. (#40) *a. Hazardous Building Materials Assessment* The project applicant shall submit a comprehensive assessment report to the Bureau of Building, signed by a qualified environmental professional, documenting the presence or lack thereof of asbestos-containing materials (ACMs), lead-based paint, polychlorinated biphenyls (PCBs), and any other building materials or stored materials classified as hazardous materials by State or federal law. If lead-based paint, ACMs, PCBs, or any other building materials or stored materials classified as hazardous materials are present, the project applicant shall submit specifications prepared and signed by a qualified environmental professional, for the stabilization and/or removal of the identified hazardous materials in accordance with all applicable laws	Prior to approval of demolition, grading, or building permits	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
and regulations. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.			
b. Environmental Site Assessment Required The project applicant shall submit a Phase I Environmental Site Assessment report, and Phase II Environmental Site Assessment report if warranted by the Phase I report, for the project site for review and approval by the City. The report(s) shall be prepared by a qualified environmental assessment professional and include recommendations for remedial action, as appropriate, for hazardous materials. The project applicant shall implement the approved recommendations and submit to the City evidence of approval for any proposed remedial action and required clearances by the applicable local, state, or federal regulatory agency.	Prior to approval of construction-related permit	Applicable regulatory agency with jurisdiction	Applicable regulatory agency with jurisdiction
c. Health and Safety Plan Required The project applicant shall submit a Health and Safety Plan for the review and approval by the City in order to protect project construction workers from risks associated with hazardous materials. The project applicant shall implement the approved Plan.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
d. Best Management Practices (BMPs) Required for Contaminated Sites The project applicant shall ensure that Best Management Practices (BMPs) are implemented by the contractor during construction to minimize potential soil and groundwater hazards. These shall include the following: i. Soil generated by construction activities shall be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state, and federal requirements. ii. Groundwater pumped from the subsurface shall be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.	During construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
SCA-HAZ-3: Hazardous Materials Business Plan. (#41) The project applicant shall submit a Hazardous Materials Business Plan for review and approval by the City, and shall implement the approved Plan. The approved Plan shall be kept on file with the City and the project applicant shall update the Plan as applicable. The purpose of the Hazardous Materials Business Plan is to ensure that employees are adequately trained to handle hazardous materials and provides information to the Fire Department should emergency response be required. Hazardous materials shall be handled in accordance with all applicable local, state, and federal requirements. The Hazardous Materials Business Plan shall include the following: a. The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids. b. The location of such hazardous materials. c. An emergency response plan including employee training information. d. A plan that describes the manner in which these materials are handled, transported, and disposed.	Prior to building permit final	Oakland Fire Department	Oakland Fire Department
Hydrology and Water Quality			
SCA-HYDR-1: Erosion and Sedimentation Control Measures for Construction. (#44) The project applicant shall implement Best Management Practices (BMPs) to reduce erosion, sedimentation, and water quality impacts during construction to the maximum extent practicable. At a minimum, the project applicant shall provide filter materials deemed acceptable to the City at nearby catch basins to prevent any debris and dirt from flowing into the City's storm drain system and creeks.	During construction	N/A	Bureau of Building
SCA-HYDR-2: NPDES C.3 Stormwater Requirements for Regulated Projects. (#50) *a. Post-Construction Stormwater Management Plan Required* The project applicant shall comply with the requirements of Provision C.3 of the Municipal Regional Stormwater Permit issued under the National Pollutant Discharge Elimination System (NPDES). The project applicant shall submit a Post-Construction Stormwater Management Plan to the City	Prior to approval of construction-related permit	Bureau of Planning; Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
for review and approval with the project drawings submitted for site improvements, and shall implement the approved Plan during construction. The Post-Construction Stormwater Management Plan shall include and identify the following: i. Location and size of new and replaced impervious surface; ii. Directional surface flow of stormwater runoff; iii. Location of proposed on-site storm drain lines; iv. Site design measures to reduce the amount of impervious surface area; v. Source control measures to limit stormwater pollution; vi. Stormwater treatment measures to remove pollutants from stormwater runoff, including the method used to hydraulically size the treatment measures; and vii. Hydromodification management measures, if required by Provision C.3, so that post-project stormwater runoff flow and duration match pre-project runoff.			
b. Maintenance Agreement Required The project applicant shall enter into a maintenance agreement with the City, based on the Standard City of Oakland Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3, which provides, in part, for the following: i. The project applicant accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity; and ii. Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary. The maintenance agreement shall be recorded at the County Recorder's Office at the applicant's expense.	Prior to building permit final	Bureau of Building	Bureau of Building
Noise			
SCA-NOS-1: Construction Days/Hours. (#58)	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
The project applicant shall comply with the following restrictions concerning construction days and hours: a. Construction activities are limited to between 7:00 a.m. and 7:00 p.m. Monday through Friday, except that pier drilling and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. b. Construction activities are limited to between 9:00 a.m. and 5:00 p.m. on Saturday. In residential zones and within 300 feet of a residential zone, construction activities are allowed from 9:00 a.m. to 5:00 p.m. only within the interior of the building with the doors and windows closed. No pier drilling or other extreme noise generating activities greater than 90 dBA are allowed on Saturday. c. No construction is allowed on Sunday or federal holidays. Construction activities include, but are not limited to, truck idling, moving equipment (including trucks, elevators, etc.) or materials, deliveries, and construction meetings held on-site in a non-enclosed area. Any construction activity proposed outside of the above days and hours for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case-by-case basis by the City, with criteria including the urgency/emergency nature of the work, the proximity of residential or other sensitive uses, and a consideration of nearby residents'/occupants' preferences. The project applicant shall notify property owners and occupants located within 300 feet at least 14 calendar days prior to construction activity proposed outside of the above days/hours. When submitting a request to the City to allow construction activity outside of the above days/hours, the project applicant shall submit information concerning the type and duration of proposed construction activity and the draft public notice for City review and approval prior to distribution of the public notice.			
SCA-NOS-2: Construction Noise. (#59) The project applicant shall implement noise reduction measures to reduce noise impacts due to construction. Noise reduction measures include, but are not limited to, the following: a. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible. b. Except as provided herein, impact tools (e.g., jack hammers,	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c. Applicant shall use temporary power poles instead of generators where feasible. d. Stationary noise sources shall be located as far from adjacent properties as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. e. The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented.			
SCA-NOS-3: Extreme Construction Noise. (#60) *a. Construction Noise Management Plan Required* Prior to any extreme noise generating construction activities (e.g., pier drilling, pile driving and other activities generating greater than 90dBA), the project applicant shall submit a Construction Noise Management Plan prepared by a qualified acoustical consultant for City review and approval that contains a set of site-specific noise attenuation measures to further reduce construction impacts associated with extreme noise generating activities. The project applicant shall implement the approved Plan during construction. Potential attenuation measures include, but are not limited to, the following: i. Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; ii. Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical	Prior to Approval	Bureau of Building	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
and structural requirements and conditions; iii. Utilize noise control blankets on the building structure as the building is erected to reduce noise emission from the site; iv. Evaluate the feasibility of noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings by the use of sound blankets for example and implement such measure if such measures are feasible and would noticeably reduce noise impacts; and v. Monitor the effectiveness of noise attenuation measures by taking noise measurements. *b. Public Notification Required* The project applicant shall notify property owners and occupants located within 300 feet of the construction activities at least 14 calendar days prior to commencing extreme noise generating activities. Prior to providing the notice, the project applicant shall submit to the City for review and approval the proposed type and duration of extreme noise generating activities and the proposed public notice. The public notice shall provide the estimated start and end dates of the extreme noise generating activities and describe noise attenuation measures to be implemented.			
SCA-NOS-4: Construction Noise Complaints. (#62) The project applicant shall submit to the City for review and approval a set of procedures for responding to and tracking complaints received pertaining to construction noise, and shall implement the procedures during construction. At a minimum, the procedures shall include: a. Designation of an on-site construction complaint and enforcement manager for the project; b. A large on-site sign near the public right-of-way containing permitted construction days/hours, complaint procedures, and phone numbers for the project complaint manager and City Code Enforcement unit; c. Protocols for receiving, responding to, and tracking received complaints; and d. Maintenance of a complaint log that records received complaints and how complaints were addressed, which shall be submitted to the City for review upon the City's request.	Prior to Approval of Construction-Related Permit	Bureau of Building	Bureau of Building
SCA-NOS-5: Operational Noise. (#64) Noise levels from the project site after completion of the project (i.e.,	Ongoing	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
during project operation) shall comply with the performance standards of chapter 17.120 of the Oakland Planning Code and chapter 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City.			
SCA-NOS-6: Exposure to Community Noise. (#63) The project applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical engineer for City review and approval that contains noise reduction measures (e.g., sound-rated window, wall, and door assemblies) to achieve an acceptable interior noise level in accordance with the land use compatibility guidelines of the Noise Element of the Oakland General Plan. The applicant shall implement the approved Plan during construction. To the maximum extent practicable, interior noise levels shall not exceed the following: a. 45 dBA: Residential activities, civic activities, hotels. b. 50 dBA: Administrative offices; group assembly activities. c. 55 dBA: Commercial activities. d. 65 dBA: Industrial activities.	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
Transportation and Traffic			
Mitigation Measure Traf-7. Optimize the traffic signal timing at the intersection of 5th Street/Oak Street. Optimization of traffic signal timing shall include adjusting the signal cycle length from 45 seconds to 60 seconds, and determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches. Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project sponsor shall submit the following to City of Oakland's Transportation Service Division and Caltrans for review and approval: a. *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 and 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 ADA standards (according to Federal and State Access Board	Monitoring Schedule: Submittal prior to issuance of a building permit Implement TSD-approved improvements prior to final inspection of the building permit	Monitoring Responsibility: City of Oakland, CEDA-Dept. of Engineering & Construction, Transportation Services Division; City of Oakland CEDA-Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning. Caltrans	Monitoring Procedure: Review and approve PS&E. Confirm that improvements are designed and implemented pursuant to approved PS&E.

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
guideline) at the time of construction. Current City Standards call for among other items the elements listed below: i. 2070L Type Controller ii. Full signal actuation (includes video detection, bicycle detection, pedestrian push buttons) iii. Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet iv. GPS communication clock v. Accessible pedestrian crosswalks according to Federal and State Access Board Guidelines vi. Accessible pedestrian signals audible and tactile according to Federal Access Board guidelines vii. Countdown Pedestrian Signals *b. Signal timing plans for the signals in the coordination group.* The Project sponsor shall fund, prepare and install the approved plans and improvements.			
Mitigation Measure Traf-8. Optimize the traffic signal timing at the intersection of 6th Street/Jackson Street. Optimization of traffic signal timing would include adjusting cycle length from 60 seconds to 75 seconds, and determination of allocation of green time for each intersection approach in tune with the relative traffic volumes on those approaches. Coordinate the signal timing changes at this intersection with the adjacent intersections that are in the same signal coordination group. To implement this measure, the Project sponsor shall submit the following to City of Oakland's Transportation Service Division and Caltrans for review and approval: *a. 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 and 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 ADA standards (according to Federal and State Access Board guideline) at the time of construction. Current City Standards call for among other items the elements listed below: i. 2070L Type Controller	Monitoring Schedule: Submittal prior to issuance of a building permit Implement TSD-approved improvements prior to final inspection of the building permit	Monitoring Responsibility: City of Oakland, CEDA-Dept. of Engineering & Construction, Transportation Services Division; City of Oakland CEDA-Building Services Division, Zoning Inspection; City of Oakland CEDA-Planning & Zoning. Caltrans	Monitoring Procedure: Review and approve PS&E. Confirm that improvements are designed and implemented pursuant to approved PS&E.

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
ii. Full signal actuation (includes video detection, bicycle detection, pedestrian push buttons) iii. Fiber signal interconnect for corridors identified in the City's ITS Master Plan for a maximum of 600 feet iv. GPS communication clock v. Accessible pedestrian crosswalks according to Federal and State Access Board Guidelines vi. Accessible pedestrian signals audible and tactile according to Federal Access Board guidelines vii. Countdown Pedestrian Signals *b. Signal timing plans for the signals in the coordination group.* The Project sponsor shall fund, prepare and install the approved plans and improvements.			
SCA-TRANS-1: Transportation and Parking Demand Management. (#71) *a. Transportation and Parking Demand Management (TDM) Plan Required* The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City. i. The goals of the TDM Plan shall be the following: • Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project. • Achieve the following project vehicle trip reductions (VTR): • Projects generating 50-99 net new a.m. or p.m. peak hour vehicle trips: 10 percent VTR • Projects generating 100 or more net new a.m. or p.m. peak hour vehicle trips: 20 percent VTR • Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate. • Enhance the City's transportation system, consistent with City policies and programs. ii. TDM strategies to consider include, but are not limited to, the following: • Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the	Prior to approval of construction-related permit	Bureau of Planning	N/A

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement. • Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping. • Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project. • Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. • Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements. • Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency). • Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes. • Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3). • Guaranteed ride home program for employees, either through 511.org or through separate program. • Pre-tax commuter benefits (commuter checks) for employees. • Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.			

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
• On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools. • Distribution of information concerning alternative transportation options. • Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties. • Parking management strategies including attendant/valet parking and shared parking spaces. • Requiring tenants to provide opportunities and the ability to work off-site. • Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week). • Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours. The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.			
b. TDM Implementation — Physical Improvements For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.	Prior to Building Permit Final	Bureau of Building	Bureau of Building
c. TDM Implementation — Operational Strategies For projects that generate 100 or more net new a.m. or p.m. peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years	Ongoing	Bureau of Planning	Bureau of Planning

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.			
SCA-TRANS-2: Construction Activity in the Public Right-of-Way. (#68) *a. Obstruction Permit Required* The project applicant shall obtain an obstruction permit from the City prior to placing any temporary construction-related obstruction in the public right-of-way, including City streets and sidewalks.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
b. Traffic Control Plan Required In the event of obstructions to vehicle or bicycle travel lanes, the project applicant shall submit a Traffic Control Plan to the City for review and approval prior to obtaining an obstruction permit. The project applicant shall submit evidence of City approval of the Traffic Control Plan with the application for an obstruction permit. The Traffic Control Plan shall contain a set of comprehensive traffic control measures for auto, transit, bicycle, and pedestrian detours, including detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. The project applicant shall implement the approved Plan during construction.	Prior to approval of construction-related permit	Public Works Department, Transportation Services Division	Bureau of Building
c. Repair City Streets The project applicant shall repair any damage to the public right-of way, including streets and sidewalks caused by project construction at his/her expense within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, repair shall occur prior to approval of the final inspection of the construction-related permit. All damage that is a threat to public health or safety shall be repaired immediately.	Prior to Building Permit Final	N/A	Bureau of Building
SCA-TRANS-3: Bicycle Parking. (#69)	Prior to approval of	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
The project applicant shall comply with the City of Oakland Bicycle Parking Requirements (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall demonstrate compliance with the requirements.	construction-related permit		
SCA-TRANS-4: Transportation Improvements. (#70). The project applicant shall implement the recommended on- and off-site transportation-related improvements contained within the Transportation Impact Study for the project (e.g., signal timing adjustments, restriping, signalization, traffic control devices, roadway reconfigurations, and pedestrian and bicyclist amenities). The project applicant is responsible for funding and installing the improvements, and shall obtain all necessary permits and approvals from the City and/or other applicable regulatory agencies such as, but not limited to, Caltrans (for improvements related to Caltrans facilities) and the California Public Utilities Commission (for improvements related to railroad crossings), prior to installing the improvements. To implement this measure for intersection modifications, the project applicant shall submit Plans, Specifications, and Estimates (PS&E) to the City for review and approval. All elements shall be designed to applicable City standards in effect at the time of construction and all new or upgraded signals shall include these enhancements as required by the City. All other facilities supporting vehicle travel and alternative modes through the intersection shall be brought up to both City standards and ADA standards (according to Federal and State Access Board guidelines) at the time of construction. Current City Standards call for, among other items, the elements listed below: a. 2070L Type Controller with cabinet accessory b. GPS communication (clock) c. Accessible pedestrian crosswalks according to Federal and State Access Board guidelines with signals (audible and tactile) d. Countdown pedestrian head module switch out e. City Standard ADA wheelchair ramps f. Video detection on existing (or new, if required) g. Mast arm poles, full activation (where applicable) h. Polara Push buttons (full activation) i. Bicycle detection (full activation) j. Pull boxes	Prior to building permit final or as otherwise specified	Bureau of Building; Public Works Department, Transportation Services Division	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
k. Signal interconnect and communication with trenching (where applicable), or through existing conduit (where applicable), 600 feet maximum l. Conduit replacement contingency m. Fiber switch n. PTZ camera (where applicable) o. Transit Signal Priority (TSP) equipment consistent with other signals along corridor p. Signal timing plans for the signals in the coordination group			
Utilities and Service Systems			
SCA-UTIL-1: Construction and Demolition Waste Reduction and Recycling. (#74) The project applicant shall comply with the City of Oakland Construction and Demolition Waste Reduction and Recycling Ordinance (chapter 15.34 of the Oakland Municipal Code) by submitting a Construction and Demolition Waste Reduction and Recycling Plan (WRRP) for City review and approval, and shall implement the approved WRRP. Projects subject to these requirements include all new construction, renovations/alterations/ modifications with construction values of $50,000 or more (except R-3 type construction), and all demolition (including soft demolition) except demolition of type R-3 construction. The WRRP must specify the methods by which the project will divert construction and demolition debris waste from landfill disposal in accordance with current City requirements. The WRRP may be submitted electronically at www.greenhalo systems.com or manually at the City's Green Building Resource Center. Current standards, FAQs, and forms are available on the City's website and in the Green Building Resource Center.	Prior to approval of construction-related permit	Public Works Department, Environmental Services Division	Public Works Department, Environmental Services Division
SCA-UTIL-2: Underground Utilities. (#75) The project applicant shall place underground all new utilities serving the project and under the control of the project applicant and the City, including all new gas, electric, cable, and telephone facilities, fire alarm conduits, street light wiring, and other wiring, conduits, and similar facilities. The new facilities shall be placed underground along the project's street frontage and from the project structures to the point of service. Utilities under the control of other agencies, such as PG&E, shall be placed underground if feasible. All utilities shall be installed in accordance with	During Construction	N/A	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
standard specifications of the serving utilities.			
SCA-UTIL-3: Recycling Collection and Storage Space. (#76) The project applicant shall comply with the City of Oakland Recycling Space Allocation Ordinance (chapter 17.118 of the Oakland Planning Code). The project drawings submitted for construction-related permits shall contain recycling collection and storage areas in compliance with the Ordinance. For residential projects, at least two cubic feet of storage and collection space per residential unit is required, with a minimum of ten cubic feet. For nonresidential projects, at least two cubic feet of storage and collection space per 1,000 square feet of building floor area is required, with a minimum of ten cubic feet.	Prior to approval of construction-related permit	Bureau of Planning	Bureau of Building
SCA-UTIL-4: Green Building Requirements. (#77) *a. Compliance with Green Building Requirements During Plan-Check* The project applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the City of Oakland Green Building Ordinance (chapter 18.02 of the Oakland Municipal Code). i. The following information shall be submitted to the City for review and approval with the application for a building permit: • Documentation showing compliance with Title 24 of the current version of the California Building Energy Efficiency Standards. • Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. • Copy of the Unreasonable Hardship Exemption, if granted, during the review of the Planning and Zoning permit. • Permit plans that show, in general notes, detailed design drawings, and specifications as necessary, compliance with the items listed in subsection (ii) below. • Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit that the project complied with the requirements of the Green Building Ordinance. • Signed statement by the Green Building Certifier that the project still complies with the requirements of the Green Building Ordinance, unless an Unreasonable Hardship Exemption was granted during the review of the Planning and Zoning permit. • Other documentation as deemed necessary by the City to	Prior to approval of construction-related permit	Bureau of Building	N/A

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
demonstrate compliance with the Green Building Ordinance. ii. The set of plans in subsection (i) shall demonstrate compliance with the following: • CALGreen mandatory measures. • All pre-requisites per the green building checklist approved during the review of the Planning and Zoning permit, or, if applicable, all the green building measures approved as part of the Unreasonable Hardship Exemption granted during the review of the Planning and Zoning permit. • A minimum of 23 points (3 Community; 6 IAQ/Health; 6 Resources; 8 Water) as defined by the Green Building Ordinance for Residential New Construction. • All green building points identified on the checklist approved during review of the Planning and Zoning permit, unless a Request for Revision Plan-check application is submitted and approved by the Bureau of Planning that shows the previously approved points that will be eliminated or substituted. • The required green building point minimums in the appropriate credit categories.			
b. Compliance with Green Building Requirements During Construction The project applicant shall comply with the applicable requirements of CALGreen and the Oakland Green Building Ordinance during construction of the project. The following information shall be submitted to the City for review and approval: • Completed copies of the green building checklists approved during the review of the Planning and Zoning permit and during the review of the building permit. • Signed statement(s) by the Green Building Certifier during all relevant phases of construction that the project complies with the requirements of the Green Building Ordinance. • Other documentation as deemed necessary by the City to demonstrate compliance with the Green Building Ordinance.	During Construction	N/A	Bureau of Building
c. Compliance with Green Building Requirements After Construction Within sixty (60) days of the final inspection of the building permit for the project, the Green Building Certifier shall submit the appropriate documentation to Build It Green and attain the minimum required	After Project Completion as Specified	Bureau of Planning	Bureau of Building

Standard Conditions of Approval	When Required	Initial Approval	Monitoring/ Inspection
certification/point level. Within one year of the final inspection of the building permit for the project, the applicant shall submit to the Bureau of Planning the Certificate from the organization listed above demonstrating certification and compliance with the minimum point/certification level noted above.			
SCA-UTIL-5: Sanitary Sewer System. (#79) The project applicant shall prepare and submit a Sanitary Sewer Impact Analysis to the City for review and approval in accordance with the City of Oakland Sanitary Sewer Design Guidelines. The Impact Analysis shall include an estimate of pre-project and post-project wastewater flow from the project site. In the event that the Impact Analysis indicates that the net increase in project wastewater flow exceeds City-projected increases in wastewater flow in the sanitary sewer system, the project applicant shall pay the Sanitary Sewer Impact Fee in accordance with the City's Master Fee Schedule for funding improvements to the sanitary sewer system.	Prior to approval of construction-related permit	Public Works Department, Department of Engineering and Construction	N/A
SCA-UTIL-6: Storm Drain System. (#80) The project storm drainage system shall be designed in accordance with the City of Oakland's Storm Drainage Design Guidelines. To the maximum extent practicable, peak stormwater runoff from the project site shall be reduced by at least 25 percent compared to the pre-project condition.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building
SCA-UTIL-7: Recycled Water. (#81) Pursuant to section 16.08.030 of the Oakland Municipal Code, the project applicant shall provide for the use of recycled water in the project for landscape irrigation purposes unless the City determines that there is a higher and better use for the recycled water, the use of recycled water is not economically justified for the project, or the use of recycled water is not financially or technically feasible for the project. The project applicant shall contact the New Business Office of the East Bay Municipal Utility District (EBMUD) for a recycled water feasibility assessment by the Office of Water Recycling. If recycled water is to be provided in the project, the project drawings submitted for construction-related permits shall include the proposed recycled water system and the project applicant shall install the recycled water system during construction.	Prior to approval of construction-related permit	Bureau of Building	Bureau of Building

Attachment B: Criteria for Use of an Addendum, Per CEQA Guidelines Sections 15162 and15164

Public Resources Code Section 21166 and CEQA Guidelines Section 15164 (Subsequent EIRs, Supplements and Addenda to an EIR or Negative Declaration), state that an addendum to a certified EIR is allowed when minor changes or additions are necessary and none of the conditions for preparation of a Subsequent EIR or Negative Declaration pursuant to Section 15162 and 15164 are satisfied. Section 15164(e) states that "a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR." The analysis in the 2011 EIR directly applies to the Modified Project, providing the basis for the use of an Addendum as explained below.

Project Modifications. The environmental impacts associated with the development of the Original Project (2010 325 7th Street Project) were evaluated in the 2011 EIR (325 7th Street Project EIR), which determined that the Original Project would have a significant unavoidable effect on historic resources (historic building at 617-621 Harrison Street) and traffic and circulation (intersection operation at 5th Street/Oak Street and 6th Street/Jackson Street). The demolition of the historic resource at 617-621 Harrison Street is not part of the Modified Project as the building was completely destroyed in a fire. Additionally, the proposed residential development is smaller under the Modified Project, reduced to 160 units from 380 units for the Original Project.

Conditions for Addendum. None of the following conditions for preparation of a subsequent EIR per Section 15162(a) apply to the Modified Project:

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

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

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

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

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

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

Project Consistency with Section 15162 of the CEQA Guidelines. Since certification of the Final EIR for the Original Project, no changes have occurred in the circumstances under which the Modified Project would be implemented that would change the severity of the Modified Project's physical impacts as explained in the CEQA Checklist, and no new information has emerged that would materially change the analyses or conclusions set forth in the Final EIR for the Original Project.

Furthermore, as demonstrated in the CEQA Checklist, the proposed modifications to the Original Project would not result in any new significant environmental impacts, result in any substantial increases in the significance of previously identified effects, or necessitate implementation of additional or considerably different mitigation measures than those identified in the 2011 EIR, nor render any mitigation measures or alternatives found not to be feasible, feasible. The effects of the Modified Project would be substantially the same as those reported for the Original Project in the 2011 EIR.

The analysis presented in this CEQA Checklist, combined with the 2011 EIR analysis, demonstrates that the Modified Project would not result in significant impacts that were not previously identified in the 2011 EIR. The Modified Project would not result in a substantial increase in the significance of impacts, nor would it contribute considerably to cumulative effects that were not already accounted for in the certified 2011 EIR. Overall, the impacts of the Modified Project are similar to (and in some cases less than) those identified and discussed in the 2011 EIR, as described in the CEQA Checklist, and the findings reached in the 2011 EIR are applicable.

Attachment C: Project Consistency with Community Plan or Zoning, Per CEQA Guidelines Section 15183

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

The analysis in the Program EIRs (LUTE EIR, Housing Element EIR, and LMSAP EIR) is applicable to the Modified Project and the Program EIRs are the previous CEQA documents that provide the basis for use of the streamlined review for consistency with a Community Plan or Zoning.

Modified Project. The Modified Project would be developed within the LMSAP area. The Modified Project would include demolition of 4 existing structures and the development of a 6-story, 160-unit multi-family residential and commercial building on a 35,500 sf site. In general, the residential over ground-floor retail building would consist of 11,243 sf commercial space, 166,055 sf residential space, and 16,809 sf open space.

Project Consistency. As outlined below and as determined by the City of Oakland Bureau of Planning, the Modified Project is permitted in the zoning district in which it is located and is consistent with the bulk, density, and land uses envisioned in the LMSAP (which implements the City of Oakland General Plan). The EIR for the LMSAP was certified in 2014.

- The land use designation for the site is Central Business District (CBD); this designation is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance. The CBD classification includes a mix of large-scale offices, commercial, urban high-rise residential, institutional, open space, cultural, educational, arts, entertainment, service, community facilities, and visitor uses. For sites in the CBD, the maximum FAR is 20, and the maximum allowable residential density is 300 units per gross acre. The Modified Project, which is a mixed-use project with a FAR of 6.14 and a housing density of approximately 200 DUs per acre, would be consistent with this designation.
- The site is zoned as D-LM-2 and D-LM-4. The Lake Merritt Station Area District Pedestrian Commercial – 2 (D-LM-2) Zone seeks to create, maintain, and enhance areas of the LMSAP District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential uses. The Lake Merritt Station Area District Mixed Commercial – 4 Zone (D-LM-4) designates areas of the LMSAP District appropriate for a wide range of residential, commercial, and compatible light industrial uses. The Modified Project would provide ground-level retail and upper-level residential uses, consistent with the D-LM-2 and D-LM-4 zoning. The site is in Height Area LM-275, which allows a maximum podium height of 45 feet and allows for up to 85 feet with approval of a Conditional Use Permit. The maximum building height allowed within this zone is 275 feet. The Modified Project, which is a mixed-use project with a podium height of approximately 20 feet and a building height of approximately 72 feet, would be consistent with this zoning.

- The Modified Project site has been identified as an Opportunity Site (#32) within the LMSAP and is characterized as a site under approved development (i.e., the Original Project).
- The LUTE identifies five Showcase Districts targeted for continued growth; the Modified Project site is located within the Downtown Showcase District (Downtown), which is intended to promote a mixture of vibrant and unique subdistricts with around-the-clock activity, continued expansion of job opportunities, and a growing residential population. The Modified Project would provide ground-level retail and upper-level residential uses, consistent with the intent of the Downtown Showcase District.
- The Housing Element identifies the City's current and projected housing needs, and sets goals, policies, and programs to address those needs, as specified by the state's Regional Housing Needs Allocation process. Although not specified as a Housing Opportunity Site in the 2015-2023 Housing Element, the Modified Project would contribute to the total number of housing units needed in the City to meet its Regional Housing Needs Allocation target.

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

Attachment D: Infill Performance Standards, Per CEQA Guidelines Section 15183.3

Table D-1 demonstrates how the proposed Modified Project meets the eligibility requirements to qualify as an infill project under CEQA Guidelines Section 15183.3(b) and CEQA Guidelines Appendix M.

Table D-1. Eligibility for Streamlining – Infill Project

CEQA Eligibility Criteria	Eligibility of Modified Project
To be eligible for the streamlining procedures prescribed in this section, an infill project must:	
1) Be located in an urban area on a site that either has been previously developed or that adjoins existing qualified urban uses on at least seventy-five percent of the site's perimeter. For the purpose of this subdivision "adjoin" means the infill project is immediately adjacent to qualified urban uses, or is only separated from such uses by an improved public right-of-way.	The Modified Project is eligible. The Modified Project site is in an urban area in downtown Oakland, it has been previously developed, and it adjoins existing urban uses on 75 percent of its perimeter or is only separated from such uses by an improved public right-of-way.
2) Satisfy the performance standards provided in Appendix M.	The Modified Project is eligible. See responses to individual standards below.
3) Be consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy.	The Modified Project is eligible. The Modified Project site is within the Downtown and Jack London Square Priority Development Area as identified in the region's sustainable communities strategy (Plan Bay Area) and as identified in the City of Oakland's Energy and Climate Action Plan. The Modified Project site is within ½ mile of high quality transit (the Lake Merritt and 12th Street/Oakland City Center BART stations) and is in downtown Oakland, a community of concern as defined by Plan Bay Area. The land use designation for the site is CBD; this designation is intended to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance. For sites in CBD, the maximum FAR is 20, and the maximum allowable residential density is 300 DUs per gross acre. The Modified Project, which is a mixed-use project with a FAR of 6.14 and a housing density of 200 DUs per acre, would be consistent with this designation. The Modified Project site is zoned as D-LM-2 and D-LM-4. The D-LM-2 zone seeks to create, maintain, and enhance areas of the LMSAP District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office

CEQA Eligibility Criteria	Eligibility of Modified Project
	and residential uses. The D-LM-4 zone designates areas of the LMSAP District appropriate for a wide range of residential, commercial, and compatible light industrial uses. The Modified Project would provide ground-level retail and upper-level residential uses, consistent with the D-LM-2 and D-LM-4. The site is in Height Area LM-275, which allows a maximum podium height of 45 feet and a maximum building height of 275 feet. The Modified Project, which is a mixed-use project with a podium height of approximately 20 feet and a building height of approximately 72 feet, would be consistent with this zoning. Each of these factors demonstrates the Modified Project's overall consistency with the applicable policies of the region's sustainable communities strategy, as well as the City of Oakland's Energy and Climate Action Plan.
Satisfaction of Appendix M Performance Standards[1]	
Renewable Energy. All non-residential projects shall include on-site renewable power generation, such as solar photovoltaic, solar thermal and wind power generation, or clean backup power supplies, where feasible. Residential projects are also encouraged to include such on-site renewable power generation.	The Modified Project is eligible. The predominant use for the Modified Project is residential.
Soil and Water Remediation. If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, the project shall document how it has remediated the site, if remediation is completed. Alternatively, the project shall implement the recommendations provided in a preliminary endangerment assessment or comparable document that identifies remediation appropriate for the site.	The Modified Project is eligible. The Modified Project is not on any list compiled pursuant to Section 65962.5 of the Government Code identifying prior releases of hazardous materials and no remediation requirements have been identified.
Residential Units Near High-Volume Roadways and Stationary Sources. If a project includes residential units located within 500 feet, or other distance determined to be appropriate by the local agency or air district based on local conditions, of a high volume roadway or other significant sources of air pollution, the project shall comply with any policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution. If the local government has not adopted such plans or policies, the project shall include measures, such as enhanced air filtration and project design, that the lead agency finds, based on substantial evidence, will promote	The Modified Project is eligible. The Modified Project would include residential units within 500 feet of a high-volume roadway (I-880) and will implement City of Oakland SCAs as well as comply with policies and standards identified in the local general plan, specific plan, zoning code or community risk reduction plan for the protection of public health from such sources of air pollution.

CEQA Eligibility Criteria	Eligibility of Modified Project
the protection of public health from sources of air pollution. Those measures may include, among others, the recommendations of the California Air Resources Board, air districts, and the California Air Pollution Control Officers Association.	
Residential. To be eligible for streamlining pursuant to Section 15183.3, a Residential project must satisfy one of the following: ***Projects achieving below average regional per capita vehicle miles traveled (VMT).*** A residential project is eligible if it is located in a "low vehicle travel area" within the region. ***Projects located within 1/2 mile of an Existing Major Transit Stop or High Quality Transit Corridor.*** A residential project is eligible if it is located within 1/2 mile of an existing major transit stop or an existing stop along a high quality transit corridor. ***Low-Income Housing.*** A residential or mixed-use project consisting of 300 or fewer residential units all of which are affordable to low income households is eligible if the developer of the development project provides sufficient legal commitments to the lead agency to ensure the continued availability and use of the housing units for lower income households, as defined in Section 50079.5 of the Health and Safety Code, for a period of at least 30 years, at monthly housing costs, as determined pursuant to Section 50053 of the Health and Safety Code.	The Modified Project is eligible. The Modified Project site is in a low vehicle travel area. The Modified Project site is within ½ mile of two existing major transit stops—the Lake Merritt BART Station, located at 800 Madison Street, and the 12th Street/Oakland City Center BART Station, located at 1245 Broadway. The Modified Project site is also within ½ mile of Broadway, which qualifies as a high quality transit corridor, with fixed bus route serve at intervals no longer than 15 minutes during peak commute hours. The Modified Project would not provide low-income housing.
Commercial/Retail. To be eligible for streamlining pursuant to Section 15183.3, a Commercial/Retail project must satisfy one of the following: ***Regional Location.*** A commercial project with no single-building floor-plate greater than 50,000 square feet is eligible if it locates in a "low vehicle travel area."[1] ***Proximity to Households.*** A project with no single-building floor-plate greater than 50,000 square feet located within one-half mile of 1800 households is eligible.	The Modified Project is eligible. The Modified Project site is in a low vehicle travel area and would not have a floor-plate greater than 50,000 sf. The Modified Project site is within ½ mile of 1,800 households.
To be eligible for streamlining pursuant to Section 15183.3, an **Office Building** project must satisfy one of the following: ***Regional Location***. Office buildings, both commercial and public, are eligible if they. locate in a low vehicle travel area. ***Proximity to a Major Transit Stop***. Office buildings, both commercial and public, within ½ mile of an existing major transit stop, or ¼ mile of an existing stop along a high quality transit corridor, are eligible.	Not applicable. The Modified Project is not an office building project.

CEQA Eligibility Criteria	Eligibility of Modified Project
Transit. Transit stations, as defined in Section 15183.3(e)(1), are eligible.	Not applicable. The Modified Project is not a transit project.
Schools. Elementary schools within one mile of fifty percent of the projected student population are eligible. Middle schools and high schools within two miles of fifty percent of the projected student population are eligible. Alternatively, any school within % mile of an existing major transit stop or an existing stop along a high quality transit corridor is eligible. Additionally, in order to be eligible, all schools shall provide parking and storage for bicycles and scooters and shall comply with the requirements in Sections 17213, 17213.1 and 17213.2 of the California Education Code.	Not applicable. The Modified Project is not a school project.
Small Walkable Community Projects. Small walkable community projects, as defined in Section 15183.3, subdivision (e)(6), that implement the project features described in Section Ill above are eligible.	Not applicable. The Modified Project is not a small walkable community project.
Mixed Use Projects. Where a project includes some combination of residential, commercial and retail, office building, transit station, and/or schools, the performance standards in this Section that apply to the predominant use shall govern the entire project.	The Modified Project is eligible. The predominant use for the Modified Project is residential. The Modified Project meets the performance standard for a residential project.

[1] A traffic analysis zone that exhibits a below average existing level of travel as determined using a regional travel demand model. For residential projects, travel refers to either home-based or household vehicle miles traveled per capita. For commercial and retail projects, travel refers to non-work attraction trip length; however, where such data are not available, commercial projects reference either home-based or household vehicle miles traveled per capita. For office projects, travel refers to commute attraction vehicle miles traveled per employee; however, where such data are not available, office projects reference either home-based or household vehicle miles traveled per capita.

Attachment E: Greenhouse Gas Emissions Modeling

325 7th Street

Alameda County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Regional Shopping Center	11.24	1000sqft	0.10	11,243.00	0
Apartments Mid Rise	160.00	Dwelling Unit	0.70	160,000.00	458

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	63
Climate Zone	5			**Operational Year**	2019
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage consistent with plans.

Construction Phase - Construction period durations were increased consistent with the level of work to be performed and anticipated schedule.

Grading - Development will cover the entire site, as reflected in the acreage to be disturbed.

Demolition -

Woodstoves - No wood fireplaces are proposed.

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	150.00	250.00
tblArchitecturalCoating	EF_Nonresidential_Interior	100.00	250.00
tblArchitecturalCoating	EF_Residential_Exterior	150.00	250.00
tblArchitecturalCoating	EF_Residential_Interior	100.00	250.00
tblConstructionPhase	NumDays	5.00	20.00
tblConstructionPhase	NumDays	100.00	240.00
tblConstructionPhase	NumDays	10.00	20.00
tblConstructionPhase	NumDays	2.00	40.00
tblConstructionPhase	NumDays	1.00	20.00
tblFireplaces	NumberGas	88.00	100.00
tblFireplaces	NumberNoFireplace	49.60	60.00
tblFireplaces	NumberWood	22.40	0.00
tblGrading	AcresOfGrading	0.00	0.80
tblGrading	AcresOfGrading	10.00	0.80
tblGrading	MaterialExported	0.00	105,200.00
tblLandUse	LotAcreage	0.26	0.10
tblLandUse	LotAcreage	4.21	0.70
tblProjectCharacteristics	OperationalYear	2014	2019

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018											0.0000	696.3673	696.3673	0.0459	0.0000	697.3311
2019											0.0000	71.8154	71.8154	0.0112	0.0000	72.0499
Total											**0.0000**	**768.1827**	**768.1827**	**0.0571**	**0.0000**	**769.3810**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018											0.0000	696.3672	696.3672	0.0459	0.0000	697.3309
2019											0.0000	71.8153	71.8153	0.0112	0.0000	72.0499
Total											**0.0000**	**768.1825**	**768.1825**	**0.0571**	**0.0000**	**769.3808**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											1.0228	6.7484	7.7711	6.7800e-003	9.0000e-005	7.9408
Energy											0.0000	284.7269	284.7269	0.0108	3.3700e-003	285.9985
Mobile											0.0000	1,345.5286	1,345.5286	0.0482	0.0000	1,346.5401
Waste											17.3354	0.0000	17.3354	1.0245	0.0000	38.8498
Water											3.5714	24.9314	28.5028	0.3679	8.8900e-003	38.9870
Total											**21.9296**	**1,661.9353**	**1,683.8649**	**1.4582**	**0.0124**	**1,718.3161**

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											1.0228	6.7484	7.7711	6.7800e-003	9.0000e-005	7.9408
Energy											0.0000	284.7269	284.7269	0.0108	3.3700e-003	285.9985
Mobile											0.0000	1,345.5286	1,345.5286	0.0482	0.0000	1,346.5401
Waste											17.3354	0.0000	17.3354	1.0245	0.0000	38.8498
Water											3.5714	24.9314	28.5028	0.3679	8.8800e-003	38.9813
Total											**21.9296**	**1,661.9353**	**1,683.8649**	**1.4582**	**0.0123**	**1,718.3104**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.08**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2018	1/26/2018	5	20	
2	Site Preparation	Site Preparation	1/27/2018	2/23/2018	5	20	
3	Grading	Grading	2/24/2018	4/20/2018	5	40	
4	Building Construction	Building Construction	4/21/2018	3/22/2019	5	240	
5	Architectural Coating	Architectural Coating	3/23/2019	4/19/2019	5	20	

Acres of Grading (Site Preparation Phase): 0.8

Acres of Grading (Grading Phase): 0.8

Acres of Paving: 0

Residential Indoor: 324,000; Residential Outdoor: 108,000; Non-Residential Indoor: 16,865; Non-Residential Outdoor: 5,622 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	226	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	174	0.41
Demolition	Rubber Tired Dozers	1	1.00	255	0.40
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	4	10.00	0.00	85.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	13,150.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	119.00	19.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	24.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	10.6491	10.6491	2.0600e-003	0.0000	10.6923
Total											**0.0000**	**10.6491**	**10.6491**	**2.0600e-003**	**0.0000**	**10.6923**

3.2 Demolition - 2018

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	2.8326	2.8326	2.0000e-005	0.0000	2.8331
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.7647	0.7647	4.0000e-005	0.0000	0.7655
Total											**0.0000**	**3.5973**	**3.5973**	**6.0000e-005**	**0.0000**	**3.5986**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	10.6490	10.6490	2.0600e-003	0.0000	10.6923
Total											**0.0000**	**10.6490**	**10.6490**	**2.0600e-003**	**0.0000**	**10.6923**

3.2 Demolition - 2018

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	2.8326	2.8326	2.0000e-005	0.0000	2.8331
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.7647	0.7647	4.0000e-005	0.0000	0.7655
Total											**0.0000**	**3.5973**	**3.5973**	**6.0000e-005**	**0.0000**	**3.5986**

3.3 Site Preparation - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	8.5147	8.5147	2.6500e-003	0.0000	8.5704
Total											**0.0000**	**8.5147**	**8.5147**	**2.6500e-003**	**0.0000**	**8.5704**

3.3 Site Preparation - 2018

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.3824	0.3824	2.0000e-005	0.0000	0.3828
Total											**0.0000**	**0.3824**	**0.3824**	**2.0000e-005**	**0.0000**	**0.3828**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	8.5147	8.5147	2.6500e-003	0.0000	8.5704
Total											**0.0000**	**8.5147**	**8.5147**	**2.6500e-003**	**0.0000**	**8.5704**

3.3 Site Preparation - 2018

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	0.3824	0.3824	2.0000e-005	0.0000	0.3828
Total											**0.0000**	**0.3824**	**0.3824**	**2.0000e-005**	**0.0000**	**0.3828**

3.4 Grading - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	21.2981	21.2981	4.1200e-003	0.0000	21.3845
Total											**0.0000**	**21.2981**	**21.2981**	**4.1200e-003**	**0.0000**	**21.3845**

3.4 Grading - 2018

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	438.2204	438.2204	3.2700e-003	0.0000	438.2890
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.5294	1.5294	8.0000e-005	0.0000	1.5310
Total											**0.0000**	**439.7497**	**439.7497**	**3.3500e-003**	**0.0000**	**439.8200**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	21.2981	21.2981	4.1200e-003	0.0000	21.3845
Total											**0.0000**	**21.2981**	**21.2981**	**4.1200e-003**	**0.0000**	**21.3845**

3.4 Grading - 2018

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	438.2204	438.2204	3.2700e-003	0.0000	438.2890
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.5294	1.5294	8.0000e-005	0.0000	1.5310
Total											**0.0000**	**439.7497**	**439.7497**	**3.3500e-003**	**0.0000**	**439.8200**

3.5 Building Construction - 2018

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road											0.0000	93.6147	93.6147	0.0291	0.0000	94.2267
Total											**0.0000**	**93.6147**	**93.6147**	**0.0291**	**0.0000**	**94.2267**

3.5 Building Construction - 2018

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	36.2080	36.2080	2.8000e-004	0.0000	36.2139
Worker											0.0000	82.3535	82.3535	4.2200e-003	0.0000	82.4421
Total											**0.0000**	**118.5614**	**118.5614**	**4.5000e-003**	**0.0000**	**118.6559**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road											0.0000	93.6146	93.6146	0.0291	0.0000	94.2266
Total											**0.0000**	**93.6146**	**93.6146**	**0.0291**	**0.0000**	**94.2266**

3.5 Building Construction - 2018

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	36.2080	36.2080	2.8000e-004	0.0000	36.2139
Worker											0.0000	82.3535	82.3535	4.2200e-003	0.0000	82.4421
Total											**0.0000**	**118.5614**	**118.5614**	**4.5000e-003**	**0.0000**	**118.6559**

3.5 Building Construction - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road											0.0000	30.0132	30.0132	9.5000e-003	0.0000	30.2126
Total											**0.0000**	**30.0132**	**30.0132**	**9.5000e-003**	**0.0000**	**30.2126**

3.5 Building Construction - 2019

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	11.5987	11.5987	9.0000e-005	0.0000	11.6006
Worker											0.0000	25.8808	25.8808	1.2800e-003	0.0000	25.9077
Total											**0.0000**	**37.4795**	**37.4795**	**1.3700e-003**	**0.0000**	**37.5083**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road											0.0000	30.0132	30.0132	9.5000e-003	0.0000	30.2126
Total											**0.0000**	**30.0132**	**30.0132**	**9.5000e-003**	**0.0000**	**30.2126**

3.5 Building Construction - 2019

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	11.5987	11.5987	9.0000e-005	0.0000	11.6006
Worker											0.0000	25.8808	25.8808	1.2800e-003	0.0000	25.9077
Total											**0.0000**	**37.4795**	**37.4795**	**1.3700e-003**	**0.0000**	**37.5083**

3.6 Architectural Coating - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5578
Total											**0.0000**	**2.5533**	**2.5533**	**2.2000e-004**	**0.0000**	**2.5578**

3.6 Architectural Coating - 2019

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.7694	1.7694	9.0000e-005	0.0000	1.7712
Total											**0.0000**	**1.7694**	**1.7694**	**9.0000e-005**	**0.0000**	**1.7712**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road											0.0000	2.5533	2.5533	2.2000e-004	0.0000	2.5578
Total											**0.0000**	**2.5533**	**2.5533**	**2.2000e-004**	**0.0000**	**2.5578**

3.6 Architectural Coating - 2019

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker											0.0000	1.7694	1.7694	9.0000e-005	0.0000	1.7712
Total											**0.0000**	**1.7694**	**1.7694**	**9.0000e-005**	**0.0000**	**1.7712**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	1,345.5286	1,345.5286	0.0482	0.0000	1,346.5401
Unmitigated											0.0000	1,345.5286	1,345.5286	0.0482	0.0000	1,346.5401

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	1,054.40	1,145.60	971.20	2,356,358	2,356,358
Regional Shopping Center	482.77	561.81	283.77	816,403	816,403
Total	1,537.17	1,707.41	1,254.97	3,172,761	3,172,761

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	12.40	4.30	5.40	26.10	29.10	44.80	86	11	3
Regional Shopping Center	9.50	7.30	7.30	16.30	64.70	19.00	54	35	11

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.542590	0.062129	0.167184	0.110637	0.030730	0.004573	0.019109	0.050292	0.001784	0.003671	0.005678	0.000201	0.001421

4.4 Fleet Mix

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated											0.0000	206.2525	206.2525	9.3300e-003	1.9300e-003	207.0465
Electricity Unmitigated											0.0000	206.2525	206.2525	9.3300e-003	1.9300e-003	207.0465
NaturalGas Mitigated											0.0000	78.4743	78.4743	1.5000e-003	1.4400e-003	78.9519
NaturalGas Unmitigated											0.0000	78.4743	78.4743	1.5000e-003	1.4400e-003	78.9519

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Regional Shopping Center	53966.4											0.0000	2.8799	2.8799	6.0000e-005	5.0000e-005	2.8974
Apartments Mid Rise	1.41659e+006											0.0000	75.5945	75.5945	1.4500e-003	1.3900e-003	76.0545
Total												**0.0000**	**78.4743**	**78.4743**	**1.5100e-003**	**1.4400e-003**	**78.9519**

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Mid Rise	1.41659e+006											0.0000	75.5945	75.5945	1.4500e-003	1.3900e-003	76.0545
Regional Shopping Center	53966.4											0.0000	2.8799	2.8799	6.0000e-005	5.0000e-005	2.8974
Total												**0.0000**	**78.4743**	**78.4743**	**1.5100e-003**	**1.4400e-003**	**78.9519**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	578456	168.2795	7.6100e-003	1.5700e-003	168.9273
Regional Shopping Center	130531	37.9730	1.7200e-003	3.6000e-004	38.1192
Total		**206.2525**	**9.3300e-003**	**1.9300e-003**	**207.0465**

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	578456	168.2795	7.6100e-003	1.5700e-003	168.9273
Regional Shopping Center	130531	37.9730	1.7200e-003	3.6000e-004	38.1192
Total		**206.2525**	**9.3300e-003**	**1.9300e-003**	**207.0465**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											1.0228	6.7484	7.7711	6.7800e-003	9.0000e-005	7.9408
Unmitigated											1.0228	6.7484	7.7711	6.7800e-003	9.0000e-005	7.9408

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											1.0228	4.8076	5.8303	4.8700e-003	9.0000e-005	5.9600
Landscaping											0.0000	1.9408	1.9408	1.9100e-003	0.0000	1.9808
Total											**1.0228**	**6.7484**	**7.7711**	**6.7800e-003**	**9.0000e-005**	**7.9408**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth											1.0228	4.8076	5.8303	4.8700e-003	9.0000e-005	5.9600
Landscaping											0.0000	1.9408	1.9408	1.9100e-003	0.0000	1.9808
Total											**1.0228**	**6.7484**	**7.7711**	**6.7800e-003**	**9.0000e-005**	**7.9408**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	28.5028	0.3679	8.8800e-003	38.9813
Unmitigated	28.5028	0.3679	8.8900e-003	38.9870

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	10.4246 / 6.57206	26.4085	0.3407	8.2400e-003	36.1173
Regional Shopping Center	0.832575 / 0.510288	2.0943	0.0272	6.6000e-004	2.8696
Total		**28.5028**	**0.3679**	**8.9000e-003**	**38.9870**

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	10.4246 / 6.57206	26.4085	0.3407	8.2200e-003	36.1120
Regional Shopping Center	0.832575 / 0.510288	2.0943	0.0272	6.6000e-004	2.8692
Total		**28.5028**	**0.3679**	**8.8800e-003**	**38.9813**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	17.3354	1.0245	0.0000	38.8498
Unmitigated	17.3354	1.0245	0.0000	38.8498

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	73.6	14.9401	0.8829	0.0000	33.4818
Regional Shopping Center	11.8	2.3953	0.1416	0.0000	5.3680
Total		**17.3354**	**1.0245**	**0.0000**	**38.8498**

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	73.6	14.9401	0.8829	0.0000	33.4818
Regional Shopping Center	11.8	2.3953	0.1416	0.0000	5.3680
Total		**17.3354**	**1.0245**	**0.0000**	**38.8498**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Vegetation

325 7th Street Existing

Alameda County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Automobile Care Center	4.00	1000sqft	0.15	4,000.00	0
Unrefrigerated Warehouse-No Rail	9.56	1000sqft	0.50	9,560.00	0
General Office Building	5.08	1000sqft	0.15	5,075.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	63
Climate Zone	5			**Operational Year**	2019
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage from site.

Construction Phase - No construction - this is for existing uses only.

Off-road Equipment -

Grading -

Woodstoves -

Off-road Equipment - No construction.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	1.00	0.00
tblLandUse	LotAcreage	0.09	0.15
tblLandUse	LotAcreage	0.22	0.50
tblLandUse	LotAcreage	0.12	0.15
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	UsageHours	8.00	6.00
tblProjectCharacteristics	OperationalYear	2014	2019

2.0 Emissions Summary

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.0000	3.3000e-004	3.3000e-004	0.0000	0.0000	3.5000e-004
Energy											0.0000	53.4845	53.4845	2.1100e-003	6.1000e-004	53.7166
Mobile											0.0000	182.6319	182.6319	6.8800e-003	0.0000	182.7763
Waste											5.8847	0.0000	5.8847	0.3478	0.0000	13.1880
Water											1.1072	6.2919	7.3991	0.1140	2.7400e-003	10.6439
Total											**6.9919**	**242.4087**	**249.4006**	**0.4708**	**3.3500e-003**	**260.3252**

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area											0.0000	3.3000e-004	3.3000e-004	0.0000	0.0000	3.5000e-004
Energy											0.0000	53.4845	53.4845	2.1100e-003	6.1000e-004	53.7166
Mobile											0.0000	182.6319	182.6319	6.8800e-003	0.0000	182.7763
Waste											5.8847	0.0000	5.8847	0.3478	0.0000	13.1880
Water											1.1072	6.2919	7.3991	0.1140	2.7400e-003	10.6421
Total											**6.9919**	**242.4087**	**249.4006**	**0.4708**	**3.3500e-003**	**260.3234**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Placeholder	Site Preparation	1/1/2018	12/31/2017	5	0	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Placeholder	Graders	0	8.00	174	0.41
Placeholder	Concrete/Industrial Saws	0	8.00	81	0.73
Placeholder	Rubber Tired Dozers	0	1.00	255	0.40
Placeholder	Tractors/Loaders/Backhoes	0	6.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Placeholder	0	0.00	0.00	0.00	12.40	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	182.6319	182.6319	6.8800e-003	0.0000	182.7763
Unmitigated											0.0000	182.6319	182.6319	6.8800e-003	0.0000	182.7763

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Automobile Care Center	248.00	248.00	248.00	247,054	247,054
Unrefrigerated Warehouse-No Rail	24.76	24.76	24.76	72,288	72,288
General Office Building	55.88	12.03	4.97	101,182	101,182
Total	328.64	284.79	277.73	420,525	420,525

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Automobile Care Center	9.50	7.30	7.30	33.00	48.00	19.00	21	51	28
Unrefrigerated Warehouse-No	9.50	7.30	7.30	59.00	0.00	41.00	92	5	3
General Office Building	9.50	7.30	7.30	33.00	48.00	19.00	77	19	4

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.542590	0.062129	0.167184	0.110637	0.030730	0.004573	0.019109	0.050292	0.001784	0.003671	0.005678	0.000201	0.001421

4.4 Fleet Mix

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
NaturalGas Mitigated											0.0000	11.7162	11.7162	2.2000e-004	2.1000e-004	11.7875
NaturalGas Unmitigated											0.0000	11.7162	11.7162	2.2000e-004	2.1000e-004	11.7875
Electricity Mitigated											0.0000	41.7683	41.7683	1.8900e-003	3.9000e-004	41.9291
Electricity Unmitigated											0.0000	41.7683	41.7683	1.8900e-003	3.9000e-004	41.9291

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Automobile Care Center	102720											0.0000	5.4815	5.4815	1.1000e-004	1.0000e-004	5.5149
General Office Building	102972											0.0000	5.4950	5.4950	1.1000e-004	1.0000e-004	5.5284
Unrefrigerated Warehouse-No Rail	13862											0.0000	0.7397	0.7397	1.0000e-005	1.0000e-005	0.7442
Total												**0.0000**	**11.7162**	**11.7162**	**2.3000e-004**	**2.1000e-004**	**11.7875**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Automobile Care Center	102720											0.0000	5.4815	5.4815	1.1000e-004	1.0000e-004	5.5149
General Office Building	102972											0.0000	5.4950	5.4950	1.1000e-004	1.0000e-004	5.5284
Unrefrigerated Warehouse-No Rail	13862											0.0000	0.7397	0.7397	1.0000e-005	1.0000e-005	0.7442
Total												**0.0000**	**11.7162**	**11.7162**	**2.3000e-004**	**2.1000e-004**	**11.7875**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Automobile Care Center	33080	9.6234	4.4000e-004	9.0000e-005	9.6604
General Office Building	70441	20.4921	9.3000e-004	1.9000e-004	20.5710
Unrefrigerated Warehouse-No Rail	40056.4	11.6529	5.3000e-004	1.1000e-004	11.6977
Total		**41.7683**	**1.9000e-003**	**3.9000e-004**	**41.9291**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Automobile Care Center	33080	9.6234	4.4000e-004	9.0000e-005	9.6604
General Office Building	70441	20.4921	9.3000e-004	1.9000e-004	20.5710
Unrefrigerated Warehouse-No Rail	40056.4	11.6529	5.3000e-004	1.1000e-004	11.6977
Total		**41.7683**	**1.9000e-003**	**3.9000e-004**	**41.9291**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated											0.0000	3.3000e-004	3.3000e-004	0.0000	0.0000	3.5000e-004
Unmitigated											0.0000	3.3000e-004	3.3000e-004	0.0000	0.0000	3.5000e-004

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping											0.0000	3.3000e-004	3.3000e-004	0.0000	0.0000	3.5000e-004
Total											**0.0000**	**3.3000e-004**	**3.3000e-004**	**0.0000**	**0.0000**	**3.5000e-004**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products											0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping											0.0000	3.3000e-004	3.3000e-004	0.0000	0.0000	3.5000e-004
Total											**0.0000**	**3.3000e-004**	**3.3000e-004**	**0.0000**	**0.0000**	**3.5000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Unmitigated	7.3991	0.1140	2.7400e-003	10.6439
Mitigated	7.3991	0.1140	2.7400e-003	10.6421

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Automobile Care Center	0.376324 / 0.23065	0.9466	0.0123	3.0000e-004	1.2971
General Office Building	0.902887 / 0.553383	2.2712	0.0295	7.1000e-004	3.1120
Unrefrigerated Warehouse-No Rail	2.21075 / 0	4.1814	0.0722	1.7300e-003	6.2348
Total		**7.3991**	**0.1140**	**2.7400e-003**	**10.6439**

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Automobile Care Center	0.376324 / 0.23065	0.9466	0.0123	3.0000e-004	1.2969
General Office Building	0.902887 / 0.553383	2.2712	0.0295	7.1000e-004	3.1115
Unrefrigerated Warehouse-No Rail	2.21075 / 0	4.1814	0.0722	1.7300e-003	6.2337
Total		**7.3991**	**0.1140**	**2.7400e-003**	**10.6421**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	5.8847	0.3478	0.0000	13.1880
Unmitigated	5.8847	0.3478	0.0000	13.1880

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Automobile Care Center	15.28	3.1017	0.1833	0.0000	6.9511
General Office Building	4.72	0.9581	0.0566	0.0000	2.1472
Unrefrigerated Warehouse-No Rail	8.99	1.8249	0.1079	0.0000	4.0897
Total		**5.8847**	**0.3478**	**0.0000**	**13.1880**

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Automobile Care Center	15.28	3.1017	0.1833	0.0000	6.9511
General Office Building	4.72	0.9581	0.0566	0.0000	2.1472
Unrefrigerated Warehouse-No Rail	8.99	1.8249	0.1079	0.0000	4.0897
Total		**5.8847**	**0.3478**	**0.0000**	**13.1880**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Vegetation

Attachment F: Transportation Assessment

FEHR PEERS

DRAFT MEMORANDUM

Date: July 18, 2017

To: Sharon Wright, Lamphier-Gregory

From: Sam Tabibnia

Subject: 325 7th Street Project – Transportation Assessment

OK16-0153

This memorandum summarizes the transportation assessment that Fehr & Peers completed for the proposed 325 7th Street project in Oakland. This document lists the thresholds of significance, provides a brief description of the proposed project, followed by an analysis of project impacts under CEQA, including consistency with previous environmental documents that evaluated the impacts of a larger development at this project site, and a discussion of planning-related non-CEQA issues including effects of the project on access, circulation, and parking. Based on our analysis, the proposed project would not cause significant impacts to the transportation network, beyond the ones identified in the previous environmental documents. This document also provides recommendations that improve multi-modal access, circulation, and safety.

THRESHOLDS OF SIGNIFICANCE

According to the interim *Update to CEQA Thresholds of Significance and Transportation Impact Study Guidelines* dated October 17, 2016, VMT impacts would have a significant effect on the environment if it would:

1. Conflict with a plan, ordinance, or policy addressing the safety or performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of service or other measures of vehicle delay); or
2. Cause substantial additional VMT per capita, per service population, or other appropriate efficiency measure; or
3. Substantially induce additional automobile travel by increasing physical roadway capacity in congested areas (i.e., by adding new mixed-flow lanes) or by adding new roadways to the network.

PROJECT DESCRIPTION

The proposed project would replace existing buildings with a new building consisting of 160 multi-family residential units and about 15,000 square feet of commercial space. The project proposes a parking garage with 109 parking spaces with 105 stacker spaces and four accessible spaces. Access to the garage would be provided through two driveways: a full-access driveway on 6th Street and an outbound-only driveway on 7th Street. The project would also provide bicycle parking for 160 bicycles on the Mezzanine Level. Primary pedestrian access for the project would be through a main lobby midblock on 7th Street. Additional pedestrian access would be provided through stairwells on 6th and Harrison Streets.

CONFLICTS WITH PLANS, ORDINANCES, OR POLICIES RELATING TO SAFETY, OR PERFORMANCE OF THE CIRCULATION SYSTEM (THRESHOLD 1)

The proposed project is consistent with applicable plans, ordinances, and policies, and would not cause a significant impact by conflicting with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths (except for automobile level of service or other measures of vehicle delay).

The LUTE, as well as the City's Public Transit and Alternative Mode and Complete Streets policies, states a strong preference for encouraging the use of non-automobile transportation modes, such as transit, bicycling, and walking. The proposed project would encourage the use of non-automobile transportation modes by providing residential and commercial uses with minimal parking in a dense, walkable urban environment that is well-served by local and regional transit.

The proposed project is consistent with both the City's Pedestrian Master Plan and Bicycle Master Plan as it would not make major modifications to existing pedestrian or bicycle facilities in the surrounding areas and would not adversely affect installation of future facilities. Further, because the proposed project would generate more than 50 peak hour trips, preparation and implementation of a TDM Plan is required for the proposed project, per City of Oakland's Standard Condition of Approval #71 (Transportation and Parking Demand Management).

Overall, the proposed project would not conflict with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system. This is a less-than-significant impact; no mitigation measures are required.

Furthermore, the project would be consistent with the previously published environmental documents that evaluated the impacts of development at the project site. Both the *325 Seventh Street Project EIR* (Draft EIR published in October 2010 and Final EIR published in June 2011, and referred to as the 2011 Project EIR in this memorandum) and the *Lake Merritt Station Area Plan EIR* (Draft EIR published in November 2013 and Final EIR published in July 2014, and referred to as the LMSAP EIR in this memorandum) evaluated the impacts of a larger development at the project site. Consistency of the currently proposed project with these two previously published environmental documents is discussed below.

Consistency with 2011 Project EIR

The *325 Seventh Street Project EIR* evaluated the impacts of a project consisting of 380 residential units and about 9,100 square feet of commercial space on the transportation system using LOS per the City of Oakland Significance Criteria at the time. Because the 2011 EIR included an LOS analysis, this Addendum to the 2011 EIR includes an updated LOS analysis, although it is no longer required by the City's updated Significance Criteria. It is provided to confirm the applicability of the Addendum and that the LOS analysis in the 2011 EIR continues to apply and to provide additional information, especially relating to the applicability of previously imposed mitigation measures. The automobile trip generation for the currently proposed project compared to the original project as well as the current status and applicability of the impacts and mitigation measures identified in the 2011 Project EIR are described below.

Trip Generation

Table 1 summarizes the automobile trip generation for the currently proposed 325 7th Street project. The proposed project would provide about 15,000 square feet of commercial space. Although specific tenant or uses are not known at this time, this analysis assumes that about half (7,500 square feet) would be retail and about half (7,500 square feet) would be restaurant. The trip generation estimates are based on data published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual* (9th Edition) with the following adjustments:

- The ITE data is based on data collected at mostly single-use suburban sites where the automobile is often the only travel mode. However, the project site is in a dense mixed-use urban environment where many trips are walk, bike, or transit trips. Since the proposed project is about 0.4 miles from the Lake Merritt BART Station, this analysis reduces the ITE based trip generation by 43 percent to account for the non-automobile trips. This reduction is consistent with City of Oakland *Transportation Impact Study Guidelines* and is

based on the Bay Area Travel Survey (BATS) 2000 which shows that the non-automobile mode share within one-half mile of a BART Station in Alameda County is about 43 percent.

TABLE 1
TRIP GENERATION SUMMARY

Land Use	Units[1]	ITE Code	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Residential	160 DU	220 [2]	1,090	16	66	82	69	37	106
Retail	7.5 KSF	820 [3]	320	4	3	7	13	15	28
Restaurant	7.5 KSF	932 [4]	960	45	36	81	44	30	74
Subtotal			*6,490*	*65*	*105*	*170*	*126*	*82*	*208*
Non-Auto Trips (-43%)[5]			-1,020	-28	-45	-73	-54	-35	-89
Pass-by Trips[6]			-110	0	0	0	-10	-10	-20
Existing Trips[7]			-42	-1	-1	-2	-4	-2	-6
Net New Project Trips			**1,198**	**36**	**59**	**95**	**58**	**35**	**93**
Approved Project[7]			2,058			163			262
Net Difference			-860			-68			-169

1. DU = Dwelling Units, KSF = 1,000 square feet.
2. ITE Trip Generation (9th Edition) land use category 220 (Apartment):
   Daily: 6.65
   AM Peak Hour: 0.51 (20% in, 80% out)
   PM Peak Hour: 0.62 (65% in, 35% out)
3. ITE Trip Generation (9th Edition) land use category 820 (Shopping Center):
   Daily: 42.70
   AM Peak Hour: 0.96 (62% in, 38% out)
   PM Peak Hour: 3.71 (48% in, 52% out)
4. ITE Trip Generation (9th Edition) land use category 932 (High Turnover Sit Down Restaurant):
   Daily: 127.5
   AM Peak Hour: 10.81 (55% in, 45% out)
   PM Peak Hour: 9.85 (60% in, 40% out)
5. Reduction of 43.0% assumed based on *City of Oakland Transportation Impact Study Guidelines* data for development in an urban environment within 0.5 miles of a BART Station.
6. PM peak hour pass-by rates based on ITE Trip Generation Handbook (3rd Edition). The weekday PM peak hour average pass-by rates for land use category 820 is 34% and category 932 is 43%. Pass-by rates are not applied to the AM peak hour. 20% reduction is applied to the daily trips.
7. *325 7th Street Project Final EIR* (June 2011).

Source: Fehr & Peers, 2017.

A 2011 research study shows reducing ITE based trip generation using BATS data results in a more accurate estimation of trip generation for urban mixed use developments than just using ITE based trip generation.[1]

- Pass-by trips are trips attracted to a site from adjacent roadways as an intermediate stop on the way to a final destination. Pass-by trips alter travel patterns in the immediate study area, but do not add new vehicle trips to the roadway network, and should therefore be excluded from trip generation estimates. According to ITE's *Trip Generation Handbook* (3rd Edition), the average weekday PM peak hour pass-by reduction is 34 percent for retail and 43 percent for restaurant. No pass-by reductions were applied to the AM peak hour and it was assumed that on a daily basis there would be a 20 percent reduction.
- The proposed project would eliminate existing uses at the site. Based on the 2011 EIR for the project, the site currently generates about 42 daily, and two AM and six PM peak hour trips. The project trip generation presented in Table 1 is reduced to account for these existing trips.

As shown in Table 1, the currently proposed project is estimated to generate about 1,200 daily, 95 AM peak hour, and 93 PM peak hour trips, which is about 860 fewer daily, 68 fewer AM peak hour, and 169 fewer PM peak hour trips compared to the project evaluated in the 2011 EIR.

Since the currently proposed project would generate fewer automobile trips than the original project analyzed in the 2011 EIR, the proposed project would not result in additional impacts on traffic operations than analyzed in the *325 Seventh Street Project EIR*.

2011 EIR Impacts

- Existing plus Project Intersection Level of Service: The addition of Project traffic could result in additional vehicle delay at three intersections — 5th Street/Oak Street (#1), 6th Street/ Jackson Street (#4), and 8th Street/Webster Street (#9) — that would exceed the City's previous LOS-based significance threshold under which the 2011 EIR transportation analysis was performed.
- Year 2015 Baseline plus Project Intersection Level of Service: The addition of Project traffic could result in additional vehicle delay at three intersections — 5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9) — that would exceed the City's previous LOS-based significance threshold under which the 2011 EIR transportation analysis was performed.

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

- 2030 Cumulative plus Project Intersection Level of Service: The addition of Project traffic could result in additional vehicle delay at three intersections — 5th Street/Oak Street (#1), 6th Street/Jackson Street (#4), and 8th Street/Webster Street (#9) — that would exceed the City's previous LOS-based significance threshold under which the 2011 EIR transportation analysis was performed.

2011 EIR Mitigations

The 2011 EIR identified significant impacts related to intersection Levels of Service (LOS) at a number of intersections. Although, as mentioned above, new VMT Thresholds have been adopted and are described below in further detail. The proposed project does not exceed the City's newly adopted VMT thresholds. The mitigation measures identified in the 2011 Project EIR to address LOS impacts, their current status, and their applicability to the proposed project are, however, described below:

- Mitigation Measures Traf-7 (project impact), Traf-10 (cumulative impact), and Traf-13 (cumulative impact) apply to the 5th Street/Oak Street intersection. These mitigation measures consist of upgrading signal equipment and updating signal timing at the intersection. Although these improvements are included in the Citywide Transportation Impact Fee (TIF) Program, the project applicant would be responsible for implementing this mitigation because this is a project impact, not just cumulative, and the project would continue to increase automobile and pedestrian activity at this intersection. Some improvements at this intersection are currently underway. Thus, the project applicant will be responsible for those that remain (e.g., are not completed by the other project sponsors) at the time the applicant files for permits.
- Mitigation Measures Traf-8 (project impact), Traf-11 (cumulative impact), and Traf-14 (cumulative impact) apply to the 6th Street/Jackson Street intersection. These mitigation measures consist of upgrading signal equipment and updating signal timing at the intersection. Although these improvements are included in the Citywide TIF Program, the project applicant would be responsible for implementing this mitigation because this is a project impact, not just cumulative and the project would continue to increase automobile and pedestrian activity at this intersection. Some improvements at this intersection are currently underway. Thus, the project applicant will be responsible for those that remain (e.g., are not completed by the other project sponsors) at the time the applicant files for permits.
- Mitigation Measures Traf-9 (project impact), Traf-12 (cumulative impact), and Traf-15 (cumulative impact) apply to the 8th Street/Webster Street intersection. These mitigation

measures consist of optimizing signal timings at the intersection. These mitigation measures are no longer applicable because the City of Oakland's current practices incorporates basic signal timing changes into routine maintenance of the traffic signal system. Since it is expected that retiming of signals in areas with the greatest need (e.g., major streets, areas with rapidly shifting traffic patterns) would be prioritized as part of the regular ongoing maintenance of signal equipment, optimization of signal timings is no longer considered a mitigation measure. Thus, these mitigation measures are not applicable to the proposed project.

In addition, the 2011 EIR included the following recommended condition, which was necessary to address a significant CEQA impact, but was recommended to improve pedestrian access and flow within the project site:

- Recommended Condition Traf-3, which consisted of following pedestrian improvements:

  a. Audible signals should be installed at the intersection of 7th Street/Broadway, both westbound and eastbound.
  b. Pedestrian countdown signals should be installed at the intersection of 7th Street/ Harrison Street.
  c. Enhancement of pedestrian crosswalks and installation of ADA compliant ramps with domes should be conducted at the intersections of 7th Street/Webster Street, 7th Street/Harrison Street, and 8th Street/Harrison Street.

  Item b, pedestrian countdown signals at the 7th Street/Harrison Street intersection, have already been implemented. The other improvements have not been implemented. Considering that similar to the original project, the proposed project would increase automobile and pedestrians at these locations, the project applicant shall implement the improvements that have not been completed if found to be feasible by the City (Also see Recommendation 3 on page 17 of this memorandum).

Consistency with LMSAP EIR

The proposed project site is located within the LMSAP area and the LMSAP EIR included development at the project site (identified as Opportunity Site 32 and consisting of 380 residential units and about 9,100 square feet of commercial space, similar to the 2011 Project EIR) as part of the project.

As noted in the LMSAP EIR, the Development Program represents the reasonably foreseeable development expected to occur in the next 20 to 25 years in the Plan area. The Specific Plan and

the EIR intend to provide flexibility in the location, amount, and type of development. Thus, as long as the trip generation for the overall Plan area remains below the levels estimated in the EIR, the traffic impact analysis presented in the EIR continues to remain valid.

Since the approval of the LMSAP EIR, seven developments, including this project, have been proposed and are in some stage of the City's approval process at this time. **Table 2** summarizes the trip generation for these developments. The seven developments combined would generate about 9,900 daily, 640 AM peak hour, and 852 PM peak hour trips. The combined trip generation is less than the total trip generation estimated in the LMSAP EIR. Similarly, inclusive of the proposed project, the seven developments currently proposed and under consideration within the Plan Area is substantially less than the total cumulative development approved within Plan Area by the LMSAP EIR.

TABLE 2
TRIP GENERATION FOR DEVELOPMENT PROJECTS WITHIN THE LMSAP AREA

Project Name	Daily	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
378 11th Street (Hampton Inn)[1]	580	26	18	44	23	23	46
250 14th Street[2]	738	11	41	52	43	25	68
226 13th Street[3]	1,285	19	64	83	72	46	118
301/385 12th Street (W12)[4]	2,202	-16	80	64	127	71	198
Lakehouse Commons[5]	809	19	41	60	40	25	65
1314 Franklin Street[6]	3,070	69	173	242	170	94	264
325 7th Street[7]	1,198	36	59	95	58	35	93
Total Projects trips	**5,614**	**59**	**244**	**303**	**305**	**190**	**495**
LMSAP Estimated Trip Generation	26,837	1,370	725	2,095	996	1,399	2,395
Percent Complete	*37%*	*12%*	*66%*	*31%*	*54%*	*23%*	*36%*

1. Source: *378 11th Street, Oakland, CA* letter (June 17, 2015)
2. Source: *14th and Alice Residential Project – Transportation Assessment* (January 7, 2016)
3. Source: 226 *13th Street Project –Transportation Assessment* (March 18, 2016)
4. Source: *Lakehouse Commons Project – Transportation Assessment* (May 24, 2016)
6 Source: *1314 Franklin Street Mixed-Use Project CEQA Analysis* (March 2017)
7 Source: Table 1

Source: Fehr & Peers, 2017.

Since the uses proposed by the project are consistent with the assumptions in LMSAP EIR and the proposed project would generate fewer automobile trips than assumed in LMSAP EIR, the proposed project would not result in additional impacts on traffic operations at the intersections analyzed in the LMSAP EIR.

Similar to the 2011 EIR, the LMSAP EIR also identified mitigation measures at the 5th Street/Oak Street and 6th Street/Jackson Street intersections. However, the LMSAP EIR did not identify a significant impact at the 8th Street/Webster Street intersection, which the 2011 EIR did.

VEHICLE MILES TRAVELLED (VMT) ASSESSMENT (THRESHOLD 2)

On September 21, 2016, the City of Oakland's Planning Commission directed staff to update the City of Oakland's California Environmental Quality Act (CEQA) Thresholds of Significance Guidelines related to transportation impacts in order to implement the directive from Senate Bill 743 (Steinberg 2013) to modify local environmental review processes by removing automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, as a significant impact on the environment pursuant to CEQA. The Planning Commission direction aligns with draft proposed guidance from the Governor's Office of Planning and Research and the City's approach to transportation impact analysis with adopted plans and polices related to transportation, which promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

Many factors affect travel behavior, including density of development, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development that is located at a great distance from other land uses, in areas with poor access to non-single occupancy vehicle travel modes generate more automobile travel compared to development located in urban areas, where a higher density of development, a mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, most of Oakland has a lower VMT per capita and VMT per employee ratios than the nine-county San Francisco Bay Area region. In addition, some neighborhoods of the city have lower VMT ratios than other areas of the city.

Vehicle Miles Traveled Estimate

Neighborhoods within Oakland are expressed geographically in transportation analysis zones, or TAZs. The Metropolitan Transportation Commission (MTC) Travel Model includes 116 TAZs within Oakland that vary in size from a few city blocks in the downtown core, to multiple blocks in outer neighborhoods, to even larger geographic areas in lower density areas in the hills. TAZs are used in transportation planning models for transportation analysis and other planning purposes.

The MTC Travel model is a model that assigns all predicted trips within, across, or to or from the nine-county San Francisco Bay Area region onto the roadway network and the transit system, by mode (single-driver and carpool vehicle, biking, walking, or transit) and transit carrier (bus, rail) for a particular scenario.

The travel behavior from MTC Travel Model is modeled based on the following inputs:

- Socioeconomic data developed by the Association of Bay Area Governments (ABAG)
- Population data created using 2000 US Census and modified using the open source PopSyn software
- Zonal accessibility measurements for destinations of interest
- Travel characteristics and automobile ownership rates derived from the 2000 Bay Area Travel Survey
- Observed vehicle counts and transit boardings.

The daily VMT output from the MTC Travel Model for residential and office uses comes from a tour-based analysis. The tour-based analysis examines the entire chain of trips over the course of a day, not just trips to and from the project site. In this way, all of the VMT for an individual resident or employee is included; not just trips into and out of the person's home or workplace. For example: a resident leaves her apartment in the morning, stops for coffee, and then goes to the office. In the afternoon she heads out to lunch, and then returns to the office, with a stop at the drycleaners on the way. After work she goes to the gym to work out, and then joins some friends at a restaurant for dinner before returning home. The tour-based approach would add up the total amount driven and assign the daily VMT to this resident for the total number of miles driven on the entire "tour".

Based on the MTC Travel Model, the regional average daily VMT per capita is 15.0 under 2020 conditions and 13.8 under 2040 conditions, and the regional average daily VMT per worker is 21.8 under 2020 conditions and 20.3 under 2040 conditions

Thresholds of Significance

The following are thresholds of significance related to substantial additional VMT:

- For residential projects, a project would cause substantial additional VMT if it exceeds existing regional household VMT per capita minus 15 percent.
- For office projects, a project would cause substantial additional VMT if it exceeds the existing regional VMT per employee minus 15 percent.
- For retail projects, a project would cause substantial additional VMT if it results a net increase in total VMT.

Screening Criteria

VMT impacts would be less than significant for a project if any of the identified screening criteria are met:

1. Small Projects: The project generates fewer than 100 vehicle trips per day
2. Low-VMT Areas: The project meets map-based screening criteria by being located in an area that exhibits below threshold VMT, or 15 percent or more below the regional average
3. Near Transit Stations: The project is located in a Transit Priority Area or within a one-half mile of a Major Transit Corridor or Stop[2] and satisfies the following:
    - Has a Floor Area Ratio (FAR) of more than 0.75
    - Includes less parking for use by residents, customers, or employees of the project than other typical nearby uses, or more than required by the City (if parking minimums pertain to the site) or allowed without a conditional use permit (if minimums and/or maximums pertain to the site)
    - Is consistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Transportation Commission)

[2] Major transit stop is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

VMT Impact Analysis

Since the project would provide less than 50,000 square feet of retail space, the retail is considered to be local serving and the VMT per worker criterion is used to screen the VMT for the commercial component of the project.

The Project satisfies the Criteria #2 (Low-VMT Area) and #3 (Near Transit Station), as detailed below.

Criterion #1: Small Projects

The project would generate more than 100 trips per day and therefore does not meet criterion #1.

Criterion #2: Low-VMT Area

Table 3 describes the 2020 and 2040 VMT for TAZ 968, the TAZ in which the project is located as well as applicable VMT thresholds of 15 percent below the regional average.

As shown in **Table 3**, the 2020 and 2040 average daily VMT per capita and VMT per worker in the project TAZ is more than 15 percent below the regional averages. Therefore, it is presumed that the proposed project would not result in substantial additional VMT and project impacts with respect to VMT would be less-than-significant.

TABLE 3
DAILY VEHICLE MILES TRAVELED SUMMARY

Land Use	Bay Area				TAZ 968	
	2020		2040			
	Regional Average	Regional Average minus 15%	Regional Average	Regional Average minus 15%	2020	2040
Residential (VMT per Capita)[1]	15.0	12.8	13.8	11.7	3.6	2.8
Commercial (VMT per worker)[2]	21.8	18.5	20.3	17.3	13.7	11.4

1. MTC Model results at analytics.mtc.ca.gov/foswiki/Main/PlanBayAreaVmtPerCapita and accessed in December 2016.
2. MTC Model results at analytics.mtc.ca.gov/foswiki/Main/PlanBayAreaVmtPerWorker and accessed in December 2016.
Source: Fehr & Peers, 2017.

Criterion #3: Near Transit Stations

The Project would be located about 0.4 miles from the Lake Merritt BART Station and is within one-half mile of several frequent bus routes along Broadway (Routes 6 and 51A with 10 minute peak headways, and Routes 72, 72M, and 72R, with 10 to 12 minute peak headways), 7th and 8th Streets (Routes 18 and 62 with 15 minute peak headways), and 11th and 12th Streets (Route 1 with 8 to 10 minute peak headways and Route 40 with 10 minute peak headways). The Project would satisfy Criterion #3 because it would meet the following three conditions for this criterion:

- The Project has an FAR of 6.14, which is greater than 0.75
- The Project would include 109 parking spaces for the proejct residents, which corresponds to 0.68 spaces parking spaces per unit. Per the City of Oakland Municipal Code Section 17.116.060 for the D-LM-2 zone, the project is required to provide between minimum of zero and maximum of 1.25 parking spaces per dwelling unit. The proposed parking supply is within the supply range allowed by the Municipal Code. Therefore, the project would not provide more parking than other typical nearby uses, nor would it provide more parking than required by the City Code.
- The Project is located within the Downtown Oakland Priority Development Area (PDA) as defined by Plan Bay Area, and is therefore consistent with the region's Sustainable Communities Strategy

VMT Impact Conclusion

The Project would satisfy the Low-VMT Area (#2) and Near Transit Stations (#3) criteria. This is a less-than-significant impact; no mitigation measures are required.

INDUCED AUTOMOBILE TRAVEL (THRESHOLD 3)

The proposed project would not modify the roadway network surrounding the project site. Therefore, it would not increase the physical roadway capacity and would not add new roadways to the network, and would not induce additional automobile traffic. This is a less-than-significant impact; no mitigation measures are required.

SITE PLAN REVIEW

An evaluation of access and circulation for all travel modes, based on the site plan dated March 3, 2017, is summarized below.

Vehicle Access and Circulation

The project would provide a one-level parking garage which would be accessed through a full-access gated driveway on 6th Street and an outbound-only gated driveway on 7th Street. The garage would provide 109 parking spaces with 105 spaces accommodated through parking stackers and four accessible spaces.

Based on preliminary review of the site plan, motorists exiting the garage driveways on 6th and 7th Streets may not have adequate sight distance of pedestrians on the adjacent sidewalks.

> **Recommendation 1:** While not required to address a CEQA impact, the following should be considered as part of the final design for the project:
>
> - Ensure that both project driveways on 6th and 7th Streets would provide adequate sight distance between motorists exiting the driveway and pedestrians on the adjacent sidewalks. This may require redesigning and/or widening the driveway (Considering that the sidewalk along the project frontage on 6th Street is about 18 feet, one potential design may be to install planter wells adjacent to the 6th Street driveway to move pedestrians away from the driveway to ensure adequate sight distance and continue to maintain adequate sidewalk width). If adequate sight distance cannot be provided, provide audio/visual warning devices at the driveways.
> - To ensure adequate sight distance for vehicles, prohibit on-street parking along within 20 feet on the both sides of the 6th Street driveway and on the west side of the 7th Street driveway.

Bicycle Access and Bicycle Parking

Chapter 17.117 of the Oakland Municipal Code requires long-term and short-term bicycle parking for new buildings. Long-term bicycle parking includes lockers or locked enclosures and short-term bicycle parking includes bicycle racks. The Code requires one long-term space for every four multi-family dwelling units and one short-term space for every 20 multi-family dwelling units. The Code requires one long-term space for each 12,000 square feet of commercial floor area and one short-term space for each 5,000 square of commercial floor area.

Table 4 summarizes the bicycle parking requirement for the project. The project is required to provide 42 long-term and 11 short-term parking spaces. The site plan shows long-term bicycle parking for 160 bicycles in two separate facilities on the Mezzanine Level. The long-term bicycle parking would be accessed through the building Lobby and elevator/stairs on 7th Street, through the building stairs directly accessed on 6th and Harrison Streets, or riding through the garage and using the elevator/stairs. Using stairs or elevators to access Mezzanine Level bicycle parking maybe inconvenient for bicyclists and riding through the garage may result in potential conflicts between motorists and bicyclists. The site plan does not identify the locations or amount of short-term bicycle parking.

Recommendation 2: While not required to address a CEQA impact, the following should be considered as part of the final design for the project:

- Consider relocating all or some of the long-term bicycle parking from the Mezzanine Level to a more convenient location on the ground level.
- Identify location and amount of short-term bicycle parking, consistent with the City of Oakland Bicycle Parking Ordinance. Short-term bicycle parking should be near the entrances to the commercial and both residential components of the project.

TABLE 4
BICYCLE PARKING REQUIREMENTS

Land Use	Size[1]	Long-Term		Short-Term	
		Spaces per Unit	Spaces	Spaces per Unit	Spaces
Apartments	160 DU	1:4 DU	40	1:20 DU	8
Commercial	15.0 KSF	1:12 KSF	2	1:5 KSF	3
Total Required Bicycle Spaces			42		11
Total Bicycle Parking Provided			160		N/A[3]
Bicycle Parking Surplus/Deficit			**118**		**-11**

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

N/A = not available because not identified on project site plan.

Source: Fehr & Peers, 2017

Pedestrian Access and Circulation

Primary pedestrian access for the project would be through a main lobby midblock on 7th Street, which would connect to residential levels through elevators and a stairwell. Additional pedestrian access would be provided through stairwells on 6th and Harrison Streets. The commercial components of the project would be on the ground level on either side of the main lobby and would be directly accessed from 7th and Harrison Streets.

Along the project frontage, 7th Street provides a 10-foot sidewalk, Harrison Street provides a 15-foot sidewalk, and 6th Street provides an 18-foot sidewalk. The proposed project would continue to maintain these sidewalk widths.

Pedestrian facilities at the intersection adjacent to the site include:

- The 7th Street/Webster Street intersection currently provides diagonal curb ramps on all four corners, high-visibility crosswalks on all four approaches, and advanced stop bars on the southbound and eastbound approaches. The intersection also provides pedestrian countdown signal heads in all directions.
- The 6th Street/Harrison Street intersection currently provides diagonal curb ramps on the west corners, and directional curb ramps on the east corners, high-visibility crosswalks on all approaches, and advanced stop bars on the northbound and eastbound approaches. The intersection provides audible signals, and pedestrian countdown signal heads in all directions. In addition, the intersection provides a bulb-out at the northeast corner, the westbound 6th Street approach narrows from four lanes to three lanes at the intersection with the right-lane cross-hatched at the intersection, and a pork-chop island separates the northbound right-turn lanes from the through lanes.

At the side-street stop-controlled 6th Street/Webster Street and 6th Street/Harrison Street intersections, no crosswalks are provided across Webster and Harrison Streets because of their proximity to the Webster and Posey Tubes.

Recommendation 3: While not required to address a CEQA impact, the following should be considered as part of the final design for the project, in addition to Mitigation Traf-3 in the 2011 EIR:

- Provide a bulb-out at the southwest corner of the 7th Street/Harrison Street intersection in the currently cross-hatched pavement area if determined feasible by the City. This would allow installation of direction curb ramps at the southwest

corner of the intersection and enhancements to the existing bus stop (See Recommendation 4).

Transit Access

Transit service providers in the project vicinity include Bay Area Rapid Transit (BART) and AC Transit.

BART provides regional rail service throughout the East Bay and across the Bay. The nearest BART station to project site is the Lake Merritt BART Station, about 0.4 miles east. The proposed project would not modify access between the project site and the BART Station.

AC Transit is the primary bus service provider in the City of Oakland. AC Transit operates the following routes in the vicinity of the project:

- Routes 18, 62, and 611 operate along 7th Street with the nearest stop adjacent to the project site just west of Harrison Street. This bus stop provides a bench.
- Routes 18, 51A, 62, 96, 611, and 851 operate along 8th Street with the nearest stop just west of Harrison Street, about 300 feet north of the project site. This bus stop does not provide any amenities.

The routes describe above reflect the changes implemented by AC Transit in March 2017. No other major changes to the bus routes operating in the vicinity of the project are planned and the proposed project would not modify access between the project site and these bus stops.

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

- If Recommendation 3 is implemented, consider enhancing the existing bus stop on eastbound 7th Street just west of Harrison Street by providing a bus shelter.

Automobile Parking

Although parking is not an environmental impact required for evaluation under CEQA, this section summarizes parking requirements, supply and demand for automobiles.

Parking Requirements

The City of Oakland Municipal Code establishes minimum and maximum parking requirements. According to the code, the residential component of the proposed project would require a minimum of zero and a maximum 1.25 parking spaces per residential unit. The commercial component of the proposed project would require a minimum of zero and a maximum of one parking space per 300 square feet of ground floor retail. **Table 5** presents the off-street automobile parking requirements for the proposed project per City Code. The proposed project is required to provide between zero and 200 parking spaces for the residential units and between zero and 50 parking spaces for the retail uses. The project proposes 109 spaces for the residential uses and no commercial parking. The proposed parking supply is within the range of City of Oakland Municipal Code requirements.

TABLE 5
AUTOMBILE PARKING REQUIREMENTS

Land Use	Size[1]	Required Parking Supply		Parking Supply	Within Range?
		Minimum	Maximum		
Apartments	160 DU	0	200	109	Yes
Commercial	15.0 KSF	0	50	0	Yes

1. DU = dwelling unit; KSF = 1,000 square feet
2. City of Oakland off-street parking requirement for residential in zone D-LM-2 is a minimum of zero space and a maximum of one and one quarter and per unit (section 17.116.060).
3. City of Oakland off-street parking requirement for retail uses in zone D-LM-2 is a minimum of zero space and a maximum of one space per 300 square foot of ground retail (section 17.116.080).

Source: Fehr & Peers, 2017

Estimated Parking Demand

The parking demand analysis compares proposed parking supply to project parking demand estimated using average vehicle ownership rates from American Community Survey (ACS) estimates data and the parking demand rates published in the ITE *2010 Parking Generation, 4th Edition*.

Table 6 summarizes the parking demand of the proposed project. Parking demand for project residents is estimated by using average vehicle ownership rates in downtown Oakland. According to ACS estimates, average vehicle ownership in the study area is about 0.63 vehicles per multi-family dwelling unit. Based on this data, residential parking demand would be about 101 parking

spaces. Thus, the 109 parking spaces provided on-site would be adequate to meet the parking demand generated by the residents, and would result in a parking surplus of about eight spaces.

TABLE 6
AUTOMBILE PARKING DEMAND

Land Use	Size[1]	Estimated Peak Parking Demand	Parking Supply	Surplus/ Deficit
Apartments (Residents)	160 DU	101[2]	109	+8
Non Residents				
Apartments (Visitors)	160 DU	14[3]		
Retail	7.5 KSF	11[4]		
Restaurant	7.5 KSF	42[5]		
Total		67	0	-67

1. DU = dwelling unit; KSF = 1,000 square feet
2. Based on 2013 ACS average automobile ownership of 0.63 vehicles per residential unit.
3. Based on ULI Shared Parking and applying a non-auto reduction of 43% results on an average rate of 0.09 spaces per DU.
4. Based on ITE Parking Generation(4th Edition) land category 820 (shopping center) and applying a non-auto reduction of 43% results on an average rate of 1.42 spaces per KSF
5. Based on ITE Parking Generation (4th Edition) land category 932 (High-Turn Over Restaurant for urban location) with an average rate of 5.55 spaces per KSF

Source: Fehr & Peers, 2017

Residential visitor demand was estimated using an adjusted Urban Land Institution Shared Parking rate of 0.09, resulting in a visitor demand of 14 spaces. Based on ITE data for shopping center and applying a non-auto reduction of 43 percent (Oakland City guidelines for mode split adjustment within half a mile from BART), the adjusted retail parking demand is 11 spaces. Based on ITE data for high-turn over restaurant in an urban location, the parking demand for restaurant is 42 spaces. The total parking demand for non-residents is about 67 parking spaces. Since the proposed project would not dedicate any on-site parking spaces to residential visitors or the commercial component of the project, all commercial employees as well as residential and commercial visitors would park on-street or nearby public parking facilities.

The parking demand estimate presents a reasonable worse-case scenario in that it assumes most of the retail visitors would be new to the area. Although specific retail uses have not been determined, it is likely that the retail component of the proposed project would be local-serving with minimal new automobile trips. Further, the proposed project would adhere to City of Oakland SCAs that would

require the preparation and implementation of a TDM Plan because the proposed project would generate more than 50 peak hour trips.

> **Recommendation 5:** While not required to address a CEQA impact, the following should be incorporated in the project TDM Plan and considered as part of the final design for the project:
>
> - Provide at least one on-site car share spaces (required by Code Section 17.116.105)
> - Unbundle parking from the rent or sale of dwelling units (required by Code Section 17.116.310)
> - Provide a monthly transit benefit to each dwelling unit in an amount equal to either one-half the price of an Adult 31-Day AC Transit Pass (valued at $75 as of March 2017) or an AC Transit EasyPass. (required by Code Section 17.116.105)

Please contact Sam with questions or comments.