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ACRONYMS AND OTHER ABBREVIATIONS

ACTC	Alameda County Transportation Commission
BAAQMD	Bay Area Air Quality Management District
CEQA	California Environmental Quality Act
City	City of Oakland
СО	carbon monoxide
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
FEIR	Final Environmental Impact Report
GHG	greenhouse gas
gpd	gallons per day
HI	hazard index
I-980	Interstate 980
IS	Initial Study
LOS	level of service
MEI	Maximum Exposed Individual
MT CO ₂ e	metric tons carbon dioxide equivalent
NO _x	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
Original Project	2395 Telegraph Avenue (Courthouse Condominiums) Project,
	analyzed in the 2007 FEIR
PM	particulate matter
PM ₁₀	particulate matter measuring 10 micrometers in diameter or less
PM _{2.5}	particulate matter measuring 2.5 micrometers in diameter or less
Revised Project	2395 Telegraph Avenue (Courthouse Condominiums) Project,
	proposed in October 2014
ROG	reactive organic gases
SCA	Standard Conditions of Approval
TAC	toxic air contaminant

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1.0 INTRODUCTION

1.1 PURPOSE OF THE CEQA ANALYSES

In 2007, the City of Oakland (City) certified the 2935 Telegraph Avenue (Courthouse Condominiums) Final Environmental Impact Report (FEIR) and approved a mixed use project (referred to hereafter as the Original Project). The approved project included development of up to 142 residential units, about 2,900 square feet of retail, and 205 on-site parking spaces in a five-story building. In 2008, some minor adjustments to the Original Project were approved by the City of Oakland although no revision to the environmental documents occurred. Project-related changes included a reduction in the retail floor area of about 75 square feet, elimination of subterranean parking, and reduction in the amount of parking by about 24 spaces while the amount of housing remained at 142 units. The Project Sponsor has applied for modifications to the approved project to include an additional 20 residential units and an additional 1,240 square feet of retail space, along with other minor updates to the Original Project (hereafter referred to as the Revised Project). Implementation of the Revised Project would bring the total unit count to 162 units and retail space to 4,045 square feet.

This document analyzes the potential impacts of the Revised Project relative to the City's California Environmental Quality Act (CEQA) thresholds of significance, and compares the potential environmental impacts of the Revised Project to the potential environmental impacts of the 2935 Telegraph Avenue (Courthouse Condominiums) Project (Original Project), analyzed in the 2007 FEIR.

Applicable CEQA streamlining and/or tiering code sections are described below, each of which, separately and independently, provide a basis for CEQA compliance.

Addendum. Pursuant to Section 15164 of the State CEQA Guidelines, the City has determined that the Revised Project meets the requirements for an addendum to the 2007 FEIR because only minor technical changes or additions are necessary, and the project does not meet any of the criteria described in Section 15162 of the State CEQA Guidelines, nor are any of the circumstances described in Section 15162 present, requiring a Subsequent Environmental Impact Report (EIR) or Subsequent Negative Declaration. The criteria identified in Section 15162 are presented below.

- 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;
- 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;
- 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, the project proponents decline to adopt the mitigation measure or alternative; or
- d) 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.

Qualified Infill Exemption. The City also has determined that the Revised Project qualifies for CEQA streamlining, pursuant to Public Resources Code Section 21083.3 and State Guidelines Section 15183 (Projects consistent with Community Plans, General Plans and Zoning), for the following reasons:

- (a) the project is consistent with the (i) Land Use and Transportation Element (LUTE) of the General Plan (EIR certified in March 1998); (ii) Housing Element of the General Plan (EIR certified in January 2011); and (iii) Historic Preservation Element of the General Plan (EIR certified in May 1998);
- (b) feasible mitigation measures identified in the foregoing were adopted and have been, or will be, undertaken;
- (c) there are no impacts peculiar to the project and/or project site, as well as off-site and cumulative impacts that have not previously been identified, analyzed and mitigated;
- (d) uniformly applied development policies and/or standards (hereafter called "Standard Conditions of Approval" [SCA]) have previously been adopted and found to, that when applied to future projects, substantially mitigate impacts, and to the extent that no such findings were previously made, the City Planning Commission hereby finds and determines that the SCAs substantially mitigate environmental impacts; and
- (e) no substantial new information exists to show that the SCA will not substantially mitigate project, off-site and/or cumulative impacts.

This CEQA Analyses (in Chapter 3) provides the analysis demonstrating that the proposed changes to the Original Project would not be substantial and that the Revised Project would not result in new significant impacts or substantially increase the severity of a previously identified significant impact. Further, this CEQA Analyses reports that while there are changed circumstances under which the Revised Project would be undertaken, they would not result in new significant impacts or substantially increase the severity of a previously identified significant impact. These changes include partial implementation of the Original Project involving the demolition of the former athletic club that was vacant at the time of the project, and the removal of two redwood trees that were in the project surface parking lot.

Other changes include the adoption of the City's 2015-2023 Housing Element on December 9, 2014; a specific plan for the Broadway Valdez District, within blocks of the proposed project; and new state environmental guidelines and related City Uniform Standard Conditions of Approval affecting stormwater management, air quality, and greenhouse gas emissions. The analysis incorporates by reference the information contained in the previously certified 2007 FEIR. Mitigation measures and Standard Conditions of Approval (SCAs) identified in that EIR that would apply to the Revised Project are detailed in Appendix A of this CEQA Analyses. The Revised Project is legally required to incorporate and/or comply with the applicable requirements of the mitigation measures identified in the 2007 EIR and with applicable City of Oakland SCAs; therefore, the Mitigation Measures and SCAs, as updated, are included as part of the Revised Project (see Appendix A, 2935 Telegraph Avenue Project Standard Conditions of Approval / Mitigation and Monitoring Reporting Program).

Based on an examination of the analysis, findings, and conclusions of the 2007 EIR, as summarized in this CEQA Analyses in Chapter 3, the 2007 FEIR adequately analyzed and covered the potential environmental impacts associated with the proposed project as modified and updated by this CEQA Analyses, and the streamlining and/or tiering provisions of CEQA apply to the Revised Project. Therefore, no further review or analysis under CEQA is required.

1.2 CEQA ANALYSES

1.2.1 Environmental Focus of the CEQA Analyses

The Revised Project requires updated information, clarification, and modified analysis for the following environmental topics, which are addressed in separate sections in Chapter 3 of this CEQA Analyses.

- Air Quality
- Cultural Resources
- Land Use and Planning
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

Since certification of the 2007 FEIR, substantive changes have not occurred for the environmental topics listed below. Nevertheless, these topics are presented in Chapter 3, Environmental Analysis, for informational purposes.

- Aesthetics
- Agricultural Resources
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Mineral Resources
- Noise

In addition, because of changes in legislation since certification of the 2007 FEIR and subsequent updates to the City's CEQA Thresholds of Significance for this environmental issue, the following topic is presented in Chapter 3, Environmental Analysis:

Greenhouse Gas Emissions and Climate Change

1.2.2 Summary of Key Changes to the Proposed Project

As described above, the Revised Project proposes modifications to the Original Project. The changes primarily affect the development program (number of units and amount of retail floor space) but also the site plan (changes to parking, common open space, and site access). These modifications are explained in Chapter 2 of this CEQA Analyses in detail, but are summarized in Table 1-1, below. These changes, as described in Chapter 3 of this CEQA Analyses, would not result in new significant impacts or increase the severity of previously identified significant impacts.

Project Feature	Original (2007)	Approved Revision (2008)	Proposed Revisions (2014)	
Residential Units (number of units)	142	142	162	
Common Open Space (square feet)	24,530	22,140	20,570	
Retail Floor Area (square feet)	2,879	2,805	4,045	
Parking (number of spaces)				
Cars	205	181	163	
Bicycles	116	116	162	

Table 1-1: Changes to the Original Project

1.2.3 New Circumstances and Information

Since the Original Project was approved in 2007, the following major changes to the setting, conditions, and regulatory framework have occurred:

- Partial Implementation of the Project Following the Original Project approval, the initial phases of site clearance were undertaken. As a result, the former athletic club was demolished and the two redwood trees were removed. The site is currently vacant and is occupied by a surface parking lot and limited patches of vegetation. The previously certified 2007 FEIR identified the loss of the athletic club building as a significant cultural resources impact. The subsequent removal of this structure was performed in accordance with the mitigation measures adopted in 2007. Similarly, the removal of the redwood trees was performed in accordance with the applicable City Standard Conditions of Approval.
- Adoption of City Housing Element Update (2014) The City adopted a Housing Element update for the 2015 to 2023 period, with a goal of providing 14,765 new housing units to meet the City's fair share of the regional housing needs allocation. The Original Project was recognized as an approved project in the prior 2007-2014

Housing Element update, and the Revised Project, with an increased number of housing units, would further the City's goals of housing production.

- Adoption of Broadway Valdez District Specific Plan (2014) The City initiated a planning process in January 2009 for a 95-acre area, about 1,000 feet east of the project site (three blocks). Historically known as "Auto Row," the Broadway Valdez District Specific Plan charts a vision and framework for this area with a special focus on establishing the area as a retail destination. Over the next 25 years, the specific plan that was adopted in June 2014 proposes up to 1.1 million square feet of new retail space, 1,800 housing units, 700,000 square feet of office uses, and a new 180-room hotel. The long-term plan introduces a new vitality to the area around the Revised Project and results in a more intense development pattern for the cumulative context than was anticipated in 2007, when the Original Project was approved. Additionally, the EIR that was certified for the specific plan takes into account the most recent regional travel demand forecasts by the Alameda County that also serves as an updated cumulative transportation setting in which to examine the Revised Project.
- Adoption of updated Bay Area Air Quality Management District CEQA Guidelines The Bay Area Air Quality Management District updated its CEQA Guidelines in 2010 to better address construction air emissions, regional air quality, and greenhouse gases. In responses to those guidelines, the City of Oakland updated its significance thresholds and Standard Conditions of Approval. The revised conditions include additional measures and documentation that are required of project applicants, and represent new circumstances under which the Revised Project would be implemented. The conditions, however, serve to further and more explicitly reduce air quality and greenhouse emissions, and would, therefore, result in less impacts than would have resulted with the Original Project.
- Adoption of updated regulations Since the Original Project approval in 2007, the State Water Resources
 Control Board has adopted more stringent guidelines governing stormwater management from construction
 sites (in 2010) and for discharges to municipal sewer system operators (in 2013), and the State has also
 adopted building code standards intended to improve water and energy conservation and to reduce greenhouse
 gas emissions (known as the CALGreen Code). Relevant aspects of those regulations have been updated by
 the City in its significance thresholds and Standard Conditions of Approval. The revised conditions include
 additional measures and documentation that are required of project applicants, and represent new
 circumstances under which the Revised Project would be implemented. The conditions, however, serve to
 further and more explicitly reduce stormwater pollution, water and energy consumption, and greenhouse gas
 emissions, and would, therefore, result in less impacts than would have resulted with the Original Project.

1.3 STANDARD CONDITIONS OF APPROVAL

The City's Uniformly Applied Development Standards and Conditions of Approval (referred to in this CEQA Analyses as Standard Conditions of Approval) are incorporated into projects as conditions of approval regardless of a project's environmental determination. As applicable, the Standard Conditions of Approval are adopted as requirements of an individual project when it is approved by the City and are designed to, and will, substantially mitigate environmental impacts. The Original Project was approved in 2007 and Standard Conditions of Approval were adopted as part of the City's action to approve the project. Since 2007, some of the Standard Conditions of Approval that applied to the Original Project have been updated by the City. For the Revised Project, the same relevant Standard Conditions of Approval have been incorporated into this CEQA Analyses and updated as appropriate.

Because these Standard Conditions of Approval are mandatory City requirements, the impact analysis assumes that these conditions would be imposed and implemented by the Revised Project. If a Standard Condition of Approval would reduce a potentially significant impact to a less-than-significant level, this CEQA Analyses concludes that the impact would be less than significant and no mitigation would be necessary. The Standard Conditions of Approval incorporate development 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 Tree Protection Ordinance, Oakland Grading Regulations, National Pollutant Discharge Elimination System (NPDES) permit requirements, Housing Element-related mitigation measures, the California Building Code, and the Uniform Fire Code, among others), which have been found to substantially mitigate environmental impacts.

Where peculiar circumstances are associated with the Revised Project or a project site that could result in potentially significant environmental impacts despite implementation of the Standard Conditions of Approval, the City has determined whether feasible mitigation measures exist that would reduce the impact to a less-than-significant level. Applicable Standard Conditions of Approval are identified for each of the environmental topics addressed in this CEQA Analyses. A complete list of all applicable Standard Conditions of Approval identified in this CEQA Analyses is provided in Appendix A.

1.4 CEQA ANALYSES ORGANIZATION

This document is organized as follows:

Chapter 1 Introduction. This chapter summarizes the environmental review process for the Revised Project and documents the City's determination to proceed with an Addendum, as described by the State CEQA Guidelines, Section 15164 and to allow CEQA streamlining pursuant to the State CEQA Guidelines Section 15183.

Chapter 2 Project Description. This chapter describes the proposed changes to the Original Project.

Chapter 3 Environmental Analysis (CEQA Checklist). This chapter provides an update of existing site conditions (where applicable), an update of applicable policies and regulations, and an environmental review of the Revised Project. For each environmental topic, the chapter summarizes the 2007 FEIR analysis and conclusions, identifies currently applicable Standard Conditions of Approval, describes new information or changes in circumstances that could not have been known at the time of the Original Project approval, and analyzes the potential impacts of the Revised Project and compares that with the information contained in the 2007 FEIR. This chapter also identifies any new mitigation measures that are required.

Appendices. These include all supplemental material referenced in this CEQA Analyses.

2.0 PROJECT DESCRIPTION

This chapter summarizes the Original Project, as evaluated in the 2007 FEIR and associated permitting approvals. In addition, this chapter describes the Revised Project, including the site plan, the proposed development program, and the anticipated construction schedule.

2.1 BACKGROUND

2.1.1 Previous Approvals and Project Implementation

In 2006, the City completed an Initial Study (IS) for the Original Project for the City of Oakland Community and Economic Development Agency and Oakland Housing Authority, in order to help define whether an Environmental Impact Report (EIR) was needed and if so, its focus. The IS identified only two resource topics that required more complete evaluation in an EIR: traffic/circulation and cultural resources. The Oakland Planning Commission certified the Final EIR (FEIR) in July 2007. The Original Project approval included development of up to 142 residential condominium units, 2,879 square feet of retail, and 205 on-site parking spaces in a five-story building. In 2008, some minor adjustments to the Original Project were approved by the City of Oakland although no revision to the environmental document occurred.

As identified in the 2007 FEIR, the project site contained the Courthouse Athletic Club that qualified as a historic resource, as defined by CEQA Section 15064.5. The Original Project included demolition of this building, which was determined to be a significant and unavoidable impact in the 2007 FEIR. Mitigation measures associated with archival documentation, interpretive materials, relocation, and contribution to a Telegraph Avenue Façade Improvement Program were adopted. Following the 2007 FEIR certification, the athletic club was demolished and the relevant adopted mitigation measures were implemented.

Similarly, the Original Project included removal of two mature redwood trees, determined to require implementation of Standard Conditions of Approval, including protection of potential nesting raptors or other birds as well as compliance with the Tree Protection Ordinance. Since certification of the 2007 FEIR, the redwood trees have been removed, in accordance with the applicable City standard conditions.

2.1.2 Current Application/Revised Project (2935 Telegraph Avenue Project)

The Project Sponsor has applied for approvals to modify the Original Project evaluated in the 2007 FEIR. Now the Project Sponsor is proposing to modify the project, to include an additional 20 residential units and an additional 1,240 square feet of retail space, along with other minor revisions to the Original Project. These modifications make up the Revised Project and are described in detail in Section 2.3, Proposed Changes to the Original Project.

Implementation of the Revised Project would bring the total unit count to 162 units and the retail space to 4,045 square feet, compared to 142 units and 2,879 square feet of retail space under the Original Project in 2007.

2.2 SETTING

The project site is located at 2935 Telegraph Avenue in the Central/Chinatown planning area of Oakland, approximately six blocks north of the Central Business District. The project site consists of approximately 1.4 acres on the eastern two-thirds of the block bounded by 29th Street, Telegraph Avenue, 30th Street, and Interstate 980 (I-980) (see Figure 2-1). Before certification of the 2007 FEIR, the site was occupied by an athletic club and a surface parking lot along with mature redwood trees and other trees/vegetation (see Figure 2-2). Since certification of the 2007 FEIR, the athletic club was demolished and the redwood trees were removed. Today, the site is completely occupied by a surface parking lot and some of the remaining trees/vegetation, encircled by a chain link fence. The project site is zoned CC-2, RU-1, and RU-2 (formerly C-40 and R-80 zoning districts), and is designated Community Commercial and Urban Residential according to the Land Use and Transportation Element in the City of Oakland's General Plan.

The project vicinity includes a mix of residential, commercial, and institutional land uses. Commercial uses primarily front Telegraph Avenue, which is a four-lane arterial boulevard with a center turning lane and on-street parking, connecting downtown Oakland with downtown Berkeley to the north. The commercial uses opposite Telegraph Avenue from the project site primarily are two- to three-story buildings with ground-floor retail and office uses above, as well as a few older, single family homes that have been converted to office and/or commercial uses. The residential uses in the project vicinity are mostly two-story, single-family detached residences, with a smaller number of multi-family residential buildings that range from three to five stories. Institutional uses in the project vicinity include a concentration of hospitals and medical services. Medical retail and office uses occupy many of the retail spaces, including a former church and mortuary on the northwest corner of 30th Street and Telegraph Avenue. Other institutional/civic uses in the project vicinity include Alta Bates Summit Medical Center on the corner of 30th Street and Telegraph Avenue, diagonally across Telegraph Avenue from the project site; St. Augustine's Episcopal Church, a City of Oakland historical landmark on the southwest corner of 29th Street and Telegraph Avenue; as well as a number of small restaurants, cafes and food markets. I-980 (Grove/Shafter Freeway) is located approximately 160 feet west from the western boundary of the project site, separated by three properties containing single-family homes. Further to the east (about 1,000 feet or three blocks), the City in 2014 adopted a specific plan for the Broadway-Valdez District. This 95-acre area was formerly known as Auto Row and is organized along a stretch of Broadway between the Central Business District to the south and I-580 to the north. The specific plan envisions a revitalized area, with a focus on retail development.

2.3 PROPOSED CHANGES TO THE ORIGINAL PROJECT

2.3.1 Site Plan and Development Program

The Project Sponsor intends to construct 162 residential units, 4,045 square feet of ground floor retail, and on-site parking for approximately 163 automobiles, in a five-story building (four stories of residential construction above a parking level). The maximum height of the building would be up to approximately 56 feet, measured to the top of the roof. The development would encompass about 94 percent of the lot area.



Figure 2-1 Project Location



Figure 2-2 Project Site Conditions

Subsequent to certification of the 2007 FEIR for the Original Project, the City of Oakland approved some minor changes to the project in 2008. Project components as they were approved in 2007 and 2008, and the proposed Revised Project are summarized in Table 2-1a and Table 2-1b.

	Development Program					
Use	Original (2007)	Approved Revision (2008)	Proposed Revised Project (2014)			
Residential (Number of Units)	142	142	162			
Residential Common Space (sq. ft) (includes lobbies and corridors)	25,200	25,315	25,550			
Utility and Storage Space (sq. ft)	9,000	12,650	12,615			
Common Open Space (sq. ft)	24,530	22,140	20,570			
Retail (sq. ft)	2,879	2,805	4,045			
Parking (Number of Spaces)						
Cars	205	181	163			
Bicycles	116	116	162			
TOTAL PROJECT FLOOR AREA (sq. ft)	280,430	230,930	232,650			

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Table 2-1b:	Project Housing Unit Mix
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Housing Unit Type	Original (2007)		Approved Revision (2008)			Proposed Revised Project (2014)			
	Number	%	Size (sq. ft.)	Number	%	Size (sq. ft.)	Number	%	Size (sq. ft.)
Studios	23	16%	14,700	29	20%	18,263	53	33%	32,351
1 bedroom flats	55	39%	46,000	48	34%	36,288	52	32%	37,244
2 bedroom flats	64	45%	76,600	65	46%	74,035	57	35%	61,583
Total	142			142			162		

Figures 2-3 through 2-15 show the site plan, floor plans, and elevations as they were approved in 2008, and as they are proposed for the Revised Project. In addition, as part of the demolition phase of the Original Project, the Courthouse Athletic Club was demolished and two mature redwood trees were removed, in accordance with applicable mitigation measures and Standard Conditions of approval identified in the 2007 FEIR. For the purposes of environmental analysis, the Revised Project is compared to the construction and operation phases of the Original Project as described in the 2007 FEIR.

The project design would be contemporary, using exterior surface materials such as cement plaster (stucco), wood siding, metal railings, and aluminum-framed window units (see Figures 2-12 through 2-15, showing the conceptual building elevations along the north, south, east and west sides of the building). The building would be constructed to the lot line at the ground floor, with intermittent setbacks in the form of courtyards at the podium level along 29th Street, 30th Street, and rear (west) elevations. The elevations show that the project massing and use of materials would not change substantially from that of the Original Project.



Figure 2-3 Project Site Plan



Figure 2-4 Ground Floor Plan - Approved















Figure 2-8 Fourth Floor Plan (Third and Fifth Floors Similar) - Approved



Figure 2-9 Fourth Floor Plan (Third and Fifth Floors Similar) - Proposed



Figure 2-10 Roof Plan - Approved






A - APPROVED



B - PROPOSED

Figure 2-12 East Elevation



A - APPROVED



B - PROPOSED

Figure 2-13 South Elevation



A - APPROVED



B - PROPOSED

Figure 2-14 West Elevation

2935 Telegraph Avenue Project Final CEQA Analyses





Figure 2-15 North Elevation

2935 Telegraph Avenue Project Final CEQA Analyses



The ground floor would contain two retail spaces totaling 4,045 square feet—an increase of 1,240 square feet from the Original Project (see Figures 2-4 and 2-5). In 2008, revisions to the Original Project were approved by the City of Oakland, including the removal of the 30th Street driveway, leaving a single access point to the parking level along 29th Street. For the proposed Revised Project, ground-floor residential units would be located along 29th Street, including five studios and one two-bedroom flat that would be accessible directly from the street frontage. Utilities (including an electrical room, retail trash site, exhaust fan, and shop) would be located along 30th Street, in place of residential units approved in the Original Project. The remainder of the ground floor elevations would contain a residential lobby, a club room, and a leasing office along Telegraph Avenue.

Modifications to the mix of dwelling units on the second through fifth floors would include 30 additional studios (representing 33 percent of the total unit count), 3 fewer one-bedroom flats (32 percent of the total unit count) and 7 fewer two-bedroom flats (35 percent of the total unit count). In summary, the Revised Project would increase the number of units by 20 in approximately 131,178 square feet of total residential space. The change in the unit composition, as well as the size of the units, would result in an overall reduction in the residential floor area compared to the 137,300 square feet in the Original Project.

Similar to the Original Project, the residential lobby fronting Telegraph Avenue would provide elevator access to a series of internal hallways, to access the residential units. The units would be grouped into a series of wings, separated by U-shaped courtyards on the 29th Street and 30th Street elevations (see Figures 2-6 through 2-11). Six landscaped courtyards would be on the podium (second) level, totaling approximately 20,570 square feet of common open space, compared to the Original Project's nine courtyards that totaled 18,450 square feet. Two of the courtyards would face the rear (western) elevation of the building. Approximately 6,400 square feet of open space also would be provided in the form of balconies, for a total of about 26,970 square feet of project open space. Landscaping would include approximately 22 deciduous trees and shrubbery, to be planted within the project site courtyards, as well as approximately 22 street trees, to be planted along the project's Telegraph Avenue, 29th Street, and 30th Street frontages.

2.3.2 Parking and Circulation

In 2008, revisions to the Original Project were approved by the City of Oakland to reduce the parking garage from two levels to one level and to eliminate a driveway on 30th Street. The 2014 proposed Revised Project involves further refinements, resulting in a total reduction of 37 parking spaces from the Original Project and a new total of 163 parking spaces. The parking garage would provide four disabled accessible spaces and 158 standard spaces. The total of 163 parking spaces would meet the City's zoning requirements for residential space; however, there would be a shortfall of parking spaces to serve the retail space. The City's zoning requirements for the proposed 4,045 square feet of retail floor area are 10 spaces, but none would be provided.

To accommodate about 162 bicycles, the Original Project's garage bicycle storage (650 square feet) would be replaced with bicycle storage rooms at each level above the podium, an approximately 500 square feet per floor. The 162 bicycles spaces would exceed the City's zoning requirements for 98 spaces.

Vehicular access to the garage would be via a two-way driveway on 29th Street (see Figure 2-5). The parking garage entrances on 29th Street would be secured by an automatic gate/roll-up door. An off-street truck loading space also would be added, adjacent to the vehicle entrance on 29th Street.

2.3.3 Construction Scenario

Construction of the Revised Project is anticipated to take approximately 20 months, beginning in summer 2015 and ending in winter 2017. The Revised Project would excavate to a depth of approximately 8 feet for the construction under the parking lifts and would remove approximately 1,700 cubic yards of soil. The proposed building would be constructed on spread concrete footings, supported by drilled "geopiers." A one-level concrete podium encompassing the ground-floor level would support wood-frame construction above. All construction materials, storage, and construction worker parking would be provided on site or at designated off-site locations.

2.4 PROJECT APPROVALS

The proposed project would require a number of discretionary actions/approvals, including without limitation:

Actions by the City of Oakland

- Planning Director Minor Revision to previously approved project to add 20 more dwelling units, a minor variance to waive the parking spaces for the commercial space, and determination that this CEQA Analyses satisfies the requirements of CEQA.
- Public Works Tree Division Issuance of tree removal permit.
- Building Bureau Building permit and other related onsite and offsite work permits, minor encroachment permit, and curb gutter sidewalk permit.

Actions by Other Agencies

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

3.0 ENVIRONMENTAL ANALYSIS

This chapter presents the environmental analysis of the Revised Project, emphasizing differences from the 2007 FEIR. For each environmental topic, the chapter summarizes the 2007 FEIR analysis and conclusions, and identifies previously adopted mitigation measures and applicable Standard Conditions of Approval. This chapter also provides an update of existing site conditions, new information, and changes in circumstances for those topics, where existing conditions, information, or circumstances have changed since certification of the 2007 FEIR, an update of applicable policies and regulations, and an environmental assessment of the Revised Project. Each environmental topic closes with a finding about whether the Revised Project would result in new significant impacts or would result in a substantial increase in the severity of potentially significant impacts identified for the Original Project. Standard Conditions of Approval are provided in Appendix A.

The following environmental topics are discussed: Aesthetics; Agriculture and Forest Resources; Air Quality; Biological Resources; Cultural Resources; Geology and Soils; Greenhouse Gas Emissions/Global Climate Change; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Noise; Population and Housing; Public Services; Recreation; Transportation; and Utilities and Service Systems.

3.1 AESTHETICS

1.	Aesthetics, Shadow, and Wind Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Have a substantial adverse effect on a public scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, located within a state or locally designated scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area;			
b.	Introduce landscape that would now or in the future cast substantial shadows on existing solar collectors (in conflict with California Public Resource Code sections 25980-25986); or cast shadow that substantially impairs the function of a building using passive solar heat collection, solar collectors for hot water heating, or photovoltaic solar collectors;			
c.	Cast shadow that substantially impairs the beneficial use of any public or quasi-public park, lawn, garden, or open space; or, cast shadow on an historical resource, as defined by CEQA Guidelines Section 15064.5(a), such that the shadow would materially impair the resource's historic significance;			
d.	Require an exception (variance) to the policies and regulations in the General Plan, Planning Code, or Uniform Building Code, and the exception causes a fundamental conflict with policies and regulations in the General Plan, Planning Code, and Uniform Building Code addressing the provision of adequate light related to appropriate uses; or			
e.	Create winds that exceed 36 mph for more than one hour during daylight hours during the year. The wind analysis only needs to be done if the project's height is 100 feet or greater (measured to the roof) and one of the following conditions exist: (a) the project is located adjacent to a substantial water body (i.e., Oakland Estuary, Lake Merritt or San Francisco Bay); or (b) the project is located in Downtown.			

Prior Environmental Analysis and Conclusions

The Original Project included construction of a mixed-use building up to 56 feet in height located in the Telegraph Corridor district of Oakland's Central/Chinatown planning area. The 2007 FEIR concluded that although the project would result in a change to the visual quality of the project site, the proposed building would not degrade the visual character or quality of the site or its surroundings. Because the Original Project was to include interior and exterior building lights, the 2007 FEIR determined that submission of an exterior lighting plan to indicate fixtures were adequately shielded to prevent unnecessary glare onto adjacent properties would be applicable (see Standard Condition A-1 in Appendix A). The 2007 FEIR also concluded that the Original Project—at up to 56 feet tall—would not cast a substantial shadow or generate wind hazards.

Impact Assessment

The Revised Project proposes to alter the mix of residential units and retail space; however, it would not alter the existing building footprint, massing, height, or architectural design elements as described for the Original Project. Because no revision to the massing, height, or scale of the Original Project would occur, no change to the visual quality of the project site or its surroundings beyond that described in the 2007 FEIR would occur as a result of the Revised Project.

View corridors, streetscape, the massing and height of nearby land uses, shadows, and wind patterns in the immediate project vicinity are substantially unchanged since the 2007 Original Project approval. However, there is new information regarding the visual quality of the nearby area and the circumstances under which the Revised Project would be implemented. In the long term, the 2014 City-adopted Broadway Valdez District Specific Plan would enhance the visual quality, pedestrian-oriented aesthetic, and streetscape along major travel corridors east of the project site. The more intensive development (with building heights of 65 feet along Webster Street and 85 feet along Broadway) and retail focus for the 95-acre site would be compatible with the higher density residential uses proposed at the project site.

Standard Conditions of Approval/Mitigation Measures

• Standard Condition A-1. Lighting Fixtures

Findings

The Revised Project would not substantially change the Original Project with respect to visual and aesthetics features, and therefore would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on aesthetic resources. The Standard Condition of Approval A-1 applied to the Original Project and would continue to apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.2 AGRICULTURAL RESOURCES

2.	Agricultural Resources Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.			
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract.			
с.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.			

Prior Environmental Analysis and Conclusions

The 2007 FEIR concluded that the Original Project would have no impact on farmland, because it would be located in a built-out urban area, and no agricultural or farmland uses were within or adjacent to the project site. The site was not zoned for agricultural use nor was it within a Williamson Act contract. Thus, the Original Project would not have resulted in the conversion of farmland to non-agricultural uses.

Impact Assessment

The Revised Project proposes to alter the mix of residential units and retail space. The proposed project would use the existing building footprint as described in the Original Project. The project site and the surrounding area continue to be developed urbanized areas, and the zoning in the area has not been revised to permit agricultural uses. Therefore, the Revised Project would have no impact on agricultural resources.

There is no new information regarding the development pattern or uses of the area or the setting that relate to agricultural resources, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts on agricultural resources.

Findings

The Revised Project would not change the Original Project location and would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on agricultural resources. No standard conditions and no mitigation measures were adopted with the Original Project and none are required to reduce impacts of the Revised Project.

3.3 AIR QUALITY

3.	Air Quality Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	During project construction result in average daily emissions of 54 pounds per day of ROG, NOx, 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, NOx, or PM _{2.5} , or 82 pounds per day of PM ₁₀ ; result in maximum annual emissions of 10 tons per year of ROG, NOx, or PM _{2.5} , or 15 tons per year of PM ₁₀ ; or			
b.	For new sources of Toxic Air Contaminants (TACs), during either project construction or project operation expose sensitive receptors to substantial levels of TACs under project conditions resulting in (a) an increase in cancer risk level greater than 10 in one million, (b) a noncancer risk (chronic or acute) hazard index greater than 1.0, or (c) an increase of annual average PM2.5 of greater than 0.3 microgram per cubic meter; or, under cumulative conditions, resulting in (a) a cancer risk level greater than 100 in a million, (b) a noncancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM2.5 of greater than 0.8 microgram per cubic meter; or expose new sensitive receptors to substantial ambient levels of Toxic Air Contaminants (TACs) resulting in (a) a cancer risk level greater than 100 in a million, (b) a noncancer risk (chronic or acute) hazard index greater than 10.0, or (c) annual average PM2.5 of greater than 100 in a million, (b) a			

Prior Environmental Analysis and Conclusions

When the 2007 FEIR was approved, the Bay Area was a designated nonattainment area for state and national ozone ambient air quality standards and as a nonattainment area for the state particulate matter (PM) standards for PM measuring 10 micrometers in diameter or less (PM₁₀) and PM measuring 2.5 micrometers in diameter or less (PM_{2.5}). The Bay Area Air Quality Management District (BAAQMD) prepares plans to attain ambient air quality standards in the San Francisco Bay Area Air Basin, including ozone attainment plans for the national ozone standard and clean air plans for the California standard. The applicable plan at the time of the 2007 FEIR was the 2005 Bay Area Ozone Strategy. No PM₁₀ or PM_{2.5} plan was prepared or required.

BAAQMD rules and regulations would ensure that construction activities for the Original Project or for any new stationary sources would not obstruct the goals of the regional clean air plan. In addition, operational emissions were projected to be less than the BAAQMD thresholds of significance. Therefore, the 2007 FEIR determined that the Original Project would not conflict with or obstruct implementation of the applicable air quality plan.

Construction of the Original Project would result in the temporary generation of reactive organic gases (ROG), nitrogen oxide (NO_x), PM_{10} , and $PM_{2.5}$ emissions. BAAQMD's approach to the analysis of construction emissions is to emphasize implementation of effective and comprehensive control measures. If feasible control measures would be implemented, then pollutant emissions from construction activities would be considered less than significant. As a result, the 2007 FEIR included the City's Standard Conditions of Approval for fugitive dust emissions, which were consistent with the BAAQMD's control measures (see Standard Condition AQ-1 in Appendix A).

Operational emissions associated with the Original Project would be less than the BAAQMD thresholds of significance. In particular, the 2007 FEIR determined that the Original Project would not contribute to carbon monoxide (CO) concentrations exceeding State air quality standards and would not result in total emissions of ROG, NO_x , or PM_{10} of 15 tons per year or greater, or 80 pounds per day or greater. Therefore, the Original Project would not violate an ambient air quality standard or contribute substantially to an existing violation.

Furthermore, per BAAQMD, projects that do not exceed the thresholds of significance, which was the case for the Original Project, would not contribute a considerable amount of criteria air pollutant emissions to the region's emission profile or result in a cumulatively considerable contribution to the region's air quality.

The California Air Resources Board published the Air Quality and Land Use Handbook: A Community Health Perspective to give guidance to local governments in siting sensitive land uses near sources of air pollution. The Original Project was consistent with the recommendations of the handbook, and thus project-related air emissions from vehicle traffic on nearby I-980 were not expected to adversely affect residents.

The 2007 FEIR determined that the Original Project would not create objectionable odors that would affect a substantial number of people.

The 2007 FEIR included the City's Standard Conditions of Approval for airborne asbestos fibers and lead dust emissions to address the demolition of the structures that existed at that time. With the inclusion of these standard conditions (see Standard Conditions AQ-2, HAZ-7, HAZ-8, HAZ-10, and HAZ-11 in Appendix A), the 2007 FEIR determined that the Original Project would not result in a potential to expose persons to substantial levels of toxic air contaminant (TAC) to the extent that the probability of contracting cancer for the Maximum Exposed Individual (MEI) would exceed 10 in 1 million. Following the Original Project approval, the initial phases of site clearance were undertaken. As a result, the former athletic club was demolished in accordance with the Standard Conditions of Approval in 2007. Standard Conditions implemented to address potential airborne asbestos fibers and lead dust emissions are further described in Appendix A. The Original Project also was not expected to result in ground-level concentrations of non-carcinogenic TACs, so that the Hazard Index (HI) would be greater than 1 for the MEI. The Original Project primarily was a residential development and was not expected to generate a substantial number of truck trips. Accordingly, the 2007 FEIR determined that the Original Project would not result in a substantial increase in diesel emissions.

Impact Assessment

On September 15, 2010, the BAAQMD Board of Directors adopted the final Bay Area 2010 Clean Air Plan, an update to the 2005 Bay Area Ozone Strategy. The 2010 plan reviews the Bay Area's progress in reducing ozone levels to attain the 1-hour and 8-hour ozone standards and includes control strategies for stationary and mobile sources.

Based on air quality monitoring data for years 2006 to 2008, the U.S. Environmental Protection Agency (EPA) designated the Bay Area as nonattainment for the national 24-hour PM2.5 standard in December 2009. However, based on monitoring data for years 2008 to 2011, EPA issued a final rule on January 9, 2013 that the Bay Area attained the 24-hour PM_{2.5} national standard. The Bay Area will continue to be designated as nonattainment for the national 24-hour PM_{2.5} standard until such time as the BAAQMD submits a redesignation request and a maintenance plan to EPA.

Construction Emissions. The Revised Project proposes to include an additional 20 residential units and an additional 1,240 square feet of retail space to the Original Project. However, the project height, footprint, and massing are virtually identical to those of the Original Project. Consequently, the construction methods, activities, and duration for the Revised Project would not be substantially different than those for the Original Project, and the construction-related criteria pollutant emissions associated with the Revised Project are anticipated to be similar to those assumed for the Original Project. One difference in construction emissions would be that the Revised Project would not result in emissions associated with demolition of existing structures because that activity already has occurred. Implementation of the City's Standard Conditions of Approval (see Standard Condition AQ-1 in Appendix A) would ensure that pollutant emissions from construction activities would be less than significant.

Conflict with Applicable Air Quality Plan. Projects that are consistent with the land use development assumptions used in the air quality plan are considered to not conflict with or obstruct the attainment of the air quality levels identified in the plan. The Revised Project would not result in an increase in trip generation estimates or new land uses that would change the consistency evaluation in the 2007 FEIR. As discussed in Section 3.16, Transportation/Traffic, the Revised Project would generate fewer vehicle trips than were projected and evaluated previously in the 2007 FEIR. Therefore, construction and operation of the Revised Project, like the Original Project, would not conflict with or obstruct implementation of the applicable air quality plan.

Operational and Cumulative Emissions. Operation of the Revised Project would result in long-term regional emissions of ROG, NO_x , PM_{10} , and $PM_{2.5}$ associated with area and mobile sources. Mobile source emissions from vehicle trips would be the primary source of criteria pollutant emissions. The trip generation calculation methodologies used in the 2007 FEIR overstated vehicle traffic and the current, more refined City of Oakland trip generation methodologies indicate that the Revised Project would generate fewer vehicle trips than were previously projected and evaluated in the 2007 FEIR. Therefore, the Revised Project also would generate fewer operational air pollutant emissions with changes to the daily trip estimates, because mobile sources are the primary source of emissions. Specifically, the Revised Project would not contribute to CO concentrations exceeding the State air quality standards and would not result in total emissions of ROG, NO_x , or PM_{10} of 15 tons per year or greater, or 80 pounds per day or greater. The 2007 FEIR revealed that the traffic generated by the Original Project would result in 9 pounds per day of ROG, 18 pounds per day of NO_x , and 7 pounds per day of

 PM_{10} . The Revised Project with less trip generation would result in less operational air emissions than projected in the 2007 FEIR.

In summary, similar to the Original Project, the Revised Project would neither violate an ambient air quality standard or contribute substantially to an existing violation nor result in a cumulatively considerable contribution to the region's air quality.

Odors. The proposed land uses associated with the Revised Project essentially are the same as those proposed in the Original Project. Accordingly, the Revised Project, like the Original Project, also would not create objectionable odors affecting a substantial number of people nor result in a substantial increase in diesel emissions.

Exposure to Nearby Sources of Air Pollution and Health Risks. The City of Oakland has Standard Conditions of Approval for "Exposure to Air Pollution (Toxic Air Contaminants)." For the potential impact related to TAC exposure from nearby transportation sources related to I-980, the City of Oakland allows project sponsors to either agree to install air filtration systems or to undertake a more detailed health risk assessment to determine the need for air filtration systems.

Appendix B provides a detailed health risk assessment, resulting from a study of I-980 traffic at the sensitive receptors, based on the thresholds of significance recommended by the BAAQMD and used by the City of Oakland. Cancer risk attributable to highway emissions was determined to be 2.46 in 1 million for the 9-year maximum child cancer risk and 3.56 in 1 million for the 70-year maximum adult cancer risk. As presented in the assessment, none of the cancer risk levels for workers or residents at the project site would exceed the threshold of significance of 10 in 1 million because of the existing traffic from I-980. The maximum chronic HI was determined to be 0.006 and the maximum acute HI was determined to be 0.015, both of which are below relevant City significance thresholds.

As shown, the health risk related to vehicles traveling on I-980 would not exceed the thresholds recommended by BAAQMD. Therefore, the Revised Project would not expose sensitive receptors to substantial construction pollutant concentrations and would not result in a potential to expose persons to substantial levels of TAC to the extent that the probability of contracting cancer for the MEI would exceed 10 in 1 million. The Revised Project also would not result in ground-level concentrations of non-carcinogenic TACs to the extent that the HI would be greater than 1 for the MEI. Health risk impacts would be less than significant.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition AQ-1. Basic Control Measures
- Standard Condition AQ-2. Asbestos Removal in Structures (already completed as described above and in Appendix A)

Findings

The Revised Project would not substantially change the Original Project in terms of development intensity, land uses, or construction methods and activities that would result in a substantial increase in criteria pollutant

emissions during construction or operations or expose sensitive receptors to substantial pollutant concentrations. Even though the BAAQMD and the City have adopted more stringent construction and operational significance thresholds than existed during the 2007 Original Project approval, the Revised Project would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on air quality. The Standard Condition of Approval AQ-1 applied to the Original Project and would apply, as updated by the City, to the Revised Project (see Appendix A). No new Standard Conditions of Approval and no mitigation measures are required to reduce impacts of the Revised Project.

3.4 **BIOLOGICAL RESOURCES**

4.	Biological Resources Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;			
	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;			
	Have a substantial adverse effect on federally protected wetlands (as defined by Section 404 of the Clean Water Act) or state protected wetlands, through direct removal, filling, hydrological interruption, or other means;			
	Substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;			
b.	Fundamentally conflict with the City of Oakland Tree Protection Ordinance (Oakland Municipal Code [OMC] Chapter 12.36) by removal of protected trees under certain circumstances; or Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources			

Prior Environmental Analysis and Conclusions

The Original Project is located on an infill site that has been urbanized for at least 100 years and currently is occupied by a paved surface parking lot with several trees. The 2007 FEIR concluded that the Original Project would have no impact on special-status species, riparian habitat, or other sensitive natural communities. Because of the existence of substantial urban development and vehicle traffic in the vicinity, the area is unlikely to be a part of an established native resident or migratory wildlife corridor or to be within a designated habitat area.

Furthermore, the project site is not located in an area under the jurisdiction of a Habitat Conservation Plan or Natural Community Conservation Plan.

To replace the protected trees, the Original Project included planting approximately 20 deciduous trees within the project courtyards and an additional 20 deciduous trees along the street. The 2007 FEIR concluded that the Original Project would have a less-than-significant impact on compliance with the local tree ordinance by planting replacement trees, summarized in Appendix A under Standard Condition BIO-1.

Impact Assessment

The Revised Project proposes to alter the mix of residential units and retail space. The proposed project would use the existing building footprint, massing, height, and architectural design elements described in the Original Project, including courtyard and street side tree plantings. The Original Project included the removal of two mature redwood trees designated as "protected" trees subject to the Oakland Tree Preservation Ordinance and standard city tree protection/removal permit procedures. Since certification of the 2007 FEIR, these trees were removed with implementation of standard conditions regarding protection of nesting raptors or other birds and in accordance with the Protected Tree Ordinance (Standard Conditions BIO-1 through BIO-4, summarized in Appendix A).

Construction would result in the removal of the remaining on-site trees and vegetation, as proposed as part of the Original Project. Therefore, no potentially significant impacts on biological resources would occur as a result of the Revised Project. Continued application of Standard Conditions BIO-1 through BIO-3, summarized in Appendix A, would reduce impacts on trees that could otherwise occur to a less-than-significant level.

Besides the removal of the redwood trees on the project site, there is no new information regarding the development pattern or uses of the area or the setting that relates to biological species or habitats, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts on biological resources.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition BIO-1. Nesting Bird Protection
- Standard Condition BIO-2. Tree Removal Permit
- Standard Condition BIO-3. Replacement Plantings
- Standard Condition BIO-4. Tree Removal Liability Insurance (already completed as described above and in Appendix A)

Findings

The Revised Project would not substantially change the Original Project in terms of its setting and footprint, and it would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on biological resources. The Standard Conditions of Approval BIO-1 through BIO-3 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.5 CULTURAL RESOURCES

5.	Cultural Resources Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5. Specifically, a substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be "materially impaired." The significance of an historical resource is "materially impaired" when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance <u>and</u> that justify its inclusion on, or eligibility for inclusion on an historical resource list (including the California Register of Historic Places, Local Register, or historical resources survey form (DPR Form 523) with a rating of 1-5);			
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;			
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or			
d.	Disturb any human remains, including those interred outside of formal cemeteries.	\boxtimes		

Prior Environmental Analysis and Conclusions

The 2007 FEIR concluded that the Original Project would result in less-than-significant impacts related to disturbance or adverse changes to archaeological and paleontological resources, or to human remains with implementation of Standard Conditions of Approval. Conditions relevant to the Original Project as summarized in Appendix A include Standard Conditions CUL-1, CUL-2, and CUL-3 and would mitigate most cultural resources impacts.

The 2007 FEIR determined that the height of the proposed building would have a less-than-significant impact on the use or function of nearby historic resources. However, the 2007 FEIR also determined that the Original Project would necessitate the demolition of the Courthouse Athletic Club, a building that qualified as a historic resource, as defined by CEQA Section 15064.5, resulting in a significant and unavoidable impact. Mitigation

measures requiring archival documentation, interpretive materials, relocation, and financial contribution to façade improvement were adopted from the 2007 FEIR (see Mitigation Measure A.1.a through A.1.d in Appendix A).

Impact Assessment

The Revised Project proposes to include 20 additional residential units and an additional 1,240 square feet of retail space to the previously approved Original Project. The Revised Project would not, however, propose a change to the height of the structure, building envelope, or site footprint. Accordingly, no change would occur to the potential visual, proximity, and massing impacts on nearby historic resources that were evaluated in the 2007 FEIR. The Revised Project also would reduce the excavation area and depth previously assessed in the Original Project. With continued application of Standard Conditions of Approval previously adopted with the Original Project, potential impacts on archaeological and paleontological resources or on human remains would be reduced to a less-than-significant level.

The historic athletic club building has since been demolished, in conformance with the adopted mitigation measures from the 2007 FEIR. Besides the removal of the historic structure on the project site, there is no new information regarding the identification of cultural resources at or near the project site, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts on cultural resources.

Standard Conditions of Approval/Mitigation Measures

- Mitigation Measure A.1a: Archival Documentation (already completed as described above and in Appendix A)
- Mitigation Measure A.1b: Interpretive Materials (already completed as described above and in Appendix A)
- Mitigation Measure A.1c: Relocation (already completed as described above and in Appendix A)
- Mitigation Measures A.1d: Façade Improvement Program (already completed as described above and in Appendix A)
- Standard Condition CUL-1. Archeological Resources
- Standard Condition CUL-2. Paleontological Resources
- Standard Condition CUL-3. Human Remains

Findings

The Revised Project would not result in new significant or cumulative impacts beyond those previously identified, analyzed and mitigated in the 2007 FEIR. Standard Conditions of Approval have been previously adopted and found to substantially mitigate the impacts and will continue to be enforced through the Revised Project. The Standard Conditions of Approval CUL-1 through CUL-3 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.6 GEOLOGY AND SOILS

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

Prior Environmental Analysis and Conclusions

The 2007 FEIR determined that the Original Project was not located within a Fault-Rupture Hazard Zone, and no known active faults were mapped on or in the immediate vicinity. As the site was not located on an active or potentially active fault, it was concluded that the potential for surface fault rupture would be low, and this impact was considered to be less than significant. The Original Project was not located on or adjacent to a hillside or within an area designated as a "Seismic Hazard Zone" for earthquake-induced landslides. Therefore, the 2007 FEIR also concluded that potential impacts associated with landslides would be less than significant.

Nonetheless, the San Francisco Bay Area is considered a seismically active region, and the Original Project was located within an area designated as a "Seismic Hazard Zone" for liquefaction. A geotechnical investigation that was performed for the Original Project characterized the surface and subsurface conditions. Although the potential for injury and damage from seismic ground shaking could not be eliminated, the 2007 FEIR determined that adherence to the recommendations in the geotechnical investigation, the Uniform Building Code, and other applicable local construction codes would reduce the potential impact to a less-than-significant level.

The City's applicable Standard Conditions of Approval require the Project Sponsor to submit engineering and other reports along with detailed engineering drawings showing that structures are in conformance with seismic and other requirements of the City of Oakland Building Code (see Standard Conditions of Approval GEO-1 and GEO-2 in

Appendix A). These reports and drawings are to be submitted to the Oakland Building Services Division before excavation, grading, or construction. Accordingly, the Original Project was reported to result in less-than-significant impacts from ground shaking and seismically related ground failures, such as liquefaction, as well as unstable or expansive soil. Furthermore, to address the shallow groundwater table, the geotechnical report included recommendations for foundation design.

The project site was completely occupied by an existing building and asphalt parking lot, and therefore no soil erosion or substantial loss of topsoil was anticipated. To minimize wind or water erosion during construction, the 2007 FEIR determined that adherence to standard City practices would require submittal of an erosion control plan to the Building Services Division for approval. In particular, Standard Condition of Approval GEO-3 (see Appendix A) was adopted with the Original Project approval to avoid adverse long-term erosion impacts.

The Original Project was not located on a site subject to the conditions identified in Section 3.6.a or on a current/former landfill. In addition, the Original Project was to connect to the existing sanitary sewer system and would not have affected soils through use of septic tanks or alternative wastewater disposal systems. Therefore, the 2007 FEIR concluded that the Original Project would have no impact related to septic or alternative wastewater disposal systems.

Impact Assessment

The Revised Project proposes to include 20 additional residential units and an additional 1,240 square feet of retail space to the previously approved Original Project. The massing, building footprint, and materials of the Revised Project would be similar to the Original Project, and similar construction methods and activities would occur. The Revised Project would continue to adhere to Standard Conditions of Approval and applicable regulatory standards and building codes, so that any geology and soils impacts with the potential to create substantial risk to life or property would be reduced to a less-than-significant level. Therefore, the Revised Project would have a less-than-significant impact.

There is no new information regarding the identification of geotechnical or seismic hazards at or near the project site, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts from geology, soil, or seismic hazards.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition GEO-1. Geotechnical Report
- Standard Condition GEO-2. Soils Report
- Standard Condition GEO-3. Erosion, Sedimentation, and Landscaping Plans

Findings

The Revised Project would not substantially change the Original Project in terms of structural design, soil disturbance or construction methods that could result in a substantial increase in geology and soils impacts and would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts related to geology and soils. The Standard Conditions of Approval GEO-1 through GEO-3 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.7 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Prior Environmental Analysis and Conclusions

Greenhouse gas (GHG) emissions were not an issue identified and analyzed in the 2007 FEIR. Nevertheless, GHG emissions have been recognized as an environmental issue since the 1970s, when Congress enacted the National Climate Program Act of 1978. The National Climate Program Act required the President to establish a program to assist in understanding the social, economic, and political implications of climate change and respond to natural and human-induced climate processes. Furthermore, the Intergovernmental Panel on Climate Change was formed in the 1980s, to assess scientific information related to climate change. Therefore, issues related to climate change were known, or could have been known, at the time of the 2007 FEIR.

Impact Assessment

According to the City of Oakland, a land use development project would have a cumulatively considerable contribution to the significant cumulative impact of global climate change if it would produce total emissions of more than 1,100 metric tons carbon dioxide equivalent (MT CO₂e annually AND more than 4.6 MT CO₂e per service population (residents and employees) annually. The Revised Project's impact would be cumulatively considerable if its emissions would exceed BOTH the 1,100 MT threshold and the 4.6 MT threshold. Accordingly, the impact would be considered less than cumulatively considerable if the project's emissions were below EITHER of these thresholds.

The City of Oakland Housing Element EIR included a plan and project-level analysis of GHG emissions for residential developments intended to help satisfy the City's Regional Housing Needs Allocation (City of Oakland 2010). The EIR concluded that "future individual residential developments of 172 units or less would not exceed the BAAQMD Threshold of 1,100 MT CO₂e." Also the Housing Element would be consistent with GHG-reducing plans, policies, and regulations without plan-level, or individual project-level impacts (City of Oakland 2010). Because the Revised Project would be consistent with assumptions in the City of Oakland General Plan and Housing Element, would be within the number of units evaluated in the Housing Element EIR and anticipated to result in a less-than-significant GHG impact, and would develop less than 172 units, the Revised Project would not exceed the City's threshold of significance of 1,100 MT CO₂e. Therefore, the Revised Project would not generate GHG emissions, either directly or indirectly, that would have a potentially significant impact on the environment.

Separately and independently from the above, GHG emissions have been recognized as an environmental issue for at least three decades, and the Revised Project's contribution to GHG emissions is not new information that was unknown or could not have been known with the exercise of reasonable diligence at the time of the 2007 FEIR. New development is also subject to the state-adopted CALGreen building code, which would improve water and energy conservation and introduce more sustainable building practices, all of which further reduce GHG emissions.

Findings

The Revised Project would not substantially change the Original Project in terms of development intensity, construction activity, or use that would result in a substantial increase in GHG emissions. The Revised Project would not create any new significant impacts or any substantial increase in severity of previously identified significant

impacts related to GHG emissions. No standard conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.8 HAZARDS AND HAZARDOUS MATERIALS

8.	Hazards and Hazardous Materials	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;			
	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;			
	Create a significant hazard to the public through the storage or use of acutely hazardous materials near sensitive receptors;			
	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (i.e., the "Cortese List") and, as a result, would create a significant hazard to the public or the environment;			
b.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;			
c.	Result in less than two emergency access routes for streets exceeding 600 feet in length unless otherwise determined to be acceptable by the Fire Chief, or his/her designee, in specific instances due to climatic, geographic, topographic, or other conditions; or Fundamentally impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.			

Prior Environmental Analysis and Conclusions

The Original Project did not include the transport, use, storage, or disposal of hazardous materials, other than the routine use of cleaning, maintenance, and landscaping products associated with residential development. The 2007 FEIR reported that a Phase I Environmental Site Assessment for the project identified two sources of potential soil or groundwater contamination nearby in addition to former mortuary uses (in the existing building that subsequently has been demolished). A Phase II Site Assessment found that potential "hot spots" of petroleum hydrocarbon contamination may exist on the project site and groundwater samples were found to have some diesel and gasoline in amounts greater than Environmental Screening Levels. Formaldehyde and arsenic also were detected above their respective ESLs.

The 2007 FEIR determined that removal and disposal of contaminated soils, and on-site- and off-site groundwater investigation and/or monitoring may be required. However, the groundwater was determined not to be a source of drinking water and that a non-drinking-water cleanup level may be acceptable. Accordingly, the 2007 FEIR concluded that implementation of Standard Conditions of Approval (HAZ-1 through HAZ-3, HAZ-5 and HAZ-6) as summarized in Appendix A would reduce these impacts to a less-than-significant level.

Although the project site is within 0.25 mile of the Oakland Emiliano Zapata Street Academy, the Revised Project is not expected to emit hazardous emissions or handle hazardous materials in a way that would pose a substantial hazard to the academy.

In addition, the 2007 FEIR determined that asbestos-containing building materials, lead-based paint and PCBs were likely present in the existing structure and demolition of the existing building could cause a hazard. Accordingly, the 2007 FEIR concluded that implementation of Standard Conditions of Approval pertaining to asbestos, lead and PCBs (HAZ-7 through HAZ-12) would reduce the impact of the Original Project for potential exposure of construction workers, schools, or the public to a less-than-significant level.

Impact Assessment

The Revised Project proposes to add 20 additional residential units and an additional 1,240 square feet of retail space to the Original Project. The uses, massing, building footprint, and materials of the Revised Project would be similar to the Original Project, and similar construction methods and activities would occur. The Revised Project would continue to adhere to Standard Conditions of Approval and applicable regulatory standards, ensuring that any potential impacts from hazards or hazardous materials would be reduced to a less-than-significant level. Therefore, the Revised Project would have a less-than-significant impact with respect to hazards and hazardous materials.

Since certification of the 2007 FEIR, demolition of the athletic club was completed with implementation of these standard conditions. Besides removal of this structure, there is no new information regarding the identification of environmental contamination or hazardous materials at or near the project site, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts from hazardous materials.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition HAZ-1. Best Management Practices
- Standard Condition HAZ-2. Materials Classified as Hazardous Waste
- Standard Condition HAZ-3. Best Management Practices for Soil and Groundwater Hazards
- Standard Condition HAZ-4. Fire Safety
- Standard Condition HAZ-5 through HAZ-12. Demolition of Existing Structures and Remediation (already completed as described above and in Appendix A)

Findings

The Revised Project would not substantially change the Original Project in terms of development intensity, use, or construction methods and activities that could result in a substantial increase in hazards and hazardous material

impacts and would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts related to hazards and hazardous materials. The Standard Conditions of Approval HAZ-1 through HAZ-4 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.9 HYDROLOGY AND WATER QUALITY

9.	Hydrology and Water Quality Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Violate any water quality standards or waste discharge requirements; Result in substantial erosion or siltation on- or off-site that would affect the quality of receiving waters; Create or contribute substantial runoff which would be an additional source of polluted runoff; Otherwise substantially degrade water quality; Fundamentally conflict with the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect hydrologic resources.			
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or proposed uses for which permits have been granted);			
c.	Create or contribute substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems; Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course, or increasing the rate or amount of flow, of a creek, river, or stream in a manner that would result in substantial erosion, siltation, or flooding, both on- or off-site			
d.	Result in substantial flooding on- or off-site; Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, that would impede or redirect flood flows; Place within a 100-year flood hazard area structures which would impede or redirect flood flows; or Expose people or structures to a substantial risk of loss, injury, or death involving flooding.			

Prior Environmental Analysis and Conclusions

The Original Project did not include an increase in the amount of impervious surface, relative to existing conditions, because the site was covered by an existing structure and surface parking. The 2007 FEIR determined that construction activities would be likely to include minor quantities of hazardous materials, such as paint, solvents, oil and grease, and petroleum hydrocarbons. In addition, the Original Project site was greater than 10,000 square feet, requiring compliance with the Alameda County Clean Water Program NPDES permit and an NPDES General Construction Permit. The 2007 FEIR concluded that implementation of Standard Conditions of Approval related to erosion, sedimentation, drainage, and grading would be applicable, and implementation would reduce impacts to a less-than-significant level. These conditions are summarized in Appendix A in Standard Conditions HYDRO-1 through HYDRO-4.

The 2007 FEIR determined that the Original Project would not substantially increase the use of pesticides or herbicides compared to existing conditions. Grading could have included dewatering that could create wastewater containing trace hazardous substances. Depending on discharge requirements, it was determined that this water could be discharged into the sanitary sewer systems, temporarily stored, or transported to a disposal facility. Standard Conditions of Approval involving treatment of contaminated groundwater are described in Section 3.8, Hazards and Hazardous Materials, would be implemented as part of the Original Project.

The 2007 FEIR concluded that compliance with all applicable regulatory standards and regulations pertaining to potential contaminants, grading, and excavation would be applicable before issuance of grading and building permits, consistent with standard city practices (Section 3.6, Geology and Soils). Similar to Section 3.6, Geology and Soils, and Section 2.8, Hazards and Hazardous Materials, the Original Project would include implementation of Standard Conditions of Approval and compliance with all applicable regulatory standards and regulations so that hydrology and water quality impacts would be reduced to a less-than-significant level. Therefore, the 2007 FEIR concluded that the Original Project would not result in significant impacts on water quality or groundwater supplies.

Impact Assessment

The Revised Project proposes to include 20 additional residential units and 1,240 additional square feet of retail space to the approved Original Project. The massing, building footprint, materials, and extent of impervious area at the site of the Revised Project would be similar to the Original Project, and similar construction methods and activities would occur. The Revised Project would continue to adhere to Standard Conditions of Approval and applicable regulatory standard ensuring that any potential impacts on water quality or groundwater supplies would be reduced to a less-than-significant level. Therefore, the Revised Project would have a less-than-significant impact.

Since the Original Project approval in 2007, new stormwater management requirements have been issued by the State Water Resources Control Board and implemented as part of National Pollutant Elimination Discharge System permitting process (i.e., SWRCB Order No. 2009-0009-DWQ adopted in 2009 and effective July 1, 2010 imposes new measures on construction activities; and SWRCB Order No. 2012-0011-DWQ and Order No. 2013-0001-DWQ adopted in 2012 and 2013, respectively, impose regulations on the stormwater entering municipal sewer systems). These requirements, the related permits, and new City Standard Conditions of Approval adopted in response to the new regulations would reduce stormwater pollution to a greater degree than would have

resulted with the Original Project. Besides these stormwater regulations, there is no new information regarding the identification of flood hazards, drainage concerns, or water quality at or near the project site, and the circumstances under which the Revised Project would be implemented have been changed to further reduce impacts to water quality.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition HYDRO-1. Erosion, Sedimentation, and Debris Control Measures
- Standard Condition HYDRO-2. Stormwater Pollution Prevention Plan (SWPPP)
- Standard Condition HYDRO-3. Source Control Measures to Limit Stormwater Pollution
- Standard Condition HYDRO-4. Site Design Measures for Post-Construction Stormwater Management

Findings

The Revised Project would not substantially change the Original Project in terms of development intensity, site coverage, extent of impervious surface, and construction methods and activities that could result in a substantial increase in water quality or groundwater impacts, and it would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on hydrology and water quality. The Standard Conditions of Approval HYDRO-1 through HYDRO-4 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.10 LAND USE AND PLANNING

10.	Land Use, Plans, and Policies Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Physically divide an established community;	\boxtimes		
b.	Result in a fundamental conflict between adjacent or nearby land uses; or	\boxtimes		
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.			

Prior Environmental Analysis and Conclusions

The 2007 FEIR determined that the Original Project would replace a completely developed project site containing an athletic club, parking lot, and two groupings of trees—with residential and commercial activities and associated parking. The 2007 FEIR concluded that development of the project site would be generally consistent with applicable General Plan policies, and the 142 units proposed on the 1.4-acre project site would be consistent with the maximum allowed General Plan density and allowable floor area ratio of the "Urban Residential" and the "Community Commercial" land use designation, which allow a maximum residential density of 125 units per acre and a maximum floor area ratio of 5.0. Furthermore, the Original Project would comply with City of Oakland zoning regulations, such as facilitating a Design Review pursuant to the C-40 zone (17.54.030) and the R-80 zone (17.30.030); a Tree Removal Permit (12.36.050); and Variance approvals pursuant to (17.148.). Therefore, the Original Project was determined not to conflict with any plans, policies or regulations related to land use. The 2007 FEIR also concluded that the Original Project was not located in an area that was governed by any habitat conservation plan or natural community conservation plan and the project would have no impact or conflict with such plans.

Impact Assessment

The Revised Project proposes to include 20 additional residential units and 1,240 square feet of retail space to the previously approved Original Project. The Revised Project would not require a change to the height of the structure, building envelope, or site footprint as described in the Original Project. With the additional units and retail space, the Revised Project would continue to be consistent with the maximum allowed density and floor area ratio of the "Urban Residential" and the "Community Commercial" land use designations from the Land Use and Transportation Element of the General Plan. Therefore, the Revised Project would continue to have a less-than-significant impact on the community, adjacent land uses, and applicable land use plans.

The Revised Project would reduce the number of proposed parking spaces from 205 to 163. As of 2012, the City of Oakland requires that a minimum of one parking space be provided for every unit. The Revised Project proposes 162 units, and therefore the proposed 163 parking spaces would comply with City parking standards. The retail space would require 10 parking spaces and none are proposed. The Project Sponsor is seeking a minor variance to the previous project approval to waive the required retail parking requirements. The City's regulations require 116 bicycle parking spaces; the Revised Project includes accommodations for 163 bicycle parking spaces and, thus, would exceed the City requirements. The Revised Project would not conflict with established parking plans or regulations and, like the Original Project, would have a less-than-significant impact with respect to parking.

Since the Original Project approval in 2007, two key additional planning documents have been adopted by the City that affect the setting and circumstances under which the project would be implemented. The City adopted a Housing Element update for the 2007 to 2014 period, with a goal of providing over 14,600 new housing units to meet the City's fair share of the regional housing needs allocation. The Original Project was recognized as an approved project in the Housing Element update, and the Revised Project, with an increased number of housing units, would thus further the City's goals of housing production. The City adopted on December 9, 2014 the updated Housing Element, which extends and expands the policies into the next period, 2015 to 2023. The Revised Project would continue to be consistent with the current policies to improve and expand the City's housing stock and its affordability.

In addition, the City initiated a planning process in January 2009 for a 95-acre area, about 1,000 feet east of the project site (three blocks). Historically known as "Auto Row," the Broadway Valdez District Specific Plan charts a vision and framework for this area with a special focus on establishing the area as a retail destination. Over the next 25 years, the specific plan that was adopted in June 2014 proposes up to 1.1 million square feet of new retail space, 1,800 housing units, 700,000 square feet of office uses, and a new 180-room hotel. The long-term plan introduces a new vitality to the area around the Revised Project and results in a more intense development pattern for the cumulative context than was anticipated in 2007, when the Original Project was approved. Additionally, the EIR that was certified for the specific plan takes into account the most recent regional travel demand forecasts by the Alameda County that also serves as an updated cumulative transportation setting in which to examine the Revised Project (see Section 3.16, Transportation and Circulation). The Revised Project itself would not conflict or impede implementation of the specific plan, and the Revised Project's proposed mixed uses and exceedance of bicycle parking requirements would be consistent with the specific plan's mixed use pattern, emphasis on retail, and support for alternative modes of travel. The cumulative development with the Revised Project would feature more intensive land uses, more residential and retail space, and a greater level of activity throughout the day, compared to the cumulative conditions evaluated in the 2007 FEIR. The change in land use intensity would be consistent with the City's goals for the area's revitalization and development pattern and would result in lessthan-significant cumulative land use impacts.

Besides the above two planning documents, there is no new information regarding the uses, development intensities, or land use policies at or near the project site, and the circumstances under which the Revised Project would be implemented have been modified to include more intensive development but these changes would not result in project-related impacts.
Findings

The Revised Project would not substantially change the Original Project in terms of development intensity, parking availability, use, or setback, and it would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on land use and planning. No standard conditions and no mitigation measures were adopted with the Original Project and none are required to reduce impacts of the Revised Project.

3.11 MINERAL RESOURCES

11.	Mineral Resources Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.			
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.			

Prior Environmental Analysis and Conclusions

The 2007 FEIR determined that the Original Project would be located on an urban infill site and would replace an existing building with new construction. It was determined that the project site had no known existing mineral resource and would not require any quarrying, mining, dredging or extraction of locally important mineral resources on site, nor would it deplete any nonrenewable resource.

Impact Assessment

The Revised Project would not change the height of the structure, building envelope, or site footprint of the Original Project. Accordingly, no impact would occur on mineral resources, nor would depletion of any nonrenewable resource occur.

There is no new information regarding the development pattern or uses of the area or the setting that relate to mineral resources, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts on mineral resources.

Findings

The Revised Project would not change the Original Project in terms of its location and setting, and it would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on mineral resources. No standard conditions and no mitigation measures were adopted with the Original Project and none are required to reduce impacts of the Revised Project.

3.12 NOISE

12.	Noise Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding construction noise, except if an acoustical analysis is performed that identifies recommend measures to reduce potential impacts. During the hours of 7 p.m. to 7 a.m. on weekdays and 8 p.m. to 9 a.m. on weekends and federal holidays, noise levels received by any land use from construction or demolition shall not exceed the applicable nighttime operational noise level standard; Generate noise in violation of the City of Oakland nuisance standards (Oakland Municipal Code Section 8.18.020) regarding persistent construction- related noise;			
b.	Generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code Section 17.120.050) regarding operational noise;			
c.	Generate noise resulting in a 5 dBA permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or, if under a cumulative scenario where the cumulative increase results in a 5 dBA permanent increase in ambient noise levels in the project vicinity without the project (i.e., the cumulative condition including the project compared to the existing conditions) and a 3-dBA permanent increase is attributable to the project (i.e., the cumulative condition including the project compared to the cumulative baseline condition without the project);			
d.	Expose persons to interior Ldn or CNEL greater than 45 dBA for multi-family dwellings, hotels, motels, dormitories and long-term care facilities (and may be extended by local legislative action to include single-family dwellings) per California Noise Insulation Standards (CCR Part 2, Title 24); Expose the project to community noise in conflict with the land use compatibility guidelines of the Oakland General Plan after incorporation of all applicable Standard Conditions of Approval (see Figure 1); Expose persons to or generate noise levels in excess of applicable standards established by a regulatory agency (e.g., occupational noise standards of the Occupational Safety and Health Administration [OSHA]); or			

12.	Noise Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
e.	During either project construction or project operation expose persons to or generate ground borne vibration that exceeds the criteria established by the Federal Transit Administration (FTA).			

Prior Environmental Analysis and Conclusions

The 2007 FEIR characterized the existing ambient noise environment at the project site as being dominated by traffic noise on Telegraph Avenue. Traffic noise from the elevated I-980 freeway is barely audible because of an existing sound barrier. Furthermore, the 2007 FEIR determined that the interior noise levels within the Original Project's residential units could be affected by exterior noise and exceed the interior noise standard established in the General Plan's Noise Element. Therefore, the 2007 FEIR concluded that Standard Conditions of Approval would be applicable to meet City interior noise standards (NOISE-1 as summarized in Appendix A), and implementation of these conditions would render noise impacts less than significant. Although the Original Project would increase traffic volumes, the 2007 FEIR determined that a substantial increase in traffic noise levels would not occur.

The 2007 FEIR also concluded that demolition and construction activities would intermittently and temporarily increase ambient noise levels in the project vicinity, which would include sensitive receptors such as residences, medical buildings, and a church. Because some sensitive receptors are located within 50 feet of the Original Project site, noise levels would have the potential to exceed the maximum allowable receiving noise level standards, and therefore Standard Conditions of Approval to limit construction noise would be applicable (see summary in Appendix A under NOISE-2 through NOISE-5). It also was determined that the Original Project would need to adhere to applicable nighttime noise level standards, outlined in the City's Noise Ordinance where technically and economically feasible. Implementation of these Standard Conditions of Approval would comply with the Noise Ordinance.

Impact Assessment

The Revised Project proposes to include 20 additional residential units and an additional 1,240 square feet of retail space to the previously approved Original Project. This increase in units would result in a minor, incremental increase in population (approximately 40 persons) and traffic that would not substantially increase noise generated by the Revised Project operation. The massing and building footprint of the Revised Project would be similar to the Original Project, and similar noise-generating construction equipment and activities would occur. The Revised Project would continue to adhere to Standard Conditions of Approval so that any potential noise impacts on sensitive receptors would be reduced to a less-than-significant level. Furthermore, the Revised Project would continue to implement Standard Conditions related to building design for reduction of interior noise from exterior sources. Therefore, the Revised Project would have a less-than-significant impact.

Since certification of the 2007 FEIR, demolition of the athletic club was completed with implementation of these standard conditions. As a result, in the future, the Revised Project would not involve the construction noise and vibration associated with removal of this structure. Besides this change to the project site, there is no new information regarding the development pattern or noise sources in the area or the setting that relate to noise levels or exposure, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible impacts from noise and vibration.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition NOISE-1. Interior Noise
- Standard Condition NOISE-2. Operational Noise-General
- Standard Condition NOISE-3. Noise Control
- Standard Condition NOISE-4. Noise Complaint Procedures
- Standard Condition NOISE-5. Days/Hours of Construction Operation
- Standard Condition NOISE-6. Pile Driving and Other Extreme Noise Generators

Findings

The Revised Project would not substantially change the Original Project in terms of proximity to the freeway, development intensity, or construction activities that could result in a substantial increase in noise impacts, and it would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts related to noise. The Standard Conditions of Approval NOISE-1 through NOISE-6 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new Standard Conditions and no mitigation measures are required to reduce impacts of the Revised Project.

3.13 POPULATION AND HOUSING

13.	Population and Housing Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Induce substantial population growth in a manner not contemplated in the General Plan, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extensions of roads or other infrastructure), such that additional infrastructure is required but the impacts of such were not previously considered or analyzed;			
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element; or Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere in excess of that contained in the City's Housing Element.			

Prior Environmental Analysis and Conclusions

The 2007 FEIR determined that the Original Project, providing 142 residential units, would result in approximately 277 additional residents and would not result in a substantial contribution to the City's anticipated population growth. Moreover, this growth would be consistent with the General Plan Land Use and Transportation Element and, thus, would not be expected to induce substantial population growth. In addition, the Original Project would not displace any existing residential units. Although approximately 72 jobs would be lost because of demolition of the athletic club, the 2007 FEIR concluded that a substantial loss of employment would not occur, and the nearly 2,900 square feet of retail space included in the Original Project would create eight new employment opportunities. This positive benefit would meet the General Plan's objective to encourage urban housing projects and provide new opportunities downtown.

Impact Assessment

The Revised Project proposes to add 20 more residential units to the previously approved 142 units from the Original Project and 1,240 square feet of additional retail space to the previously approved 2,879 square feet. The Revised Project would not displace any businesses, housing units, or people. This increase in residential units and retail space would result in a minor, incremental increase in population (approximately 40 residents and three new employment opportunities) that would not induce substantial population growth in conflict with the General Plan or require additional infrastructure not previously considered or analyzed.

Since the Original Project approval, the athletic club was demolished, resulting in the loss of 72 jobs. Offsetting this loss and seeking to overcome economic and market challenges facing the City's Auto Row, the City adopted the Broadway Valdez District Specific Plan in June 2014. The plan envisions 1.1 million square feet of new retail space, 1,800 housing units, 700,000 square feet of office uses, and a new 180-room hotel, all of which contribute to the intensification and population, housing, and employment growth in this area of Oakland. This signifies a substantial change in the circumstances and environment in which the Revised Project would be implemented, but would not change the less-than-significant population and housing impacts of the project.

Findings

The Revised Project would not substantially change the Original Project in terms of residential and commercial development intensity that could result in a substantial increase in population or displacement of people, and it would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on population and housing. No standard conditions and no mitigation measures were adopted with the Original Project and none are required to reduce impacts of the Revised Project.

3.14 PUBLIC SERVICES

14.	Public Services, Parks and Recreation Facilities Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: Fire protection; Police protection; Schools; or Other public facilities. 			
b.	Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or Include recreational facilities or require the construction or expansion of recreational facilities which might have a substantial adverse physical effect on the environment.			

Prior Environmental Analysis and Conclusions

The project site is located in a developed urban area already served by public services. The 2007 FEIR determined that the Original Project, with 142 residential units and nearly 2,900 square feet of retail space, would result in an increased on-site population that would be expected to result in an incremental increase in the number of fire, emergency medical, and police service calls. In accordance with standard City practices, the Original Project was to be designed in compliance with Oakland's Building Code, and project plans were to be reviewed by the Fire Services Agency and Police Department. The 2007 FEIR also concluded that the Original Project would be likely to generate fewer than 100 school-age children, would have a less-than-significant impact on operations of existing schools, and as required by Senate Bill 50, would be required to pay school impact fees to offset any impacts.

Impact Assessment

The Revised Project proposes to add 20 more residential units and 1,240 square feet of retail space to the previously approved Original Project. This increase in units would result in a minor, incremental increase in

population (approximately 40 persons and three employees) that would not substantially increase the demand for fire protection, police protection, school services, parks, or other facilities in a manner that would compromise existing service levels or trigger the need for new facilities, the construction of which could result in physical environmental impacts. Because the project site is an infill site, it would not result in greater response times or reduced service levels from police, fire, and other emergency responders that could occur if the project site were outside the urban area and the existing service areas for these public services.

The City adopted a specific plan for the Broadway Valdez District to the east of the project site. The plan calls for substantial growth, focused on creating a retail destination. The additional development would alter the cumulative context for the Revised Project, and suggest that there would be a greater demand for public services in this area of Oakland. The EIR for the specific plan recognizes this additional demand but concludes that impacts to police, fire, school, and recreational services would be less than significant. Besides this plan, there is no new information regarding the development pattern or demand for public services in the area or the setting that relate to the ability of the City to provide public services, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible public service impacts.

Findings

The Revised Project would not substantially change the Original Project in terms of development intensity that could result in a substantial increase in population from residences or commercial businesses. It would not have any potential impacts on service ratios, response times, or performance objectives of public service providers. It would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on public services. No standard conditions and no mitigation measures were adopted with the Original Project and none are required to reduce impacts of the Revised Project.

3.15 RECREATION

15.	Recreation Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	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.			
b.	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.			

Prior Environmental Analysis and Conclusions

The Original Project would include open space in the form of courtyards on the podium level and private balconies. The site is located in a developed urban area served by existing parkland facilities. The 2007 FEIR determined that the project would not induce significant population growth and would not result in adverse impacts on any existing parks or recreational facilities in the area.

There is no new information regarding the development pattern or demand for recreational facilities in the area or the setting that relate to the ability of the City to provide recreational services, and the circumstances under which the Revised Project would be implemented have not changed with respect to possible recreational impacts.

Impact Assessment

The Revised Project proposes to add 20 more residential units and an additional 1,240 square feet of retail space to the previously approved Original Project. This increase in the project's development program would result in a minor, incremental increase in population (approximately 40 persons and three employees) that would not substantially increase use of existing parks or recreational facilities. The Revised Project would continue to include common open space through six courtyards on the podium level, totaling more than 20,000 square feet. In addition, a total of approximately 7,000 square feet of private balcony space is proposed. Furthermore, the Revised Project would include an on-site recreational facility, like the Original Project. Therefore, impacts on recreational resources would continue to be less than significant.

As noted above in Section 3.14, Public Services, the circumstances under which the Revised Project would be implemented would change because of the June 2014 adoption of the Broadway Valdez District Specific Plan. This plan seeks to revitalize Auto Row and create a complete community that would intensify development and increase recreational demand in the project area. The EIR for the specific plan acknowledges that the need for recreational facilities would increase but the impacts would be less than significant. No other new information or changed circumstances would alter the Revised Project's effect on recreation.

Findings

The Revised Project would not substantially change the Original Project in terms of its site plan, development intensity, or mix of uses, although common open space would be reduced. The relatively small increase in residential population at the project site would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on recreational uses. No standard conditions and no mitigation measures were adopted for the Original Project and none are required to reduce impacts of the Revised Project.

3.16 TRANSPORTATION AND CIRCULATION

16.	Transportation and Circulation Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
Cor the trav higl	nflict with an applicable plan, ordinance, or policy circulation system, taking into account all modes rel and relevant components of the circulation sys hways and freeways, pedestrian and bicycle path	y establishing measur of transportation inc stem, including but n s, and mass transit, s	res of effectiveness for t cluding mass transit and ot limited to, intersection pecifically:	he performance of 1 non-motorized ons, streets,
Traffic Load and Capacity Thresholds a. At a study, signalized intersection which is located outside the Downtown area and that does not provide direct access to Downtown, the project would cause the motor vehicle level of service (LOS) to degrade to worse than LOS D (i.e., LOS E or F) and cause the total intersection average vehicle delay to increase by four (4) or more seconds;		X		
b.	At a study, signalized intersection which is located within the Downtown area or that provides direct access to Downtown , the project would cause the motor vehicle LOS to degrade to worse than LOS E (i.e., LOS F) and cause the total intersection average vehicle delay to increase by four (4) or more seconds;			
c.	At a study, signalized intersection outside the Downtown area and that does not provide direct access to Downtown where the motor vehicle level of service is LOS E, the project would cause the total intersection average vehicle delay to increase by four (4) or more seconds;			
d.	At a study, signalized intersection outside the Downtown area and that does not provide direct access to Downtown where the motor vehicle level of service is LOS E, the project would cause an increase in the average delay for any of the critical movements of six (6) seconds or more;			
e.	At a study, signalized intersection for all areas where the level of service is LOS F, the project would cause (a) the overall volume-to-capacity ("V/C") ratio to increase 0.03 or more or (b) the critical movement V/C ratio to increase 0.05 or more;			
f.	At a study, unsignalized intersection the project would add ten (10) or more vehicles to the critical movement and after project completion satisfy the California Manual on Uniform Traffic Control Devices (MUTCD)			

16.	Transportation and Circulation Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
g.	For a roadway segment of the Congestion Management Program (CMP) Network, the project would cause (a) the LOS to degrade from LOS E or better to LOS F or (b) the V/C ratio to increase 0.03 or more for a roadway segment that would operate at LOS F without the project; or			
h.	Cause congestion of regional significance on a roadway segment on the Metropolitan Transportation System (MTS) evaluated per the requirements of the Land Use Analysis Program of the CMP.			
Tra i.	ffic Safety Thresholds Directly or indirectly cause or expose roadway users (e.g., motorists, pedestrians, bus riders, bicyclists) to a permanent and substantial transportation hazard due to a new or existing physical design feature or incompatible uses;			
j.	Directly or indirectly result in a permanent substantial decrease in pedestrian safety;	\boxtimes		
k.	Directly or indirectly result in a permanent substantial decrease in bicyclist safety;	\boxtimes		
1.	Directly or indirectly result in a permanent substantial decrease in bus rider safety; or	\boxtimes		
m.	Generate substantial multi-modal traffic across at-grade railroad crossings that cause or expose roadway users (e.g., motorists, pedestrians, bus riders, bicyclists) to a permanent and substantial transportation hazard.			
Oth n.	her Thresholds Fundamentally conflict with adopted City policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities adopted for the purpose of avoiding or mitigating an environmental effect and actually result in a physical change in the environment.			
0.	Result in a substantial, though temporary adverse effect on the circulation system during construction of the project; or			
p.	Result in a change in air traffic patterns, including either an increase in traffic level or a	\boxtimes		

16.	Transportation and Circulation Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
	change in location that results in substantial safety risks.			

Prior Environmental Analysis and Conclusions

The 2007 FEIR concluded that the Original Project would have no impact on air traffic, traffic hazards, and emergency access routes, and would have no fundamental conflicts with adopted transportation policies, plans, or programs.

The 2007 FEIR determined that traffic generated by the Original Project would result in a less-than-significant impact on project driveways and existing traffic levels of service at local intersections. In addition, the Original Project was expected to result in a less-than-significant increase in ridership on public transit providers serving the area and not to be in conflict with existing pedestrian and/or bicycle facilities. Related to project construction, potentially significant impacts on traffic flow and circulation, parking, and pedestrian safety were proposed to be avoided through the application of Standard Conditions of Approval that deal with construction traffic management (see Appendix A under TRA-1), resulting in a less-than-significant impact during the construction period.

Impact Assessment

The Revised Project proposes to add 20 residential units to the previously approved 142 units, and to increase the available retail space from nearly 2,900 square feet to 4,045 square feet. The Revised Project would reduce the number of automobile parking spaces from 205 to 163. The 163 parking spaces would satisfy City zoning requirements which call for 162 spaces for the residential units. The 4,045 square feet of retail space would require 10 spaces per City parking regulations, but none are proposed. The Project Sponsor is seeking a minor revision and variance to the Original Project approval to modify the development program and to vary from the retail parking requirements. To further ensure that parking demand is reduced, Standard Condition of Approval TRA-2, requiring preparation and implementation of a Traffic Demand Management Plan, would apply to the project. The Revised Project would also provide 162 bicycle parking spaces, exceeding City zoning requirements for 98 spaces.

The 2007 FEIR examined project-generated traffic impacts under "Existing plus Project" and "Cumulative plus Project" (2025) scenarios. The analysis considered intersection operations during both the AM and PM peak hours. The same scenarios and intersections were evaluated for the Revised Project (see Appendix C). Since 2007, advances in trip generation calculation methodologies have indicated that the older methodologies overstated auto traffic. Therefore, the revised trip generation calculation indicates that the Revised Project would add fewer vehicle trips to study intersections than were previously calculated and evaluated in the 2007 FEIR. Because the Revised Project would generate fewer vehicle trips than the Original Project as analyzed in the 2007 FEIR, the

Revised Project would result in fewer trip generation and intersection impacts than were identified in the 2007 FEIR.

Since certification of the 2007 FEIR, new cumulative traffic forecasts have been made available through the Alameda County Transportation Commission's (ACTC) travel demand model, including cumulative growth up to 2035. Recently approved studies for neighboring projects used the current ACTC travel demand model to forecast 2035 Cumulative Conditions, including the Broadway Valdez District Specific Plan EIR (May 2014) (hereafter referred to as the "Broadway Valdez EIR"). The Broadway Valdez EIR studied eight intersections in common with the 2007 FEIR, and it identified potential significant impacts at three common intersections under 2035 Cumulative Conditions during the PM peak hour. These intersections are Telegraph Avenue/MacArthur Boulevard, Telegraph Avenue/27th Street, and Broadway/27th Street intersections.

Although the Revised Project would result in fewer trips than were identified for the Original Project, it could contribute to cumulative impacts at two of these intersections (see Appendix C). These impact findings are a result of the newly available ACTC travel demand model (including cumulative growth up to the year 2035), and do not represent new impacts associated with the 2935 Telegraph Avenue Project. As such, these impacts do not represent new project specific impacts, but instead, cumulative impacts associated with a new ACTC travel demand model horizon year. Specifically, the addition of project traffic would increase the v/c ratio for a critical movement by 0.05 or more at the Telegraph Avenue/MacArthur Boulevard intersection, which would operate at level of service (LOS) F during the weekday PM peak hour under 2035 Cumulative plus Project Conditions. Furthermore, the addition of project traffic would increase the v/c ratio for a critical movement by 0.05 or more at LOS F during the weekday PM peak hour under 2035 Cumulative plus Project Street intersection, which would operate at LOS F during the weekday PM peak hour under 2035 Cumulative plus Project Street intersection, which would operate at LOS F during the weekday PM peak hour under 2035 Cumulative plus Project Conditions.

Implementation of Mitigation Measures TRANS-1 and TRANS-2 would reduce the Revised Project's contribution to intersection delay and the impact on transportation and circulation would be less than significant.

The Revised Project would not alter the driveway to the project site from the 2008 approvals by the City. With no changes to the project site's automobile ingress or egress and a reduction in the project-generated vehicle trips, there would be no change to traffic safety conditions for roadway users, pedestrians, or cyclists as a result of the Revised Project. Therefore, impacts to traffic safety along 29th Street would continue to be less than significant.

Standard Conditions of Approval/Mitigation Measures

- Standard Condition TRA-1. Construction Traffic and Parking
- Standard Condition TRA-2. Traffic Demand Management Plan

Mitigation Measure TRANS-1. Implement the following measures at the Telegraph Avenue/MacArthur Boulevard intersection:

- Provide protected left-turn phases for the northbound and southbound approaches;
- Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection for the PM peak hour); and

• 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 the City's Transportation Services Division for review and approval:

- Plans, Specifications, and Estimates to modify the intersection, to City of Oakland standards; and
- Signal timing plans for the signals in the coordination group.

The Project Sponsor shall fund the cost of preparing and implementing these plans. If the City adopts a transportation fee program before implementation of this mitigation measure, the Project Sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure, and payment of the fee will reduce this impact to less than significant. Alternatively, if the Broadway Valdez District Traffic Impact Fee program is adopted, the Project Sponsor will have the option to contribute to that program instead of the citywide program. The contribution to the Broadway Valdez District program would be negotiated with the City and payment of the fee will reduce this impact to less than significant. To identify the point at which the cumulative impact will be triggered, anticipated traffic growth between Existing Conditions and 2035 Cumulative Conditions will be applied by annual increments. This straight line interpolation of intersection traffic volume between Existing plus Project Conditions and 2035 Cumulative plus Project Conditions indicates that the impact will be triggered by 2030 (i.e., cumulative growth to 2030, plus the full buildout of the Revised Project). Investigation of the need for this mitigation will be studied 1 year before the identified trigger year (i.e., 2029), and every 3 years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.

After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. However, the mitigation measure would reduce the total intersection v/c ratio and critical movement v/c ratio to values lower than under 2035 Cumulative Conditions. Therefore, the Revised Project's contribution to delay would be mitigated.

Mitigation Measure TRANS-2. Implement the following measures at the Telegraph Avenue/27th Street intersection:

- Provide protected left-turn phases for the northbound and southbound approaches;
- Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection for the PM peak hour); and
- 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 the City's Transportation Services Division for review and approval:

- Plans, Specifications, and Estimates to modify intersection, to City of Oakland standards; and
- Signal timing plans for the signals in the coordination group.

The Project Sponsor shall fund the cost of preparing and implementing these plans. If the City adopts a transportation fee program before implementation of this mitigation measure, the Project Sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee will reduce this impact to less than significant. Alternatively, if the Broadway Valdez District Traffic Impact Fee program is adopted, the Project Sponsor will have the option to contribute to that program instead of the citywide program. The contribution to the Broadway Valdez District program would be negotiated with the City and payment of the fee will reduce this impact to less than significant. To identify the point at which the cumulative impact will be triggered, anticipated traffic growth between Existing Conditions and 2035 Cumulative Conditions will be applied by annual increments. This straight line interpolation of intersection traffic volume between Existing plus Project Conditions and 2035 Cumulative plus Project Conditions indicates that the impact will be triggered by 2029 (i.e., cumulative growth to 2029, plus the full buildout of the Revised Project). Investigation of the need for this mitigation will be studied 1 year before the identified trigger year (i.e., 2028), and every 3 years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first.

After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. However, the mitigation measure would reduce the total intersection v/c ratio and critical movement v/c ratio to values lower than under 2035 Cumulative Conditions. Therefore, the Revised Project's contribution to delay would be mitigated.

Findings

The Revised Project would include a change in the number and composition of residential units and retail floor area. The Revised Project would result in fewer trips than were identified for the Original Project. However, because of changes in cumulative conditions from the County's travel demand model, the project would contribute to cumulative traffic impacts at two study intersections. With implementation of Mitigation Measures TRANS-1 and TRANS-2, the Revised Project's contribution to impacts at these intersections would be reduced to less than cumulatively considerable, and no substantial increase in severity of previously identified significant impacts on transportation and traffic would occur. The Standard Condition of Approval TRA-1 applied to the Original Project and would apply to the Revised Project (see Appendix A). Standard Condition of Approval TRA-2 was not applied to the Original Project but would apply to the Revised Project. With the above two mitigation measures and the Standard Conditions of Approval, the traffic and circulation impacts of the Revised Project would be reduced to less than significant.

3.17 UTILITIES AND SERVICE SYSTEMS

17.	Utilities and Service Systems Would the project:	Equal or Less Severity of Impact Previously Identified in the 2007 FEIR	Substantial Increase in Severity of Previously Identified Significant Impact in EIR	New Significant Impact
a.	Exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board; Require or result in construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects; Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new wastewater treatment facilities or expansion of existing facilities, construction of which could cause significant environmental effects;			
b	Exceed water supplies available to serve the project from existing entitlements and resources, and require or result in construction of water facilities or expansion of existing facilities, construction of which could cause significant environmental effects;			
c.	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs and require or result in construction of landfill facilities or expansion of existing facilities, construction of which could cause significant environmental effects; Violate applicable federal, state, and local statutes and regulations related to solid waste;			
d.	Violate applicable federal, state and local statutes and regulations relating to energy standards; or Result in a determination by the energy provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the providers' existing commitments and require or result in construction of new energy facilities or expansion of existing facilities, construction of which could cause significant environmental effects.			

Prior Environmental Analysis and Conclusions

The 2007 FEIR concluded that the Original Project would have a less-than-significant impact on utilities and service systems. The Community Services Analysis prepared for the General Plan Land Use and Transportation Element assumes that urban infill development would not be likely to exceed the capacity of existing utilities and service systems. The net increase in water consumption is estimated at approximately 18,000 gallons per day (gpd)¹. Because the City currently has an average daily water consumption of approximately 178 million gpd, the project demand would be negligible in the context of overall water demand in Oakland. Similarly, the net increase of approximately 16,000 gpd in wastewater also would be negligible. The Original Project would not require construction of new energy facilities and demand could be met with the existing energy network.

However, if local distribution capacity of existing water, wastewater and stormwater drainage facilities would not be sufficient, the 2007 FEIR determined that the Project Sponsor would be required to provide infrastructure improvements and pay required installation and hookup fees to the affected service providers. In addition, because the Original Project would result in an increase in wastewater generation of more than 20 percent, the Project Sponsor would be required to pay for relief sanitary sewers in the basin, or to upgrade existing sewer lines from the project site to the interceptor. Little impact on stormwater drainage facilities would occur because the Original Project would remain almost entirely covered with impervious surfaces.

Furthermore, the 2007 FEIR concluded that the Original Project must adhere to applicable Standard Conditions of Approval to reduce the potential long-term impacts on solid waste disposal and divert at least 50 percent of project construction waste. Standard Conditions of Approval (summarized in Appendix A in UTL-1 through UTL-3) relating to water efficient equipment, waste diversion, confirmation of the City of Oakland's stormwater and sanitary sewer capacity, and mitigation fees would reduce impacts to a less-than-significant level.

Impact Assessment

The Revised Project proposes to add 20 additional residential units to the previously approved 142 units of the Original Project as well as an increase of approximately 1,240 square feet of retail space. This increase in units would result in a minor, incremental increase in population (approximately 40 persons and three employees) that would not substantially increase consumption of water or the generation of wastewater, stormwater, or solid waste. The Revised Project would continue to adhere to Standard Conditions of Approval so that any potential impacts on utilities or service systems would be reduced to a less-than-significant level. Therefore, the Revised Project would have a less-than-significant impact.

As noted above in Section 3.14, Public Services, the circumstances under which the Revised Project would be implemented would change because of the June 2014 adoption of the Broadway Valdez District Specific Plan. This plan seeks to revitalize Auto Row and create a complete community that would intensify development and increase utility demand in the project area. The EIR for the specific plan acknowledges that the need for utilities would increase but the impacts would be less than significant. In addition, the adoption of the CALGreen building

¹ Water demand estimates are based upon the average daily flow estimates of 150 gallons per day (gpd) per 1-bedroom condominium, 200 gpd per 2-bedroom condominium, and 100 gpd per 1,000 gross square feet of retail area as presented in the City of Oakland Public Works Agency Standards Sanitary Sewer Design Guidelines. Wastewater generation is based on the conservative estimate of 90 percent water demand. Water usage at the Courthouse Athletic Club was estimated to be approximately 7,000 gpd in the 2006 IS.

code would require more water and energy efficient construction and infrastructure that would reduce energy demand. The Broadway Valdez District Specific Plan and the CALGreen building standards would change the circumstances under which the Revised Project would be implemented, but neither would alter the less-than-significant impacts identified in the 2007 FEIR.

Findings

The Revised Project would not substantially change the Original Project in terms of development intensity or mix of uses that could result in a substantial increase in potential impacts on utilities and service systems. It would not create any new significant impacts or any substantial increase in severity of previously identified significant impacts on utilities and service systems. The Standard Conditions of Approval UTL-1 through UTL-3 applied to the Original Project and would apply to the Revised Project (see Appendix A). No new standard conditions and no mitigation measures are required to reduce impacts of the Revised Project.

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APPENDIX A

2935 Telegraph Avenue Project Standard Conditions of Approval / Mitigation and Monitoring Reporting Program

STANDARD CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND REPORTING PROGRAM

This Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCA/MMRP) is based on the 2014 CEQA Analyses prepared for the 2935 Telegraph Avenue, includes updated Mitigation Measures and Standard Conditions of Approval, and supersedes the 2007 version of the 2935 Telegraph Avenue Project SCA/MMRP. This SCA/MMRP 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 SCA/MMRP lists mitigation measures recommended in the project CEQA Analyses dated January 2015 and identifies mitigation monitoring requirements, as well as the City's Standard Conditions of Approval identified in the CEQA Analyses as measures that would minimize potential adverse effects that could result from implementation of the project, to ensure the conditions are implemented and monitored. In addition, "recommended measures", not required by CEQA are also included in this SCA/MMRP.

All mitigation measures, Standard Conditions of Approval, and recommended measures identified in the January 2015 CEQA Analyses are included herein. To the extent that there is any inconsistency between the SCA and Mitigation Measures, the more restrictive conditions shall govern; to the extent any mitigation measures, recommended measures and/or Standard Conditions of Approval identified in the 2014 CEQA Document were inadvertently omitted, they are automatically incorporated herein by reference. Some Mitigation Measures and Standard Conditions from the 2007 EIR related, including Standard Conditions for demolition of existing structures containing hazardous materials, Standard Conditions for protected tree removal, and mitigation measures for historic structures, were implemented when approval of these activities occurred. As such, measures related to demolition and tree removal are included in this document as complete for informational purposes.

To the extent feasible, mitigation measures and Standard Conditions from the 2007 EIR that are applicable to the January 2015 CEQA Analyses retain similar numbering and order as originally presented. The Standard Conditions are followed by an abbreviation of the environmental topic to which is applies (e.g., Standard Condition A-1 is the first Standard Condition of Approval relating to aesthetic impacts).

- The first column indicates the environmental impact as identified in the 2006 IS, the 2007 EIR and the 2014 CEQA Analyses;
- The second column identifies the Standard Condition of Approval (SCA), mitigation measure (MM) or recommended measure applicable to that impact in the January 2015 CEQA Analyses;
- The third column identifies the monitoring schedule or timing applicable to the 2014 Project;
- The fourth column names the party responsible for monitoring the required action for the 2014 Project; and

• The fifth column names the original Standard Condition of Approval from the 2006 IS to be superseded by updated measures identified in the second column.

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

Environmental Impact Standard Conditions of Approval/Mitigation Measures		Mitigation Impleme	entation/ Monitoring	Corresponding SCA from Prior
Environmental Impact	Standard Conditions of Approval/Mitigation Measures	Schedule	Responsibility	Approved Documents
Aesthetics		ł		•
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Standard Condition A-1. Lighting Fixtures Proposed lighting fixtures shall be adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties. Plans shall be submitted to the Planning and Zoning Division and the Electrical Services Division of the Public Works Agency for review and approval. All lighting shall be architecturally integrated into the site.	Prior to issuance of an electrical or building permit	Project Sponsor	Initial Study Standard Condition A- 1 pg. 13
Air Quality				
Would the project expose sensitive receptors to substantial pollutant concentrations?	Standard Condition AQ-1. Basic Control Measures During construction, the project applicant shall require the construction contractor to implement all of the following applicable measures recommended by the Bay Area Air Quality Management District (BAAQMD):	Ongoing throughout grading and construction activities	Project Sponsor	Initial Study Standard Condition AQ-1 pg. 18-19
	• Water all exposed surfaces of active construction areas at least twice daily (using reclaimed water if possible). Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.			
	• 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).			
	• 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.			
	• Pave all roadways, driveways, sidewalks, etc. as soon as feasible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.			
	• Enclose, cover, water twice daily or apply (non-toxic) soil stabilizers to exposed stockpiles (dirt, sand, etc.).			
	• Limit vehicle speeds on unpaved roads to 15 miles per hour.			
	• Idling times shall be minimized either by shutting equipment off when not is use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485, of the California Code of Regulations. Clear signage to this effect shall be provided for construction workers at all access points.			
	• 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.			
	• Post a publicly visible sign that includes the contractor's name and telephone number to contact regarding dust complaints. When contacted, the contractor shall respond and take corrective action within 48 hours. The telephone numbers of contacts at the City and BAAQMD shall also be visible. This information may be posted on other required on-site signage.			
	Standard Condition AQ-2. Asbestos Removal in Structures If asbestos-containing materials (ACM) are found to be present in building materials to be removed, demolition and disposal, the project applicant shall submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health & Safety Code 25915-25919.7; and Bay Area Air Quality Management District, Regulation 11, Rule 2, as may be amended.	Completed already	Project Sponsor	Initial Study Standard Condition AQ-2 pg. 20
Biological Resources				
Would the project fundamentally conflict local policies or ordinances protecting biological resources, such as the City of Oakland Tree Preservation and Removal Ordinance (Oakland Municipal Code (OMC) Chapter 12.36) by removal of protected trees under certain circumstances and/or the City of Oakland Creek Protection Ordinance (OMC Chapter 13.16) intended to protect biological resources?	Standard Condition BIO-1. Nesting Bird Protection To the extent feasible, removal of any tree and/or other vegetation suitable for nesting of raptors shall not occur during the breeding season of March 15 and August 15. If tree removal must occur during the breeding season, all sites shall be surveyed by a qualified biologist to verify the presence or absence of nesting raptors or other birds. Pre-removal surveys shall be conducted within 15 days prior to start of work from March 15 through May 31, and within 30 days prior to the start of work from June 1 through August 15. The pre-removal surveys shall be submitted to the Planning and Zoning Division and the Tree Services Division of the Public Works Agency. If the survey indicates the potential presences of nesting raptors or other birds, the biologist shall determine an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be determined by the biologist in consultation with the CDFG, and will be based to a large extent on the nesting species and its sensitivity to disturbance. In general, buffer sizes of 200 feet for raptors and 50 feet for other birds should suffice to prevent disturbance to birds nesting in the urban environment, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest.	Prior to tree or vegetation removal	Project Sponsor	Initial Study Standard Condition BIO-1 pg. 22
	Standard Condition BIO-2. Tree Removal Permit Prior to removal of any protected trees, per the Protected Tree Ordinance, located on the project site or in the public right-of-way adjacent to the project, the project applicant must secure a tree removal permit from the Tree Division of the Public Works Agency, and abide by the conditions of that permit.	Completed already	Project Sponsor	Initial Study Standard Condition BIO-4 pg. 23

Environmental Impact		Mitigation I
Environmental Impact	Standard Conditions of Approval/Mitigation Measures	Schedule
	Standard Condition BIO-3. Replacement Plantings	During project
	Replacement plantings shall be required for erosion control, groundwater replenishment, visual screening and wildlife habitat, and in order to prevent excessive loss of shade, in accordance with the following criteria:	construction
	a) 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.	
	b) Replacement tree species shall consist of <i>Sequoia sempervirens</i> (Coast Redwood), <i>Quercus agrifolia</i> (Coast Live Oak), <i>Arbutus menziesii</i> (Madrone), <i>Aesculus californica</i> (California Buckeye) or <i>Umbellularia californica</i> (California Bay Laurel) or other tree species acceptable to the Tree Services Division	
	c) Replacement trees shall be at least of twenty-four (24) inch box size, unless a smaller size is recommended by the arborist, except that three fifteen (15) gallon size trees may be substituted for each twenty-four (24) inch box size tree where appropriate.	
	d) Minimum planting areas must be available on site as follows:	
	i. For Sequoia sempervirens, three hundred fifteen square feet per tree;	
	ii. For all other species listed in #2 above, seven hundred (700) square feet per tree.	
	e) In the event that replacement trees are required but cannot be planted due to site constraints, an in lieu fee as determined by the master fee schedule of the city may be substituted for required replacement plantings, with all such revenues applied toward tree planting in city parks, streets and medians.	
	f) Plantings shall be installed prior to the issuance of a final inspection of the building permit, subject to seasonal constraints, and shall be maintained by the project applicant until established. The Tree Reviewer of the Tree Division of the Public Works Agency may require a landscape plan showing the replacement planting and the method of irrigation. Any replacement planting which fails to become established within one year of planting shall be replanted at the project applicant's expense.	
	Standard Condition BIO-4 Tree Removal Liability Insurance	Completed already
	Workers compensation, public liability, and property damage insurance shall be provided by any person(s) performing tree removal work authorized by a tree removal permit.	
Cultural Resources		I
The project would result in the demolition of the former Courthouse Athletic	Mitigation Measure A 1a. Archival Documentation	Completed already
Club at 2935 Telegraph Avenue, a building that qualifies as a historic resource as defined by CEQA Section 15064.5.	The project sponsor shall document the building at 2935 Telegraph Avenue prior to its demolition through the use of large-format black and white photography and a brief historical report, meeting the specifications of the Historic American Building Survey (HABS). The historic report should briefly describe the building and its historic significance to the City of Oakland. The documentary photographs and report would be archived locally at the Oakland History Room (OHR) of the Oakland Public Library along with a copy on archival paper. Digital copies of the photographs would be forwarded to the Oakland Cultural Heritage Survey.	completed aready
	Mitigation Measure A.1b: Interpretive Materials	
	The project sponsor shall prepare interpretive materials as directed by the City, including, but not limited to on-site interpretive signage, brochures, or any combination thereof. Any such materials should address not only the history and architecture of the building, but also its contribution to a potential API of period revival style funeral homes in the project vicinity.	
	Mitigation Measure A.1c: Relocation	
	In accordance with HPE Policy 3.7, the City will normally require that reasonable efforts be made to relocate the property to an acceptable site as a condition of approval for all discretionary projects involving demolition of existing or Potential Designated Historic Properties. Under this condition, the applicant is normally released from the relocation requirement after 90 days if the applicant demonstrates to the satisfaction of the Director of City Planning that all reasonable efforts have been made to relocate the building and that these efforts have been unsuccessful. Therefore, the project sponsor shall make reasonable efforts to relocate the project site building, and demonstrate to the satisfaction of the city why such efforts would be unsuccessful within 90 days of certification of this EIR.	
	Mitigation Measure A.1d. Façade Improvement Program.	
	The project sponsor shall contribute financially to a Telegraph Avenue Façade Improvement Program. The amount shall be determined by the City of Oakland and be commensurate with the level of impact of the proposed project.	
Would the project cause a substantial adverse change in the significance of an	Standard Condition CUL-1. Archaeological Resources	Throughout gradin
archaeological resource pursuant to Section 15064.5?	a) Pursuant to CEQA Guidelines section 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified archaeologist would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Oakland. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.	and/or construction
	b) In considering any suggested measure proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be	

Implementation/ Monitoring		Corresponding SCA from Prior			
	Responsibility	Approved Documents			
	Project Sponsor	Initial Study Standard Condition BIO-2 pg. 23			
7	Project Sponsor	Initial Study Standard Condition BIO-3 pg. 23			
,	Project Sponsor	These mitigation measures were in the 2007 FEIR.			
ıg n	Project Sponsor	Initial Study Standard Condition CUL-1 pg. 25			

	Standard Conditions of Approval/Mitigation Measures	Mitigation Implem	entation/ Monitoring	
Environmental Impact		Schedule	Responsibility	Corresponding SCA from Prior Approved Documents
	instituted. Work may proceed on other parts of the project site while measure for historical resources or unique archaeological resources is carried out. c) Should an archaeological artifact or feature be discovered on-site during project construction, all activities within a 50-foot radius of the find would be halted until the findings can be fully investigated by a qualified archaeologist to evaluate the find and assess the significance of the find according to the CEQA definition of a historical or unique archaeological resource. If the deposit is determined to be significant, the project applicant and the qualified archaeologist shall meet to determine the appropriate avoidance measures or other appropriate measure, subject to approval by the City of Oakland, which shall assure implementation of appropriate measure measures recommended by the archaeologist. Should archaeologically-significant materials be recovered, the qualified archaeologist shall recommend appropriate analysis and treatment, and shall prepare a report on the findings for submittal to the Northwest Information Center.			
Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Standard Condition CUL-2. Paleontological Resources In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards (SVP 1995,1996)). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.	Throughout grading and/or construction	Project Sponsor	Initial Study Standard Condition CUL-2 pg. 25-26
Would the project disturb any human remains, including those interred outside of formal cemeteries?	Standard Condition CUL-3. Human Remains In the event that human skeletal remains are uncovered at the project site during construction or ground-breaking activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.	Throughout grading and/or construction	Project Sponsor	Initial Study Standard Condition CUL-3 pg. 26
Geology and Soils				
Geology and Soils Would the project expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving: Strong seismic and ground shaking; or seismic-related ground failure, including liquefaction?	 Standard Condition GEO-1. Geotechnical Report Prepare a site-specific, design-level geotechnical investigation for each construction site within the project area and incorporate recommendations applicable to foundation design, earthwork, and site preparation. a) A site-specific, design level, Fault Zone geotechnical investigation for each construction site within the project area shall be required as part of this project and submitted for review and approval to the Building Services Division. Specifically: i. Each investigation shall include an analysis of expected ground motions at the site from identified faults. The analyses shall be accordance with applicable City ordinances and polices, and consistent with the most recent version of the California Building Code, which requires structural design that can accommodate ground accelerations expected from identified faults. ii. The investigations shall be reviewed and approved by a registered geotechnical engineer. All recommendations by the project engineer, geotechnical engineer, shall be included in the final design, as approved by the City of Oakland. iv. The geotechnical report shall include a statement that the locations and limitations of the geologic features are accurate representations of sid features as they exist on the ground, were placed on this map by the surveyor, the civil engineer or under their supervision, and are accurate to the best of their knowledge. v. Recommendations for the site shall be used to an approved by the City of Oakland Building Services Division prior to commencement of the project. vi. Final sessing consistent with the submitted to and approved by the City of Oakland Building Services Division prior to commencement of the project. vi. Final sessing consistent with the project area shall be required as paproved by the city of Oakland Building Services Division prior t	Prior to submittal of a tentative Tract Map or Parcel Map	Project Sponsor	Initial Study Standard Conditions GEO-1 pg 28-29

Environmental Impact	Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring		Corresponding SCA from Prior
		Schedule	Responsibility	Approved Documents
	 the Soils Engineer such borings shall be sufficient to establish a soils profile suitable for the design of all the footings, foundations, and retaining structures. b) The depth of each boring shall be sufficient to provide adequate design criteria for all proposed structures. c) All boring logs shall be included in the soils report. B. Test pits and trenches a) Test pits and trenches shall be of sufficient length and depth to establish a suitable soils profile for the design of all proposed structures. b) Soils profiles of all test pits and trenches shall be included in the soils report. C. A plat shall be included which shows the relationship of all the borings, test pits, and trenches to the exterior boundary of the site. The plat shall also show the location of all proposed site improvements. All proposed improvements shall be labeled. D. Copies of all data generated by the field and/or laboratory testing to determine allowable soil bearing pressures, sheer strength, active and passive pressures, maximum allowable soles where applicable and any other information which may be required for the proper design of foundations, retaining walls, and other structures to be erected subsequent to or concurrent with work done under the grading permit. E. Soils Report. A written report shall be submitted which shall include, but is not limited to, the following: a) Site description; b) Local and site geology; c) Review of information on or in the vicinity of the site on file at the Information Counter, City of Oakland, Office of Planning and Building; e) Site stability shall be addressed with particular attention to existing conditions and proposed corrective attention to existing	Schedule	Responsibility	
	 g) Conclusions and recommendations for temporary and permanent erosion control and drainage. If not provided in a separate report they shall be appended to the required soils report; h) All other items which a Soils Engineer deems necessary; i) The signature and registration number of the Civil Engineer preparing the report. F. The Director of Planning and Building may reject a report that she/he believes is not sufficient. The Director of Planning and Building may refuse to accept a soils report if the certification date of the responsible soils engineer on said document is more than three years old. In this instance , the Director may be require that the old soils report be recertified, that an addendum to the soils report be submitted, or that a new soils report be provided. 			
Would the project result in substantial soil erosion or the loss of topsoil, creating substantial risks to life, property or creeks/waterways?	 Standard Condition GEO-3. Erosion, Sedimentation, and Landscaping Plans Erosion and Sedimentation Control Plan a) The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor diches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall include at the system of any debris or sediment. b) The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division. General Landscape Plan for New Construction and Certain Additions to Residential Facilities Submittal and approval of a landscape plan for the entire site is required for the establishment of anse residential unit (excluding secondary units of five hundred (500) square feet or less), and for additions to Residential Facilities Submittal and approval of a landscape plan for the entire site is required for the establishmet of a new residential numit (excluding secondary units	Prior to issuance of a building permit, any grading activities and ongoing throughout grading and construction activities	Project Sponsor	Initial Study Standard Condition GEO-2 pg. 50

	Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring		Common on ding SCA from Data
Environmental Impact		Schedule	Responsibility	Corresponding SCA from Prior Approved Documents
	formed by State Highway 13 and continued southerly by Interstate 580, south of its intersection with State Highway 13, all plant materials on submitted landscape plans shall be fire-resistant The City Planning and Zoning Division shall maintain lists of plant materials and landscaping practices considered pest-resistant, fire-resistant, and drought-tolerant. d) All landscape plans shall show proposed methods of irrigation. The methods shall ensure adequate irrigation of all plant materials for at least one			
	growing season.			
Hazards and Hazardous Materials				
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Would the project create a significant hazard to the public or the environmental through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Standard Condition HAZ-1. Best Management Practices The project applicant and construction contractor shall ensure that construction of Best Management Practices (BMPs) is implemented as part of construction to minimize the potential negative effects to groundwater and soils. These shall include the following: a) Follow manufacture's recommendations on use, storage, and disposal of chemical products used in construction; b) Avoid overtopping construction equipment fuel gas tanks; c) During routine maintenance of construction equipment, properly contain and remove grease and oils; d) Properly dispose of discarded containers of fuels and other chemicals. e) Ensure that construction would not have a significant impact on the environment or pose a substantial health risk to construction workers and the occupants of the proposed development. Soil sampling and chemical analyses of samples shall be performed to determine the extent of potential 	Prior to commencement of grading, or construction	Project Sponsor	Initial Study Standard Condition HAZ-10 pg 35
	 contamination beneath all UST's, elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition, or construction activities would potentially affect a particular development or building. f) If soil, groundwater or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums or other hazardous materials or wastes are encountered), the applicant shall cease work in the vicinity of the suspect material, the area shall be secured as necessary, and the applicant shall take all appropriate measures to protect human health and the environment. Appropriate measures shall include notification of regulatory agency(ies) and implementation of the actions described in the City's Standard Conditions of Approval, as necessary, to identify the nature and extent of contamination. Work shall not resume in the area(s) affected until the measures have been implemented under the oversight of the City or regulatory agency, as appropriate. 			
	Standard Condition HAZ-2. Materials Classified as Hazardous Waste If other materials classified as hazardous waste by State or federal law are present, the project applicant shall submit written confirmation to Fire Prevention Bureau, Hazardous Materials Unit that all State and federal laws and regulations shall be followed when profiling, handling, treating, transporting and/or disposing of such materials.	Prior to issuance of any grading or building permit.	Project Sponsor	Initial Study Standard Condition HAZ-10 pg 35
	 Standard Condition HAZ-3. Best Management Practices for Soil and Groundwater Hazards The project applicant shall implement all of the following Best Management Practices (BMPs) regarding potential soil and groundwater hazards. a) Soil generated by construction activities shall be stockpiled onsite in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Specific sampling and handling and transport procedures for reuse or disposal shall be in accordance with applicable local, state and federal agencies laws, in particular, the Regional Water Quality Control Board (RWQCB) and/or the Alameda County Department of Environmental Health (ACDEH) and policies of the City of Oakland. b) Groundwater pumped from the subsurface shall be contained onsite in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies of the City of Oakland, the RWQCB and/or the ACDEH. Engineering controls shall be utilized, which include impermeable barriers to prohibit groundwater Sources c) Prior to issuance of any demolition, grading, or building permit, the applicant shall submit for review and approval by the City of Oakland, written verification that the appropriate federal, state or county oversight authorities, including but not limited to the RWQCB and/or the ACDEH, have granted all required clearances and confirmed that the all applicable standards, regulations and conditions for all previous contamination at the site. The applicant also shall provide evidence from the City's Fire Department, Office of Emergency Services, indicating compliance with the Standard Condition of Approval requiring a Site Review by the Fire Services Division pursuant to City Ordinance No. 12323, and compliance with the Standard Condition of Approval requiring a P	Throughout grading and construction activities	Project Sponsor	Initial Study Standard Condition HAZ-10 pg 35
	Standard Condition HAZ-4. Fire Safety The project applicant and construction contractor will ensure that during project construction, all construction vehicles and equipment will be fitted with spark arrestors to minimize accidental ignition of dry construction debris and surrounding dry vegetation.	Prior to and ongoing throughout grading and/or construction	Project Sponsor	Initial Study Standard Condition HAZ-9 pg. 35
	 Standard Condition HAZ-5. Submit Phase I and Phase II Environmental Assessment Reports to determine if remediation of contaminated soil and groundwater is necessary. Standard Condition HAZ-6. If Phase 1 and Phase II Environmental Assessment Reports determine remediation is required, perform work in accordance with oversight agencies, qualified professionals, and Soil Management Plan prepared by applicant and approved by appropriate agency. Standard Condition HAZ-7. Present documentation that asbestos-containing materials, if present, have been properly removed. (Demolition of existing structures on site has already occurred in accordance with this condition.) Standard Condition HAZ-8. Prepare assessment for potential presence of lead-based paint or coatings, asbestos, or PCB containing equipment. 	Completed already	Project Sponsor	Initial Study Standard Condition HAZ-1-8 pg 33-35

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	 (Demolition of existing structures on site has already occurred in accordance with this condition.) Standard Condition HAZ-9. If hazards mentioned in HAZ-8 above are present, prepare and implement a health and safety plan. (Demolition of existing structures on site has already occurred in accordance with this condition.) Standard Condition HAZ-10. If lead-based paints are present, prepare and implement a lead-based paint removal plan. (Demolition of existing structures on site has already occurred in accordance with this condition.) Standard Condition HAZ-11. If abestos is present, ensure that abestos abatement has been conducted prior to building demolition or renovation. (Demolition of existing structures on site has already occurred in accordance with this condition.) Standard Condition HAZ-12. If PCBs are present, ensure that PCB abatement has been conducted prior to building demolition or renovation. (Demolition of existing structures on site has already occurred in accordance with this condition.) 			
Hydrology and Water Quality				
Would the project violate any water quality standards or waste discharge requirements? Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or 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 planned uses for which permits have been granted)?	Standard Condition HYDRO-1. Erosion, Sedimentation, and Debris Control Measures The project applicant shall obtain a grading permit if required by the Oakland Grading Regulations pursuant to Section 15.04.660 of the Oakland Municipal Code. The grading permit application shall include an erosion and sedimentation control plan for review and approval by the Building Services Division. The erosion and sedimentation control plan shall include all necessary measures to be taken to prevent excessive stormwater runoff or carrying by stormwater runoff of solid materials on to lands of adjacent property owners, public streets, or to creeks as a result of conditions created by grading operations. The plan shall include, but not be limited to, such measures as short-term erosion control planting, waterproof slope covering, check dams, interceptor ditches, benches, storm drains, dissipation structures, diversion dikes, retarding berms and barriers, devices to trap, store and filter out sediment, and stormwater retention basins. Off-site work by the project applicant may be necessary. The project applicant shall obtain permission or easements necessary for off-site work. There shall be a clear notation that the plan is subject to changes as changing conditions occur. Calculations of anticipated stormwater runoff and sediment volumes shall be included, if required by the Director of Development or designee. The plan shall specify that, after construction is complete, the project applicant shall ensure that the storm drain system shall be inspected and that the project applicant shall inclear the system of any debris or sediment. The project applicant shall implement the approved erosion and sedimentation plan. No grading shall occur during the wet weather season (October 15 through April 15) unless specifically authorized in writing by the Building Services Division.	Prior to issuance of demolition, grading, or construction-related permit Ongoing throughout grading and construction activities	Project Sponsor	Initial Study: Standard Condition HYDRO-1 pg 38
	Standard Condition HYDRO-2. Stormwater Pollution Prevention Plan (SWPPP) The project applicant must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The project applicant must file a notice of intent (NOI) with the SWRCB. The project applicant will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Building Services Division. At a minimum, the SWPPP shall include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; Best Management Practices (BMPs), and an inspection and monitoring program. Prior to the issuance of any construction-related permits, the project applicant shall submit to the Building Services Division a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP shall start with the commencement of construction and continue through the completion of the project. After construction is completed, the project applicant shall submit a notice of termination to the SWRCB.	Prior to and ongoing throughout grading, and/or construction activities.	Project Sponsor	Initial Study: Standard Condition HYDRO-1 pg 38; HYDRO -2 pg 40
Would the project create or contribute to substantial runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? Would the project otherwise substantially degrade water quality?	Standard Condition HYDRO-3. Source Control Measures to Limit Stormwater Pollution The applicant shall implement and maintain all structural source control measures imposed by the Chief of Building Services to limit the generation, discharge, and runoff of stormwater pollution. The applicant, or his or her successor, shall implement all operational Best Management Practices (BMPs) imposed by the Chief of Building Services to limit the generation, discharge, and runoff of stormwater pollution.	Ongoing and throughout grading and construction	Project Sponsor	Initial Study Standard Condition HYDRO-2 pg 40
	Standard Condition HYDRO-4. Site Design Measures for Post-Construction Stormwater Management The project drawings submitted for a building permit (or other construction-related permit) shall contain a final site plan to be reviewed and approved by Planning and Zoning. The final site plan shall incorporate appropriate site design measures to manage stormwater runoff and minimize impacts to water quality after the construction of the project. These measures may include, but are not limited to, the following: i. Minimize impervious surfaces, especially directly connected impervious surfaces; ii. Utilize permeable paving in place of impervious paving where appropriate; iii. Cluster buildings; iv. Preserve quality open space; and v. Establish vegetated buffer areas. The approved plan shall be implemented and the site design measures shown on the plan shall be permanently maintained.	Prior to issuance of building permit (or other construction-related permit). Prior to final permit inspection, the applicant shall also implement approved stormwater management plan	Project Sponsor	Initial Study Standard Condition HYDRO-2 pg 40

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		Schedule	Responsibility	Approved Documents
Noise				
Would the project generate noise in violation of the City of Oakland Noise Ordinance (Oakland Planning Code section 17.120.050) regarding operational noise?	Standard Condition NOISE-1. Interior Noise If necessary to comply with the interior noise requirements of the City of Oakland's General Plan Noise Element and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls), and/or other appropriate features/measures, shall be incorporated into project building design, based upon recommendations of a qualified acoustical engineer and submitted to the Building Services Division for review and approval prior to issuance of building permit. Final recommendations for sound-rated assemblies, and/or other appropriate features/measures, will depend on the specific building designs and layout of buildings on the site and shall be determined during the design phases. Written confirmation by the acoustical consultant, HVAC or HERS specialist, shall be submitted for City review and approval, prior to Certificate of Occupancy (or equivalent) that: (a) Quality control was exercised during construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed; and (b) Demonstrates compliance with interior noise standards based upon performance testing of a sample unit. (c) Inclusion of a Statement of Disclosure Notice in the CC&R's on the lease or tile to all new tenants or owners of the units acknowledging the noise generating activity and the single event noise occurrences. Potential features/measures to reduce interior noise could include, but are not limited to, the following: i. Installation of an alternative form of ventilation in all units identified in the acoustical analysis as not being able to meet the interior noise requirements due to adjacency to a noise generating activity, filtration of ambient make-up air in each unit and analysis of ventilation noise if ve	Prior to issuance of a building permit and Certificate of Occupancy	Project Sponsor	Initial Study Standard Condition NOISE-1 p. 50
	Standard Condition NOISE-2. Operational Noise-General Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.	Ongoing throughout grading and/or construction	Project Sponsor	Not previously included in Initial Study
Would the project 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?	 Standard Condition NOISE-3. Noise Control Ongoing throughout demolition, grading, and/or construction To reduce noise impacts due to construction, the project applicant shall require construction contractors to implement a site-specific noise reduction program, subject to the Planning and Zoning Division and the Building Services Division review and approval, which includes the following measures: a) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible). b) Except as provided herein, Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the City to provide equivalent noise reduction. d) The noisiest phases of construction shall be limited to less than 10 days at a time. Exceptions may be allowed if the City determines an extension is necessary and all available noise reduction controls are implemented. 	Ongoing throughout grading and/or construction	Project Sponsor	Initial Study Standard Condition NOISE-3 p. 53-54
	 Standard Condition NOISE-4. Noise Complaint Procedures Prior to the issuance of each building permit, along with the submission of construction documents, the project applicant shall submit to the Building Services Division a list of measures to respond to and track complaints pertaining to construction noise. These measures shall include: a) A procedure and phone numbers for notifying the Building Services Division staff and Oakland Police Department; (during regular construction hours and off-hours); b) A sign posted on-site pertaining with permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours); c) The designation of an on-site construction complaint and enforcement manager for the project; d) Notification of neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of extreme noise generating activities about the estimated duration of the activity; and e) A preconstruction meeting shall be held with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed. 	Prior to the issuance of each building permit Throughout grading and construction	Project Sponsor	Initial Study Standard Condition NOISE 4 page 54-55

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		Schedule	Responsibility	Approved Documents
	 Standard Condition NOISE-5. Days/Hours of Construction Operation The project applicant shall require construction contractors to limit standard construction activities as follows: a) Construction activities are limited to between 7:00 AM and 7:00 PM Monday through Friday, except that pile driving and/or other extreme noise generating activities greater than 90 dBA shall be limited to between 8:00 a.m. and 4:00 p.m. Monday through Friday. b) Any construction activity proposed to occur outside of the standard hours of 7:00 am to 7:00 pm Monday through Friday for special activities (such as concrete pouring which may require more continuous amounts of time) shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction is shortened and such construction activities shall only be allowed with the prior written authorization of the Building Services Division. c) Construction activity shall not occur on Saturdays, with the following possible exceptions: i. Prior to the building being enclosed, requests for Saturday construction for special activities (such as concrete pouring which may require more continuous amounts of time), shall be evaluated on a case by case basis, with criteria including the proximity of residential uses and a consideration of resident's preferences for whether the activity is acceptable if the overall duration of construction activities shall only be allowed with the prior written authorization of the Building Services Division. i) After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorization of the Building Services Division. ii. After the building is enclosed, requests for Saturday construction activities shall only be allowed on Saturdays with the prior written authorizatio	Ongoing throughout demolition, grading, and/or construction	Project Sponsor	Initial Study Standard Condition NOISE-2 p. 52-53
	Standard Condition NOISE-6. Pile Driving and Other Extreme Noise Generators To further reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90dBA, a set of site-specific noise attenuation measures shall be completed under the supervision of a qualified acoustical consultant. Prior to commencing construction, a plan for such measures shall be submitted for review and approval by the Planning and Zoning Division and the Building Services Division to ensure that maximum feasible noise attenuation will be achieved. This plan shall be based on the final design of the project. A third-party peer review, paid for by the project applicant, may be required to assist the City in evaluating the feasibility and effectiveness of the noise reduction plan submitted by the project applicant. The criterion for approving the plan shall be a determination that maximum feasible noise attenuation will be achieved. A special inspection deposit is required to ensure compliance with the noise reduction plan. The amount of the deposit shall be determined by the Building Official, and the deposit shall be submitted by the project applicant concurrent with submittal of the noise reduction plan. The noise reduction plan shall include, but not be limited to, an evaluation of implementing the following measures. These attenuation measures shall include as many of the following control strategies as applicable to the site and construction activity: a) Erect temporary plywood noise barriers around the construction site, particularly along on sites adjacent to residential buildings; b) Implement "quiet" pile driving technology (such as pre-drilling of piles, the use of more than one pile driver to shorten the total pile driving duration), where feasible; in consideration of geotechnical and structural requirements and conditions; c) Utilize noise control blankets on the building structure as the building is erected to reduce noise emission	Ongoing throughout demolition, grading, and/or construction	Project Sponsor	Initial Study Standard Condition NOISE-4 pg. 54
Transportation/Traffic				
Would the addition of Project traffic increase the v/c ratio for a critical movement by 0.05 or more at the Telegraph Avenue / MacArthur Boulevard intersection which would operate at LOS F during the weekday PM peak hour at under Year 2035 Cumulative plus Project Conditions?	 Mitigation Measure TRANS-1. Implement the following measures at the Telegraph Avenue/MacArthur Boulevard intersection: Provide protected left-turn phases for the northbound and southbound approaches; Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection for the PM peak hour); and 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 the City's Transportation Services Division for review and approval: Plans, Specifications, and Estimates to modify the intersection, to City of Oakland standards; and Signal timing plans for the signals in the coordination group. The Project Sponsor shall fund the cost of preparing and implementing these plans. If the City adopts a transportation fee program before implementation of this mitigation measure, the Project Sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure, and payment of the fee will reduce this impact to less than significant. To identify the point at which the cumulative impact will be triggered, anticipated traffic growth between Existing Conditions and 2035 Cumulative Conditions will be applied by annual increments. This straight line interpolation of intersection traffic volume between Existing plus Project Conditions and 2035 or until the mitigation of the need for this mitigation will be studied 1 year before the identified trigger year (i.e., 2029), and every 3 years thereafter until 2035 or until the mitigation measure is implemented, whichever occurs first. 	Mitigation at this intersection may be required by 2030. Investigation of the need for this mitigation shall be studied in 2029 and every 3 years until 2035 or until the mitigation measure is implemented, whichever occurs first.	Project Sponsor	No mitigation measures were identified in the 2007 FEIR for Transportation/Traffic

Environmentel Import	Standard Conditions of Approval/Mitigation Measures	Mitigation Implem	entation/ Monitoring	Corresponding SCA from Prior
		Schedule	Responsibility	Approved Documents
	After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. However, the mitigation measure would reduce the total intersection v/c ratio and critical movement v/c ratio to values lower than under 2035 Cumulative Conditions. Therefore, the Revised Project's contribution to delay would be mitigated.			
Would the addition of Project traffic increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at the Telegraph Avenue / 27th Street intersection which would operate at LOS F during the weekday PM peak hour at under Year 2035 Cumulative plus Project Conditions?	 Mitigation Measure TRANS-2: Implement the following measures at the Telegraph Avenue/27th Street intersection: Provide protected left-turn phases for the northbound and southbound approaches; Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection for the PM peak hour); and 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 the City's Transportation Services Division for review and approval: Plans, Specifications, and Estimates to modify intersection, to City of Oakland standards; and Signal timing plans for the signals in the coordination group. The Project Sponsor shall fund the cost of preparing and implementing these plans. If the City adopts a transportation fee program before implementation of this mitigation measure, the Project Sponsor shall have the option to pay the applicable fee in lieu of implement will be triggered, anticipated traffic growth between Existing Conditions and 2035 Cumulative Conditions will be applied by annual increments. This straight line interpolation of intersection traffic volume between Existing plus Project Conditions and 2035 Cumulative plus Project. Investigation diverse that the impact will be triggered by 2029 (i.e., cumulative growth to 2029, plus the full buildout of the Revised Project.). Investigation diverse for this mitigation measure is implemented, whichever occurs first. After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. However, the mitigation measure would reduce the total intersection v/c ratio and critical movement v/c ratio to values lower than under 2035 Cumulative Conditions. Therefore, the Revised Project's contribution to delay would be mitigated. 	Mitigation at this intersection may be required by 2030. Investigation of the need for this mitigation shall be studied in 2029 and every 3 years until 2035 or until the mitigation measure is implemented, whichever occurs first.	Project Sponsor	No mitigation measures were identified in the 2007 FEIR for Transportation/Traffic
Would the project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	 Standard Condition TRA-1. Construction Traffic and Parking The project applicant and construction contractor shall meet with appropriate City of Oakland agencies to determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. The project applicant shall develop a construction management plan for review and approval by the Planning and Zoning Division, the Building Services Division, and the Transportation Services Division. The plan shall include at least the following items and requirements: a) A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. b) Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. c) Location of construction staging areas for materials, equipment, and vehicles at an approved location. d) A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. Planning and Zoning shall be informed who the Manager is prior to the issuance of the first permit issued by Building Services. e) Provision for accommodation of pedestrian flow. 	Prior to issuance of a grading or building permit	Project Sponsor	Standard Condition of Approval identified in 2007 EIR form Project Impact B.6
	Standard Condition TRA-2. Traffic Demand Management Plan The applicant shall submit for review and approval by the Planning and Zoning Division a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The applicant shall implement the approved TDM plan. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use. All four modes of travel shall be considered. Strategies to consider include the following: a) Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement b) Construction of bike lanes per the Bicycle Master Plan; Priority Bikeway Projects c) Signage and striping onsite to encourage bike safety d) Installation of safety elements per the Pedestrian Master Plan (such as cross walk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient crossing at arterials e) Installation of amenities such as lighting, street trees, trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan. f) Direct transit sales or subsidized transit passes g) Guaranteed ride home program h) Pre-tax commuter benefits (checks) i) On-site car-sharing program (such as City Car Share, Zip Car, etc.) j) On-site carpooling program k) Distribution of information concerning alternative transportation options 	Prior to issuance of a final inspection of the building permit	Project Sponsor	N/A

	Standard Conditions of Approval/Mitigation Measures	Mitigation Implementation/ Monitoring		Corresponding SCA from Prior	
Environmental Impact		Schedule	Responsibility	Approved Documents	
	 Parking spaces sold/leased separately m) Parking management strategies; including attendant/valet parking and shared parking spaces 				
Utilities and Service Systems					
Utilities and Service Systems Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, construction of which could cause significant environmental effects? Would the project violate applicable federal, state, and local statutes and regulations related to solid waste?	Sundard Condition UTL-1. Compliance with the Green Building Ordinance, OMC Chapter 18.02 The applicant shall comply with the requirements of the California Green Building Standards (CALGreen) mandatory measures and the applicable requirements of the Green Building compliance with Title 24 of the 2013 California Building Encessip Efficiency Standards. i. Completed copy of the final green building checklist approved during the review of the Planning and Zoning permit. ii. Documentation showing, in general notes, detailed design drawings, and specifications as necessary, compliance with the terms listed in subsection (b) below. v. Copy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit. iii. Complied with the requirements of the Green Building Certifier approved during the review of the Planning and Zoning permit. vi. Signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit. vi. Orapy of the signed statement by the Green Building Certifier approved during the review of the Planning and Zoning permit. vi. Orapy of the signed statement by the Green Building Certifier that the project sill complies with the Green Building Ordinance. vi. Signed statement by the Green Building Certifier that the project sill complies with the Green Building Ordinance. b) The set of plans in subsection (a) shall demonstrate compliance with the following: i. CALGreen mandatory measures. ii. ALGreen mandatory measures approved as part of the Uureasonable Hardship Exemption agant of the Uureasonable Hardship Istemption and Zoning permit, or, if applicable, all the green building point level requirement (See Green Building Ordinance) the point level requirement is 33 points for residential and LEED Gold for non-residential point appropriate checklist approved during the review of the Planning and Zoning permit, or, if applicable, all LEED Gold for non-residential or the checklist approved during review of the Planning and	Prior to issuance of a grading or building permit During construction	Project Sponsor	Initial Study Standard Condition UTL-1 pg. 64 (SCA superseded by Green Building Standards)	
	Chapter 15.34 of the Oakland Municipal Code outlines requirements for reducing waste and optimizing construction and demolition (C&D) recycling. Affected projects include all new construction, renovations/alterations/modifications with construction values of \$50,000 or more (except R-3), and all demolition (including soft demo). The WRRP must specify the methods by which the development will divert C&D debris waste generated by the proposed project from landfill disposal in accordance with current City requirements. Current standards, FAQs, and forms are available at www.oaklandpw.com/Page39.aspx or in the Green Building Resource Center. After approval of the plan, the project applicant shall implement the plan.	and Ongoing			
	The ODP will identify how the project complies with the Recycling Space Allocation Ordinance, (Chapter 17.118 of the Oakland Municipal Code), including capacity calculations, and specify the methods by which the development will meet the current diversion of solid waste generated by operation of the proposed project from landfill disposal in accordance with current City requirements. The proposed program shall be in implemented and maintained for the duration of the proposed activity or facility. Changes to the plan may be re-submitted to the Environmental Services Division of the Public Works Agency for review and approval. Any incentive programs shall remain fully operational as long as residents and businesses exist at the project site.				
Environmental Impact	Standard Conditions of ApproxiD/Mitigation Maganese	Mitigation Implem	entation/ Monitoring	Corresponding SCA from Prior	
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	Standard Conditions of Approvariandgation measures	Schedule	Responsibility	Approved Documents	
	Standard Condition UTL-3. Stormwater and Sewer	Prior to completing the final design for the	Project Sponsor	Initial Study Standard Condition UTL-3 pg. 64	
	Confirmation of the capacity of the City's surrounding stormwater and sanitary sewer system and state of repair shall be completed by a qualified civil engineer with funding from the project applicant. The project applicant shall be responsible for the necessary stormwater and sanitary sewer infrastructure improvements to accommodate the proposed project. In addition, the applicant shall be required to pay additional fees to improve sanitary sewer infrastructure if required by the Sewer and Stormwater Division. Improvements to the existing sanitary sewer collection system shall specifically include, but are not limited to, mechanisms to control or minimize increases in infiltration/inflow to offset sanitary sewer increases associated with the proposed project. To the maximum extent practicable, the applicant will be required to implement Best Management Practices to reduce the peak stormwater runoff from the project site. Additionally, the project applicant shall be responsible for payment of the required installation or hook-up fees to the affected service providers.	project's sewer service			

APPENDIX B

Health Risk Assessment

Appendix B: 2395 Telegraph Avenue Project CEQA Analyses Health Risk Assessment Oakland, California

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PROPERTIES, EFFECTS, AND SOURCES OF HAZARDOUS AIR POLLUTANTS

The City of Oakland (City) has standard conditions of project approval that would apply to the Revised Project at 2935 Telegraph Avenue. For the potential impact related to toxic air contaminant (TAC) exposure from nearby transportation sources, such as Interstate 980 (I-980), the City would allow the Project Sponsors to agree to install air filtration systems, or to undertake a detailed health risk assessment to determine the need for air filtration systems.

TACs are regulated under federal and state laws. Federal laws use the term "hazardous air pollutants" (HAPs) to refer to the same types of compounds that are referred to as TACs under state law. TACs may be emitted by stationary, area, or mobile sources. Common stationary sources of TAC and particulate matter measuring 2.5 micrometers in diameter or less (PM_{2.5}) emissions include gasoline stations, dry cleaners, and diesel backup generators, which are subject to local air district permit requirements. The other, often more significant, sources of TACs and PM_{2.5} emissions are motor vehicles on freeways, high-volume roadways, or other areas with high numbers of diesel vehicles, such as distribution centers. Off-road mobile sources are also major contributors of TACs emissions and include construction equipment, ships, and trains. In the project area, sources of TACs are limited to nearby highways, because there are no other sources such as rail lines or shipping terminals in the vicinity.

TACs can be separated into carcinogens and noncarcinogens, based on the nature of the effects associated with exposure to the pollutant. For regulatory purposes, carcinogens are assumed to have no safe threshold below which health impacts would not occur, and cancer risk is expressed as excess cancer cases per 1 million exposed individuals. Noncarcinogens differ in that a safe level of exposure generally is assumed, below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis. Acute and chronic exposure to noncarcinogens is expressed using a Hazard Index (HI), which is the ratio of expected exposure levels to acceptable health-acceptable exposure levels.

Particulate exhaust emissions from diesel-fueled engines (diesel PM) were identified as a TAC by the California Air Resources Board (ARB) in 1998. The U.S. Environmental Protection Agency (EPA) has since developed an extensive list of mobile-source TACs for both evaporative and exhaust emissions for many types of fuels (EPA 2006). The control of diesel PM emissions currently is an active regulatory area. Federal and state efforts to reduce diesel PM emissions have focused on the use of improved fuels, adding particulate filters to engines, and requiring the production of new-technology engines that emit fewer exhaust particulates.

Diesel PM emissions are estimated to be 4,151 tons/year in the San Francisco Bay Area Air Basin (SFBAAB), which constitutes approximately 12 percent of the diesel PM emissions in the state (ARB 2009a). Based on receptor modeling techniques, ARB estimated health risks from diesel PM exposure to be 480 excess cancer cases per million people in the SFBAAB in 2000 (ARB 2009a). Although the health risk was higher than the statewide average, it represented a 36 percent drop between 1990 and 2000 (ARB 2009a). Overall, levels of most TACs have decreased since 1990 in the SFBAAB (ARB 2009a).

EXISTING SENSITIVE RECEPTORS

Some members of the population are especially sensitive to air pollutant emissions and warrant special consideration when evaluating air quality impacts from projects. These people include children, the elderly, individuals with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent

exercise. Structures that house these people or places where they gather are defined as sensitive receptors, and include residences, schools, daycare centers, playgrounds, and health care facilities (including hospitals and nursing homes).

Residential areas are considered sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposures to any pollutants present. Recreational land uses are considered moderately sensitive to air pollution. Exercise places a high demand on respiratory functions, which can be impaired by air pollution although exposure periods during exercise may be short. In addition, noticeable air pollution can detract from the enjoyment of recreation. Commercial and industrial areas are considered the least sensitive to air pollution. Exposure periods are relatively short and intermittent as the majority of the workers tend to stay indoors most of the time. In addition, the working population generally is the healthiest segment of the public.

The Revised Project will include sensitive receptors associated with residences on the 1st through 5th floors.

REGULATORY FRAMEWORK

Local

City of Oakland Standard Conditions of Approval

The City of Oakland's Uniformly Applied Development Standards and Conditions of Approval (referred to in this document as Standard Conditions of Approval) conform to current guidance from the Bay Area Air Quality Management District (BAAQMD) and the Environmental Impact Report that was certified for the Plan Bay Area adopted by the Association of Bay Area Governments and the Metropolitan Transportation Commission.

- ► The following condition applies to all projects that meet ALL of the following criteria:
 - The project involves either of the following sensitive land uses:
 - New residential facilities or new dwelling units; or
 - New or expanded schools, daycare centers, parks, nursing homes, or medical facilities; and
 - The project is located within 1,000' of one or more of the following sources of air pollution:
 - Freeway;
 - Roadway with significant traffic (at least 10,000 vehicles/day);
 - Rail line (except BART) with over 30 trains per day;
 - Distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating Transportation Refrigeration Units (TRU) per day, or where the TRU unit operations exceed 300 hours per week;
 - Major rail or truck yard (such as the Union Pacific rail yard adjacent to the Port of Oakland);
 - Ferry terminal;

- Port of Oakland; or
- Stationary pollutant source requiring a permit from BAAQMD (such as a diesel generator); and
- The project exceeds the health risk screening criteria after a screening analysis is conducted in accordance with the Bay Area Air Quality Management (BAAQMD) CEQA Guidelines.
- Exposure to Air Pollution (Toxic Air Contaminants)
 - Health Risk Reduction Measures
 - Requirement: The Project applicant shall incorporate appropriate measures into the project design in order to reduce the potential health risk due to exposure to toxic air contaminants. The Project applicant shall choose one of the following methods:
 - i. The Project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with the California Air Resources Board (CARB) and the Office of Environmental Health and Hazard Assessment requirements to determine the health risk of exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the City for review and approval. If the HRA concludes that the health risk is at or below acceptable levels, then health risk reduction measures are not required. If the HRA concludes the health risk exceeds acceptable levels, health risk reduction measures shall be identified to reduce the health risk to acceptable levels. Identified risk reduction measures shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City.
 - ii. The project applicant shall incorporate the following health risk reduction measures into the project. These features shall be submitted to the City for review and approval and be included on the project drawings submitted for the construction-related permit or on other documentation submitted to the City:
 - Installation of air filtration to reduce cancer risks and particulate matter (PM) exposure for residents, and other sensitive populations, in the project that are in close proximity to sources of air pollution. Air filter devices shall be rated MERV-13 or higher. As part of implementing this measure, an ongoing maintenance plan for the building's HVAC air filtration system shall be required.
 - Phasing of residential developments when proposed within 500 feet of freeways such that homes nearest the freeway are built last, if feasible.
 - The project shall be designed to locate sensitive receptors as far away as feasible from the source(s) of air pollution. Operable windows, balconies, and building air intakes shall be located as far away from these sources as feasible. If near a distribution center, residents shall not be located immediately adjacent to a loading dock or where trucks concentrate to deliver goods, if feasible.
 - Sensitive receptors shall not be located on the ground floor, if feasible.

- Planting trees and/or vegetation between sensitive receptors and pollution source, if feasible. Trees that are best suited to trapping PM shall be planted, including one or more of the following: pine (*Pinus nigra* var. *maritima*), cypress (*X Cupressocyparis leylandii*), hybrid popular (*Populus deltoids X trichocarpa*), and redwood (*Sequoia sempervirens*).
- Within the project site, sensitive receptors shall be located as far away from truck activity areas, such as loading docks and delivery areas, as feasible.
- Within the project site, existing and new diesel generators shall meet CARB's Tier 4 emission standards, if feasible.
- Within the project site, emissions from diesel trucks shall be reduced through implementing the following measures, if feasible:
 - Installing electrical hook-ups for diesel trucks at loading docks.
 - Requiring trucks to use Transportation Refrigeration Units (TRU) that meet Tier 4 emission standards.
 - Requiring truck-intensive projects to use advanced exhaust technology (e.g., hybrid) or alternative fuels.
 - Prohibiting trucks from idling for more than two minutes.
 - Establishing truck routes to avoid sensitive receptors in the project. A truck route program, along with truck calming, parking, and delivery restrictions, shall be implemented.

When Required: Prior to approval of construction-related permit

Initial Approval: Planning and Zoning Division

Monitoring/Inspection: Building Services Division

IMPACT ANALYSIS

Thresholds of Significance

The Revised Project would have an adverse impact related to criteria air pollutants and TAC emissions if it would:

- ► Result in exposure of sensitive receptors to TAC and PM_{2.5} in a manner that would cause excess cancer risk levels of more than 10 in 1 million or a chronic hazard index (HI) greater than 1.0 for TACs; or
- Result in exposure of sensitive receptors to TAC and PM_{2.5} in a manner that would exceed 0.3 micrograms per cubic meter (μg/m³) annual average PM_{2.5}.

Methodology

This evaluation was limited to existing highway emissions, because no other sources of TAC are present in the project area.

Existing Highway Emissions

Mobile source emissions from I-980 were estimated for use in this HRA. Emissions from mobile sources include diesel particulate matter (DPM) from diesel-powered trucks, and acrolein, acetaldehyde, benzene, 1,3-butadiene, ethyl benzene, naphthalene and formaldehyde from gasoline-powered passenger vehicles. ARB's on-road emissions inventory model, EMFAC 2011, was used to develop emission factors by pollutant, vehicle type, fuel type, and average speed for Alameda County. Traffic count data, including total vehicles and percentage of trucks, were obtained from the California Department of Transportation. The peak hourly traffic count was multiplied by the distance along the project site that parallels the roadway (approximately 0.4 mile) to obtain representative vehicle miles traveled (VMT) for the project area. The total organic gases (TOG) and PM_{2.5} emissions were estimated based on hourly emission factors and VMT for the project area.

Health Risk Assessment

An HRA was performed to evaluate the potential sensitive receptor exposure to the TACs from I-980. The HRA was performed in accordance with BAAQMD's Recommended Methods for Screening and Modeling Local Risks and Hazards (BAAQMD 2012) as well as methodologies presented in the California Air Pollution Control Officers Association guidance document, Health Risk Assessments for Proposed Land Use Projects (CAPCOA 2009b).

As part of the HRA, excess lifetime cancer risks, chronic and acute noncancer HIs were estimated. The estimated excess lifetime cancer risks, chronic and acute noncancer HIs were compared to the thresholds for significance for TACs, for a maximally exposed individual at the new residential receptors (MEIR) and a maximally exposed individual at new occupational worker receptors (MEIW).

Screening Assessment

The BAAQMD Highway Screening Analysis Tool for estimating cancer risk and hazards from highways in the Bay Area was used to evaluate the distance between the project boundary and I-980, and whether cancer and noncancer risks associated with locating sensitive receptors near the highway would be less than significant. Based on the screening assessment, refined dispersion modeling was completed to more accurately determine health risks from traffic emissions on new sensitive receptors.

Dispersion Modeling

Atmospheric modeling was performed to analyze localized ambient air quality and health risk associated with the generation of PM_{2.5} and TAC emissions from traffic on I-980. The air dispersion modeling required consideration and selection of the following parameters:

- ► Selection of the dispersion model
- ► Selection of appropriate dispersion coefficients based on land use
- Preparation of meteorological data
- ► Evaluation of potential terrain considerations
- ► Selection of receptor locations
- ► Identification of the source-specific release parameters, operational schedule, and averaging time periods

Model Selection. EPA's Industrial Source Complex (ISCST3) model (Version 02035) was used to model $PM_{2.5}$ and TOGs from highway emissions for the HRA. ISCST3 was applied with the regulatory default options, the rural modeling option (dispersion coefficients), and 3 years (1998 to 2000) of hourly meteorological data, obtained from BAAQMD for the Oakland Sewage Treatment (OST) meteorological station.

Meteorological Data. ISCST3 requires a sequential hourly record of dispersion meteorology, representative of the region within which the Revised Project would be located. The dispersion modeling to assess the exposure of the new receptors to the highway emissions are represented by a line source or series of volume sources. ISCST3 was applied with 3 years (1998 to 2000) of hourly meteorological data consisting of surface observations from the OST meteorological station in Oakland. A wind rose of the 3 years of data is shown in Figure 1. The wind rose indicates that the predominant wind direction is from the west to west-northwest.

Terrain and Receptor Data Processing. An important consideration in an air dispersion modeling analysis is to determine whether the terrain in the modeling area is simple or complex (i.e., terrain above the effective height of the emission point). Complex terrain can affect the results of a dispersion analysis involving point and volume sources, but it does not affect the predicted results for area sources (EPA 2004).

Terrain elevations were obtained from commercially available digital terrain elevations, developed by the U.S. Geological Survey, using its National Elevation Dataset (NED). The NED data provide terrain elevations with 1-meter vertical resolution and 10-meter (1/3 arc-second) horizontal resolution, based on a Universal Transverse Mercator (UTM) coordinate system. The U.S. Geological Survey specifies coordinates in North American Datum 83, UTM Zone 10. Lakes Environmental software was used to process the NED data and assign elevations to the receptor locations and sources. Electronic files containing these terrain elevations are included in the appendix.

For the HRA, model concentrations were estimated for grid receptors on each floor of the Revised Project, as summarized in Table 1 and shown in Figure 2.

Schedule, Source Parameters, and Emissions Summary

For the HRA analysis, the volume source parameters used in the air dispersion model to evaluate TAC emissions from I-980 on the project site receptors are summarized in Table 2.

Floor	Above-Ground Level (feet)	Above Ground Level (meters)
1	6.0	1.83
2	20.0	6.10
3	30.5	9.30
4	41.0	12.50
5	51.5	15.70

Table 1
Receptor Heights Above-Ground Level (AGL) for HRA



WRPLOT View - Lakes Environmental Software

Source: Data Compiled by AECOM in 2014

Figure 1. Wind Rose

PROJECT TITLE:

Highway Source and New Sensitive Receptors at 2935 Telegraph Ave for Health Risk Assessment



Source: Data Compiled by AECOM in 2014

Figure 2. HRA Receptor Grid

Table 2	
Volume-Source Release Parameters for the Highway HRA (as shown in Figure	e 2)

Volume Source Names	Release Height (meters) ¹	Initial Lateral Plume Size Sigma-Y (cubic meters) ²	Initial Vertical Plume Size Sigma-Z (meters) ³			
Cars (I980CR01 – I980CR14)	0.457	37.21	0.213			
Trucks (I980TK01 – I980TK14)	3.048	37.21	0.709			
Note: ¹ Assumes car exhaust of 1.5 feet, and truck exhaust of 10 feet. ² Width of road (260 feet) divided by 2.15 per ISCST3 modeling guidance for volume sources. ³ Height of 3 feet and 10 feet, respectively; divided by 4.3 per ISCST3 modeling guidance for volume sources.						

Analysis

The Revised Project would expose sensitive receptors near a major source of air pollution (I-980); however, this HRA demonstrates that the future sensitive receptors would not be exposed to substantial pollutant concentrations with potential health effects.

TAC Effects from I-980 on Project Site Sensitive Receptors. The project is located near I-980, a high-volume roadway (i.e., 100,000 vehicles per day within a 150-meter radius of the project site). Localized emissions from off-site mobile sources could directly adversely affect proposed sensitive receptors at the project site.

BAAQMD's Highway Screening Analysis Tool was used to evaluate the minimum distance required between the project boundary and I-980 so that the cancer and noncancer risks associated with exposing sensitive receptors near the highway would be less than significant. The distance from the closest corner of the project site to the edge of I-980 is approximately 165 feet. Link 891 in the Analysis Tool is the section of I-980 from 33rd Street to West Grand Avenue, nearest to the project site. The cancer risk 200 feet east of this segment is 35 in 1 million, greater than the threshold of 10 in 1 million. Refined dispersion modeling was completed to more accurately determine health risks from traffic emissions on the proposed sensitive receptors.

Cancer risk attributable to highway emissions was determined to be 2.46 in 1 million for the 9-year maximum child cancer risk, 3.56 in 1 million for the 70-year maximum adult cancer risk, and 1.45 in 1 million for the worker cancer risk; maximum chronic HI was determined to be 0.006 and the maximum acute HI was determined to be 0.015, as shown in Table 3. The annual average concentration for $PM_{2.5}$ is equal to 0.018 µg/m³, which is less than the 0.3 µg/m³ threshold.

As presented in Table 3, none of the cancer risk levels for workers or residents at the project site would exceed 10 in 1 million because of the existing traffic from I-980. Chronic and Acute HI levels are below relevant significance thresholds.

City of Oakland Conditions of Approval. The analysis presented in this technical study fulfills the City of Oakland Conditions of Approval for "Exposure to Air Pollution (Toxic Air Contaminants)." One option calls for preparing an HRA and comparing the results to standards of acceptable levels. If this comparison shows that health risk reduction measures are necessary, such measures would be required to be incorporated into the

Revised Project. This technical study would satisfy this standard condition of approval, and as discussed above, health risk reduction measures would not be required.

Summa	Summary of Maximum Health Risk from I-980 on Sensitive Site Receptors in the Project Vicinity									
Recepto	or Type	9-year Maximum Cancer Risk (per million)	70-year Maximum Cancer Risk (per million)	Maximum Chronic HI	Maximum Acute HI	Annual Average PM _{2.5} Conc. (μg/m ³)				
MFIR ¹	Adult		3.56							
WILLIK	Child	2.46		0.006	0.015	0.018				
ME	IW ²		1.45							
City of City o	Oakland e Threshold	10	10	1	1	0.3				
Exceed T	hreshold?	NO	NO	NO	NO	NO				

Table 3

Notes: $\mu g/m^3$ = micrograms per cubic meter; HI = Hazard Index; PM_{2.5} = fine particulate matter

MEIR: Maximally exposed individual at a new residential receptor; 70-year adult exposure scenario and 9-year child exposure 1 scenario for cancer risk.

2 MEIW: Maximally exposed individual at an existing occupational worker receptor; 40-year adult worker exposure scenario. Source: Data Compiled by AECOM in 2014

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Health Risk Assessment Calculations and Results

Cancer Risk for Resident (70 years)			
Parameter	Value	Units	
		[L/kg-	
Daily Breathing Rate (DBR)	302	day]	
	250	[days/yea	
Exposure Frequency (EF)	350	r]	
Exposure Duration2 (ED)	70	[years]	
Conversion Factor (CF)	1.00E-06	[m3/L]	
Averaging Time (AT)	25550	[days]	
CRAF (Sensitivity Factor)	1.7	[unitless]	
	DPM	TOG	
Ci = Annual Average Air Concentration for Chemical			Maximum on 1st
(μg/m3)	0.004	0.53284	Floor
Dose = Ci *DBR * EF *ED *CF / AT (mg/kg-day)	1.02E-06	1.54E-04	
CPF = Cancer Potency Factor (mg chemical/kg body			
weight-day)-1	1.1	6.28E-03	
Risk(inh) = Dose x CPF x CRAF	1.91E-06	1.65E-06	
Total Cancer Risk		3.56E-06	
Total Cancer Risk (in-one-million)		3.56	
Threshold		10	
Cancer Risk for Child Resident (9 years)			
Parameter	Value	Units	
		[L/kg-	
Daily Breathing Rate (DBR)	581	day]	
	250	[days/yea	
Exposure Frequency (EF)	350	rj	
Exposure Duration2 (ED)	9	[years]	
Conversion Factor (CF)	1.00E-06	[m3/L]	
Averaging Time (AT)	25550	[days]	
CRAF (Sensitivity Factor)	4.750	[unitless]	
	DPM	TOG	
Ci = Annual Average Air Concentration for Chemical			Maximum on 1st
$(\mu g/m3)$	0.004	0.53284	Floor
Dose = Ci *DBR * EF *ED *CF / AT (mg/kg-day)	2.53E-07	3.82E-05	
CPF = Cancer Potency Factor (mg chemical/kg body	1 1		
Weight-day)-1	1.1	0.28E-03	
Total Canaar Dick	1.32E-Ub	1.14E-Ub	
		2.40E-Ub	
		2.46	
Inresnola		10	

Cancer Risk for Worker (40 years)			
Parameter	Value	Units	
Daily Breathing Rate (DBR)	302	[L/kg- dav]	
		[days/yea	
Exposure Frequency (EF)	250	r]	
Exposure Duration2 (ED)	40	[years]	
Conversion Factor (CF)	1.00E-06	[m3/L]	
Averaging Time (AT)	25550	[days]	
CRAF (Sensitivity Factor)	1.7	[unitless]	
	DPM	TOG	
Ci = Annual Average Air Concentration for Chemical			Maximum on 1st
(µg/m3)	0.004	0.53284	Floor
Dose = Ci *DBR * EF *ED *CF / AT (mg/kg-day)	4.17E-07	6.30E-05	
CPF = Cancer Potency Factor (mg chemical/kg body			
weight-day)-1	1.1	6.28E-03	
Risk(inh) = Dose x CPF x CRAF	7.80E-07	6.73E-07	
Total Cancer Risk		1.45E-06	
Total Cancer Risk (in-one-million)		1.45	
Threshold		10	
	TOG -	TOG -	
Chronic HI	Run	Evap	Total
Ci = Annual Average Air Concentration for Chemical			
(μg/m3)	0.533	0.533	
Toxicity Weighted Chronic Noncancer Reference Dose	282.184	120	
Chronic HI	0.002	0.004	0.006
	TOG -	TOG -	
Acute HI	Run	Evap	Total
Ci = 1-hour Maximum Air Concentration for Chemical			
(μg/m3)	9.136	9.136	
	3255.08		
I oxicity Weighted Acute Noncancer Reference Dose	5	762	
Acute HI	0.003	0.012	0.015

APPENDIX C

Traffic Impact Assessment

Appendix C: Traffic Impact Assessment for 2395 Telegraph Avenue Project CEQA Analysis Oakland, California

Prepared for:

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Prepared by:

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October 2014



Memorandum

Date	June 2, 2014 Pa	ge	1 of 7
То	Charmaine Curtis, Curtis Development & Consulting		
	Bill Burton, PE		
From	Ryan Niblock		
Subject	2935 Telegraph Avenue Project - Trip Generation and Impact Evaluation		

This memorandum summarizes the results of the supplementary analysis conducted by AECOM in support of proposed changes to the development program for 2935 Telegraph Avenue. Specifically, these changes would involve increasing the total number of residential units provided by the development, as well as increasing the retail square footage. The original Project description analyzed in the *2935 Telegraph Avenue Draft EIR* (2007) (hereafter referred to as the "2007 EIR"), considered a mixed-use development consisting of 142 dwelling units and 2,900 square feet of retail space, whereas the revised Project description consists of 162 dwelling units and up to 4,045 square feet of retail space, representing an increase of 20 dwelling units and 1,100 square feet of retail space.

The goal of this supplementary analysis was to:

- Compare trip generation results associated with the revised Project description with that of the Project as analyzed in the 2007 EIR;
- Determine whether the revised Project description would result in any new impacts as compared with the Project as analyzed in the 2007 EIR; and,
- Identify mitigation measures required to reduce any newly identified impacts to a less-thansignificant level.

Trip Generation Comparison

2007 Project Description Trip Generation

Trip generation estimates for the 2007 EIR were made using data presented in the Institute of Transportation Engineers (ITE) *Trip Generation* (Seventh Edition, 2003). Based on United States Census Bureau *Journey to Work* (2000) data for the Project area,¹ it was anticipated that 45.9 percent of Project trips would be made by automobile, 35.5 percent of Project trips would be made by transit, and 18.6 percent of Project trips would be made by all other modes of travel (e.g., walk, bike). In order to provide a conservative estimate of Project vehicle trip generation, only a 10 percent reduction to ITE trip generation calculations was applied to account for non-automobile trips. However, the 2007 EIR analysis of transit impacts assumed that 35.5 percent of Project trips would be made by transit. Trip generation totals as analyzed in the 2007 EIR are summarized in **Table 1**.

As shown in **Table 1**, the Project as analyzed in the 2007 EIR was calculated to generate 1,054 daily vehicle trips, including 66 trips during the weekday AM peak hour and 95 trips during the weekday PM peak hour. Also, the Project as analyzed in the 2007 EIR was calculated to generate 402 daily transit trips, including 26 transit trips during the weekday AM peak hour and 37 transit trips during the weekday PM peak hour.

¹ The Project is located within Census Tract 4013.



	Size Daily Total	Daily	Daily AM Pe		our	PM Peak Hour		
		In	Out	Total	In	Out	Total	
Vehicle Trip Generation:								
Residential	142 DU	1,004	15	59	74	62	34	96
Retail	2,900 SF	129	0	0	0	4	4	8
Subtotal		1,133	15	59	74	66	38	104
Modal Split Reduction (10%)		(100)	(2)	(6)	(8)	(6)	(3)	(9)
Vehicle Trip Generation Total		1,054	13	53	66	60	35	95
Transit Trip Generation:								
Total Transit Trips (35.5%)		402	5	21	26	24	13	37

Table 1: 2007 EIR Trip Generation Summary

Source: 2935 Telegraph Avenue Draft EIR, 2007.

Currently Proposed Project Trip Generation

Trip generation estimates for the current Project description are developed from rates given in the ITE *Trip Generation* (Ninth Edition, 2012). Both a weighted average rate and a regression equation with which to calculate trip generation for each land use are provided. Generally, in cases where ITE has surveyed at least 20 sites for a particular land use, where the proposed project is within the range of sizes of the surveyed sites, and where the coefficient of determination² is greater or equal to 0.75, the regression equation is used to determine that land use's trip generation. In cases where ITE studied fewer than 20 sites, the coefficient of determination is less than 0.75, or the project provides a level of land use below a reasonable quantity, the weighted average is used to determine the land use's trip generation. Using the appropriate trip generation equation or rate, total vehicle trip generation estimates are calculated. The trip generation rates and regression equations used in this analysis are presented in **Table 2**. Trip generation estimates based on ITE values alone are summarized in **Table 3**.

Land Use ITE Land Use Code		Trip Generation Rate or Regression Equation					
		Daily	AM Peak Hour	PM Peak Hour			
Residential	Apartment (220)	T = 6.06*(X)+123.56	T = 0.49*(X)+3.73	T = 0.55*(X)+17.65			
Retail	Specialty Retail Center (826)	T = 44.32*(X)	N/A	T = 2.71*(X)			

Table 2: ITE Trip Generation Rates and Regression Equations

Source: ITE *Trip Generation* (Ninth Edition, 2012).

Notes: Where regression equations are presented, "T" stands for "Trips," and "X" stands for land use size. The retail land use is evaluated per 1,000 square feet, and the residential land use is evaluated per dwelling unit.

² The coefficient of determination (R^2) is an estimate of the accuracy of the fit of the regression equation.



	Sizo	Daily	AM Peak Hour			PM Peak Hour		
	5120	Total	In	Out	Total	In	Out	Total
Residential	162 DU	1,105	17	66	83	70	37	107
Retail	4,045 SF	177	0	0	0	5	6	11
ITE Trip Generation Total		1,282	17	66	83	75	43	118

Table 3: ITE Trip Generation Summary

Source: AECOM, 2014.

Research has shown that *ITE Trip Generation* over-estimates motor vehicle trips when applied to dense, urban environments such as the Project area. In fact, *ITE Trip Generation* acknowledges that most of the underlying data for the Handbook were collected in suburban settings with few, if any, alternatives to driving. Moreover, mixed-use developments that combine origins and destinations in close proximity may encourage "internal" trips made entirely within a given development and placing no burden on the external transportation network. For these reasons, the City of Oakland requires that mode split and internal capture are accounted for as part of the trip generation process using factors derived from observed travel data for Alameda County from the Metropolitan Transportation Commission's (MTC) 2000 Bay Area Travel Survey (BATS). Based on the Project's location between 0.5 and 1.0 miles of the nearest BART station, appropriate modal split adjustment factors per the 2000 BATS data are applied to the ITE Trip Generation totals. The results of this calculation are provided in **Table 4**.

Mode of Travel	Modal Split Adjustment Factors	Daily	A	M Peak Ho	our	PM Peak Hour			
			In	Out	Total	In	Out	Total	
Automobile	0.786	1,008	13	52	65	59	34	93	
Transit	0.118	151	2	8	10	9	5	14	
Bike	0.056	72	1	4	5	4	2	6	
Walk/Other	0.201	258	3	13	16	15	9	24	
Total Trips	1.161	1,433	19	77	96	87	50	137	

Table 4: Trip Generation Summary, by Mode

Source: Metropolitan Transportation Commission, 2000 Bay Area Travel Survey, Table K9, Total Trips; AECOM, 2014.

Comparison of Results

A comparison of vehicle and transit trip generation estimates for the Project as analyzed in the 2007 EIR and the Project as currently proposed is provided in **Table 5**.

As shown, as compared with the calculations presented in the 2007 EIR, the Project as currently proposed would generate one fewer vehicle trip during the AM peak hour and two fewer vehicle trips during the PM peak hour. Similarly, the Project as currently proposed would generate 16 fewer transit trips during the AM peak hour and 23 fewer transit trips during the PM peak hour.



	Vehicle Trip Generation							
Trip Generation Comparison	Daily	А	M Peak Ho	our	PM Peak Hour			
		In	Out	Total	In	Out	Total	
2007 EIR Vehicle Trip Generation	1,054	13	53	66	60	35	95	
Current Project Vehicle Trip Generation	1,008	13	52	65	59	34	93	
Difference	-46	0	-1	-1	-1	-1	-2	
2007 EIR Transit Trip Generation	402	5	21	26	24	13	37	
Current Project Transit Trip Generation	151	2	8	10	9	5	14	
Difference	-251	-3	-13	-16	-15	-8	-23	

Table 5: Vehicle Trip Generation Comparison

Source: 2935 Telegraph Avenue Draft EIR, 2007; AECOM, 2014

However, it should be reiterated that advances in trip generation calculation methodologies have found that the older methodologies overstated auto traffic. Thus, the lower trip generation estimates associated with the Project as currently proposed are a function of the current, more refined, City of Oakland trip generation methodologies. Nevertheless, the Project as currently proposed would add fewer vehicle trips to study intersections than were previously calculated and studied in the 2007 EIR.

Traffic Impact Assessment

The 2007 EIR examined Project-generated impacts under "Existing plus Project" and "Cumulative plus Project" (year 2025) scenarios. No Project-generated intersection impacts were identified under either analysis scenario, in either the AM or PM peak hour. Given that the Project as currently proposed would generate fewer vehicle trips than the Project as analyzed in the 2007 EIR, it is unlikely that the Project as currently proposed would result in new impacts under the analysis scenarios considered in the 2007 EIR. However, since the 2007 EIR was completed, newer cumulative traffic forecasts have been made available through the Alameda County Transportation Commission's (ACTC) travel demand model, including cumulative growth up to the year 2035.

Recently approved studies for neighboring projects have utilized the current ACTC travel demand model to forecast Year 2035 Cumulative Conditions, including the *Broadway Valdez District Specific Plan Final Environmental Impact Report* (May, 2014) (hereafter referred to as the "Broadway Valdez EIR"). The Broadway Valdez EIR studied eight intersections in common with the 2007 EIR, identifying significant impacts at three common intersections under Year 2035 Cumulative Conditions during the PM peak hour. These intersections include the Telegraph Avenue / MacArthur Boulevard, Telegraph Avenue / 27th Street intersections.

Given the availability of this new data, this section will determine whether the revised 2935 Telegraph Avenue Project description would contribute to the Cumulative impacts identified by the Broadway Valdez EIR under Year 2035 Cumulative Conditions.



Applicable City of Oakland Standards of Significance

This supplemental analysis focuses on the potential for the Project to contribute to Cumulative traffic impacts. Applicable City of Oakland's Standards of Significance are listed below:

- At a study, signalized intersection for all areas where the level of service is LOS F, the project would cause (a) the overall volume-to-capacity ("v/c") ratio to increase 0.03 or more or (b) the critical movement v/c ratio to increase 0.05 or more;
- A project's contribution to cumulative impacts is considered "considerable" (i.e., significant) when the project exceeds at least one of the thresholds listed above in a future year scenario.

Impact Analysis

To determine whether the Project as currently proposed would contribute to Cumulative traffic impacts identified in the Broadway Valdez EIR, traffic volumes associated with the Project are layered over the "2035 Plus Project Buildout" scenario presented in the Broadway Valdez EIR. As such, for the purposes of this supplemental analysis, the "2035 Plus Project Buildout" scenario presented in the Broadway Valdez EIR is considered the "Year 2035 Cumulative Baseline Conditions," and the addition of traffic volumes associated with the 2935 Telegraph Avenue Project yields "Year 2035 Cumulative plus Project Conditions." Intersection levels of service (LOS) for these analysis scenarios are summarized in **Table 6**.

Intersection	Year 2035 Cumulative				Year 2035 Cumulative plus				Project	
	Baseline Conditions				Project Conditions				Contribution	
	LOS	Delay	V/C Ratio		1.05	Delay	V/C Ratio		V/C Ratio	
			Avg.	Crit.	L03	Delay	Avg.	Crit.	Avg.	Crit.
Telegraph / MacArthur	F	126.5	2.23	1.80	F	127.5	2.24	1.89	0.01	0.09
Telegraph / 27 th	F	142.6	2.04	2.72	F	149.1	2.13	2.85	0.09	0.13
Broadway / 27 th	F	172.8	2.58	2.80	F	173.2	2.58	2.80	0.00	0.00

Table 6: Intersection LOS – Year 2035 Cumulative Conditions

Source: Broadway Valdez Plan FEIR, 2014; AECOM, 2014.

Notes: **Bold** indicates intersection operating at unacceptable conditions (LOS E or LOS F) ⁽¹⁾ Delay in seconds per vehicle

As shown in **Table 6**, the three common study intersections are anticipated to operate at unacceptable LOS F conditions during the weekday PM peak hour, with and without the addition of the proposed Project. The addition of Project-generated traffic would not substantially affect volume-to-capacity ratios at the Broadway / 27th Street intersection. As such, the Project would not result in a significant impact at this location. However, the addition of Project-generated traffic would cause the volume-to-capacity threshold to be triggered at the Telegraph Avenue / MacArthur Boulevard and Telegraph Avenue / 27th Street intersections. As such, the Project to the Cumulative impacts at these two locations.

Impact TRANS-1: The addition of Project traffic would increase the v/c ratio for a critical movement by 0.05 or more at the Telegraph Avenue / MacArthur Boulevard intersection which would operate at LOS F during the weekday PM peak hour at under Year 2035 Cumulative plus Project Conditions.

Mitigation Measure TRANS-1: Implement the following measures at the Telegraph Avenue / MacArthur Boulevard:



- Provide protected left-turn phase(s) for the northbound and southbound approaches;
- Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection for the PM peak hour); and
- 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 the City of Oakland's Transportation Services Division for review and approval:

- Plans, Specifications, and Estimates (PS&E) to modify intersection, to City of Oakland standards.
- Signal timing plans for the signals in the coordination group.

The project sponsor will be required to fund the cost of preparing and implementing these plans. If the City adopts a transportation fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant. To identify the point at which the Cumulative impact would be triggered, anticipated traffic growth between Existing Conditions and Year 2035 Cumulative Conditions is applied by annual increments. This straight line interpolation of intersection traffic volume between Existing plus Project Conditions, and Cumulative Year 2035 plus Project Conditions, indicates that the impact would be triggered by the year 2030 (i.e., Cumulative growth to the year 2030, plus the full buildout of the proposed Project). Investigation of the need for this mitigation shall be studied one year prior to the identified trigger year (i.e., 2029), and every three years thereafter until the year 2035 or until the mitigation measure is implemented, whichever occurs first.

After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. However, the mitigation measure would reduce the total intersection v/c ratio and critical movement v/c ratio to values lower than under Year 2035 Cumulative Baseline Conditions. As such, the Project's contribution to delay would be mitigated.

Significance after Mitigation: Less than Significant.

Impact TRANS-2: The addition of Project traffic would increase the total intersection v/c ratio by 0.03 or more and increase the v/c ratio for a critical movement by 0.05 or more at the Telegraph Avenue / 27th Street intersection which would operate at LOS F during the weekday PM peak hour at under Year 2035 Cumulative plus Project Conditions.

Mitigation Measure TRANS-2: Implement the following measures at the Telegraph Avenue / 27th Street intersections:

- Provide protected left-turn phases for the northbound and southbound approaches;
- Optimize signal timing (i.e., changing the amount of green time assigned to each lane of traffic approaching the intersection for the PM peak hour); and



• 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 Services Division for review and approval:

- Plans, Specifications, and Estimates (PS&E) to modify intersection, to City of Oakland standards.
- Signal timing plans for the signals in the coordination group.

The project sponsor will be required to fund the cost of preparing and implementing these plans. If the City adopts a transportation fee program prior to implementation of this mitigation measure, the project sponsor shall have the option to pay the applicable fee in lieu of implementing this mitigation measure and payment of the fee shall mitigate this impact to less than significant. To identify the point at which the Cumulative impact would be triggered, anticipated traffic growth between Existing Conditions and Year 2035 Cumulative Conditions is applied by annual increments. This straight line interpolation of intersection traffic volume between Existing plus Project Conditions, and Cumulative Year 2035 plus Project Conditions, indicates that the impact would be triggered by the year 2029 (i.e., Cumulative growth to the year 2029, plus the full buildout of the proposed Project). Investigation of the need for this mitigation shall be studied one year prior to the identified trigger year (i.e., 2028), and every three years thereafter until the year 2035 or until the mitigation measure is implemented, whichever occurs first.

After implementation of this measure, the intersection would continue to operate at LOS F during the weekday PM peak hour. However, the mitigation measure would reduce the total intersection v/c ratio and critical movement v/c ratio to values lower than under Year 2035 Cumulative Baseline Conditions. As such, the Project's contribution to delay would be mitigated.

Significance after Mitigation: Less than Significant.

It should be noted that these impact findings are a result of the newly available ACTC travel demand model (including cumulative growth up to the year 2035), and do not represent new impacts associated with the 2935 Telegraph Avenue Project. As such, these impacts do not represent new Project specific impacts, but instead, cumulative impacts associated with a new ACTC travel demand model horizon year.